Resolving Conflicts in Institutions of Higher Education: Challenges for Pracademics

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Introduction

Pracademic is a term we coined to describe academics who are scholars and teachers in the field of dispute resolution and actually practice what they preach in their university. They can be seen as indigenous dispute resolvers in the academic culture. Unlike others who play similar roles and are officially designated to process grievances such as the specialized university ombuds, pracademics retain their traditional faculty role. In recent years these faculty, out of choice or chance, are playing an increasing role in managing and resolving conflict situations. The development of scholarship on conflict also motivates them to foster an environment conducive to using new and creative conflict management approaches. For instance, while a psychology professor may counsel an individual student through a stressful episode, pracademics are part of the academic culture which creates the conflict they seek to help resolve or shape into a constructive force for change.

Over the last twenty years as the dispute resolution field has grown, many universities have hired faculty to teach and do research in the areas of mediation, negotiation, and related processes. Concurrently, rapid changes in the mission and structure of American universities have created a wide range of conflicts on campus as well as a demand for better ways of managing differences. Of particular note, starting in the mid 1980s the William and Flora Hewlett Foundation began funding universities to develop practice-relevant theory in conflict analysis and resolution. This initiative spurred not only the development of research and practice in close to twenty academic institutions, but also a supply of pracademics in conflict resolution.

More and more pracademics have been asked by colleagues, students, and

university administrations to assist with on-campus disputes. These disputes may range from interpersonal differences over schedules to complex race or ethnically-related university-wide controversies. Most of us willingly participate in order to serve our academic communities, test our theories and skills, and seek long term support from administrators. In some cases, this work has become institutionalized with on-campus mediation programs and formal participation in development of university wide grievance and dispute systems design.

This article focuses on the opportunities and challenges confronting faculty who utilize conflict resolution skills and scholarly knowledge on campus as expert conflict resolution practitioners. Additionally, it will discuss the relevance of the university context to the emergence of conflict and to the role strains and contradictions experienced by pracademics.

Conflict and Its Resolution in the University Context

University based conflicts vary from campus to campus and reflect university size, location, student population, mission, specialization, governance, and unionization. What can trigger conflicts, perhaps even large scale ones, on one campus may be inconceivable on another. However, university based conflicts also share enough in common to be universally understood. For instance, even in those instances where student evaluations of faculty are not required, they are a widely understood feature of the academic workplace. Moreover, disputes surrounding a wide range of topics such as norms about faculty-student dating on campus, sexual harassment policies, or student behavior codes may also be campus specific. Yet when conflicts occur over these and other campus related matters, there are many similarities in the dispute culture across universities.

The management of conflicts on college campuses is as complex and as varied as the nature of conflicts themselves. Nonetheless, the approaches and processes used by pracademics are quite recognizable.

Tolerance for Diversity

A number of factors have contributed to the coming of age of pracademics on college campuses. Educational settings are places where modeling and honoring particular values (e.g. respect for diversity and diverse ideas, reasoning together, academic freedom) are well established. In many ways, and perhaps more so than anywhere else, the ivory tower is recognized for its tolerance of competing lifestyles, values, beliefs, and principles.

When a wide range of conflict situations emerge necessitating intervention, using those who understand the context and are knowledgeable about conflict resolution processes closely resembles using "in house experts." As members of the organization, pracademics understand and require less time to learn the specific organizational culture. Moreover, the innovative and non-adversarial conflict resolution processes being developed are better suited for airing and managing the kinds of concerns which surface in the intellectual environment of the university community. They also fit with what remains of the academic norm to solve problems by reasoning together.

New Areas of Conflict

Conflicts on campus are growing in number, kind, and complexity. The current university context is clearly more challenging than in the past. The range of conflicts and the forums available for their management are much more far-reaching than ever before. In short, society has changed... and so has the university.

Universities are confronting countless pushes and pulls from internal and external sources which influence the kind and quantity of conflicts that emerge. More legal challenges are being brought against faculty and universities today due to new or different perspectives about what constitutes a conflict. For instance, today there are a growing number of rights-based situations that did not previously exist. The rights of students and employees are expanding as are the specific responsibilities of faculty and universities. An excellent example is in the area of disabilities. In the

past, a disability was a "private" trouble. In many ways, universities were totally inaccessible. Today, the Americans with Disabilities Act (ADA) has brought with it a significant transformation in the way the entire university functions. The situation is no longer a "private" trouble, it is a public issue. The ADA now means that students not only have expectations, but also the rights to a potentially wide range of accommodations to meet their disabilities. In the past it was highly unlikely that a student could expect a university to provide note takers, tutors, counselors or additional time with special proctors to meet their needs. Today, depending on the situation, different responsibilities of faculty and the university are required. Once these rights are established in the organizational culture, the use of collaborative problem solving processes like mediation can avoid lengthy and costly law suits and provide students with disabilities support for their education.

Another area of concern for the university workplace environment is sexual harassment. In the past, if someone experienced unwelcome sexual advances it was not uncommon for it to have been shrugged off as part of the “college scene.” Stories about sexual advances in the academic community have been legend. Today, universities must pay very close attention to statutes if for no other reason than their exposure to time consuming and expensive litigation, costly financial damages and bad public relations. Universities have tended to mimic the fact- finding and adversarial processes of the law in designing on-campus methods to resolve these matters. However, in some cases the on-campus, formal processes to investigate and resolve these issues are found to be inadequate, resulting in the university losing their cases and costing millions of dollars.

The university community experiences countless conflict situations. Without alternative methods, the conflict situations can contribute to a highly adversarial environment. Disputes over university reorganization, faculty performance, multimillion dollar grants, intellectual property,

affirmative action, freedom of information, to name a few, all contribute to a complex conflict landscape. Add to this the conflicts common in most organizations, such as conflicts over relationships, personalities, turf, power and resources, and there is a very full plate. Any one university may experience the full range of conflicts from the interpersonal to the international.

Some conflicts are in fact unique to the university setting, such as those involving academic freedom, research, and the micro managing of personnel matters by peers. In other instances, situations which may seemingly have no relationship with the university may in fact become a source of major conflict and get played out on campus, such as actions taken by a foreign government which are opposed by students.

That many of the conflicts are not under the shadow of the law complicates the university conflict landscape. Additionally, the legitimacy of traditional authority seems less effective and the reaching of consensus by reasoning together to solve academic issues, weaker. All of these conditions exist while the differences between various faculty, their students, the administration and support systems seem to proliferate.

The Culture of Problem Solving

There is an increasing recognition on college campuses that the educational experience should include positive and constructive ways of approaching conflicts both in and out of the classroom. As the more collaborative conflict resolution processes continue to gain increasing acceptance and recognition, a growing number of college communities are taking a closer look. Rather than having decisions made by adjudicative bodies where parties are pitted against one another with prospects of winners and losers, colleges are seeking ways to help parties involved in conflict reflect on their situations and work through their differences.

Where parties are unable to manage their concerns directly with each other, processes like mediation have been widely encouraged. Mediation

provides college communities with a way to handle a wide range of difficult situations by furthering the opportunity for parties to strive for working arrangements with which they can live. In short, handling conflicts using collaborative problem solving is in harmony with university values of coexistence of diverse ideas.

Paradigm Shift

Until less than thirty years ago, limited attention had been given to the deliberate development of curricula, academic programs, coursework, training efforts, professional associations and even professional careers in the realm of alternative dispute resolution. There were very few academics specializing in conflict resolution, a dearth of research and little if any systematic and deliberate thought given to the kinds of innovative dispute resolution processes that are being introduced, implemented, and institutionalized in higher education. Today, universities are in the midst of a paradigm shift; a movement away from adversarial processing to one using collaborative ways of managing conflicts that are emerging on their campuses.

There are at least four new conditions contributing to this paradigm shift on campuses: [1] the proliferation of new and different types of conflicts has made universities, much like other institutions, interested in utilizing less expensive, and more efficient ways of managing conflicts; [2] the emergence of new dispute resolution practitioners, many already on college campuses who are ready, willing and able to assist college communities to consider other ways of managing conflicts; [3] the establishment of a new academic discipline around conflict resolution processing (with coursework, certificates, undergraduate and graduate degrees) spinning off a subculture of resolving conflicts creatively on campuses, and creating not only eager interveners but also a constant reminder and awareness of innovative ways to manage conflicts; and [4] the proliferation of a wide range of processes in the larger society, like negotiation, mediation, facilitation, conciliation, etc. which have been viewed and embraced as in harmony with the educational

environment.

A New World View on Campus

Over the years, there has been an increasing recognition on college campuses across the country that the educational experiences should include constructive ways of approaching conflicts in and out of the classroom. The image of the university usually constructed is one where people of diverse backgrounds can get along, find effective ways to agree to disagree, and even have fun together. Principles guiding such an image usually reflect the following: good communication skills where active listening is practiced, respect and tolerance for diversity, collaboration, empowering processes and the like.

Historically, most universities hired or retained legal counsel to provide university officials with adversarial bargaining or adjudicative approaches, all of which could play an important role in managing conflicts. What was not as widely available to university legal offices have been practitioners who reflect the new world views of more collaborative problem solving approaches like interest based bargaining, mediation, facilitation, etc. These processes are emerging as a new set of mental models that provide a markedly different approach to conflict processing.

With academics on campus teaching, doing research and publishing as expert conflict resolvers, universities provide them with an opportunity to practice their field. Sometimes this occurs out of choice when the academics themselves step forward and offer their assistance, and sometimes this occurs because the university looks to its faculty for direction on how to best manage a situation. These pracademics are the closest thing to having "indigenous conflict resolvers", namely individuals for whom non-adversarial ways of managing conflicts is a dominant approach.

The Pracademics and the Challenges they Face

Pracademics who intervene in conflict situations on campus as an outgrowth of academic work or because of their expertise in the field of

dispute resolution face a wide range of challenges. In their role as academics there are often many expectations about their own work as well as about how they fit into the university community. In fact, the routine work expected of college faculty members may compromise their work as pracademics who are involved in conflict situations on campus. As faculty members they are expected to serve on committees such as the faculty Senate, personnel and budget committees, and curriculum committees which take positions on many controversial issues and become well known to colleagues and members of the community.

Serving on committees and developing recognizable acquaintance, perhaps even close friendships with colleagues, are unavoidable and very often essential for a successful academic career. Yet these very activities can set the stage for the many challenges in undertaking impartial work.

Multiple Roles

Two attributes of effective dispute resolvers are the appearance of impartiality and trustworthiness. Depending on pracademics' academic history, experience or "baggage", their background may work for or against them as successful interveners. For instance, assume that a faculty member with a less than stellar record of research publications was promoted to full professor. As a dispute resolver on campus, some faculty may not respect his or her interventions because s/he did not conform with the local norms regarding promotions.

An additional concern for the pracademic is the loss of his or her own voice. Once becoming a valued intervener on the campus, it may be difficult for a pracademic to take a position. Becoming outspoken for a "cause", even within one's own academic department, may threaten the future role as a intervenor. If the university administration has begun to make use of pracademics and a successful reputation has been built, the intervener's own voice may be seen by colleagues as representing the administration and thus suspect. Again, there is an irony since the pracademic whose skills are

communication, collaboration, and conflict resolution may be stifled within his or her own settings to make use of those very skills.

Loss of trust may also be a result of routine academic work. Assume that the pracademic was a member of a university wide curriculum committee and spoke out against the approval of a particular course. S/he might be distrusted by those who were spoken against. In addition, s/he could be eliminated from managing any conflict in the substantive area under discussion.

Finally, the issue of neutrality is often crucial to successfully manage conflict. Yet when pracademics enter the fray on their own campus, their other associations and responsibilities as faculty members may threaten their role as neutral or give rise to the perception by other faculty as having a bias.

Role Strain/ Faculty Evaluation

The most obvious strain facing pracademics is that scholarly evaluations at most universities continue to emphasize research publications with teaching and especially service to the professional and academic communities being a distant second and third. The Carnegie Foundation's report on "The New Professorate" (1994) called for wider and more varied assessments of faculty quality to bring evaluations into alignment with the rapid change in faculty roles and the structure of American universities. But these changes have not been widely adopted.

Pracademics who attempt to actively combine a conflict resolving practice within the university community with scholarship become neither fish nor fowl in the evaluations of colleagues. A pracademic who uses valuable time to do intervention work may be seen as only doing "busy-work" by colleagues. Faculty who prefer to assess a colleague's record on the traditional grounds of the number of publications may not respect the pracademic's work as a scholarly contribution for promotion or tenure. At best, these activities are seen as a measure of community service. However, abundant community service is

not given the same weight as abundant research and rarely counted even when the specific conflict resolution interventions were valued by the university administration, other faculty, and students. A further irony is that much conflict resolution work depends on confidentiality, and more often than not, behind closed doors. Thus, one's colleagues may not even know about the nature or extensiveness of the work undertaken by a pracademic. The lack of recognition for one's work can become frustrating for a young faculty member who can not document this work in his or her dossier.

Measuring Success

Measuring the success of one's work in the conflict resolution field has been a subject of much discussion. As a pracademic, success may be measured in different terms. For example, it is common for successful outcomes of cases to remain confidential and for failures to become public. There are instances when a successfully resolved case goes totally unacknowledged. For the pracademic that means that valuable time that would have otherwise been spent doing the conventional academic work that counts is unrecognized.

If one were mediating off campus and the parties do not reach an agreement, it would just be another case. When an agreement is not reached on a case mediated on campus, there is much more at stake. In addition to having an unsuccessfully managed case, one might have to manage one's reputation with colleagues. This situation could be magnified in those situations where there might otherwise be an acceptable blaming or scapegoating of the mediator for a failed agreement. Such implication may tarnish a pracademic’s reputation with colleagues. Additionally, the outcome that successful dispute resolution has on morale in the academic community is hard to measure. Likewise, changing the conditions that lead to chronic disputing and reducing the emotional and monetary costs of managed conflict are hard to assess.

Workload Challenges

Since handling university conflicts is not part of a faculty member's official duties, a pracademic could easily feel exploited given the long hours

that are sometimes devoted to collaborative problem solving. Trying to find ways to put this work in proper perspective can be challenging. Should one get released time, compensation or certificates of recognition? How much is equivalent to working on some other university related activity, especially when there may be nothing to show for the time spent when parties just stop by to talk?

The emergence and timing of conflict situations are unpredictable. Managing them is often similar to being a doctor on call. The calls for assistance may come at inopportune moments, such as the end of a semester when faculty are extremely busy grading papers and completing projects. However, if the university administration, students or faculty need help and are requesting collaborative solutions, it is hard for a pracademic to refuse. Depending on the situation, it may be even difficult to delay the intervention.

Confidentiality

Because of the nature of conflict resolution work, the pracademic may come to know a lot of "secrets", "inside or "trusted" information. This can become the cause for awkward moments when colleagues may try to pry out information about situations or people that may not be acquired any other way. It can also become a constant challenge for the pracademic to remember what is shared in confidence since roles can be quite complicated when there are ongoing relationships.

Egalitarian Philosophy

The university is awash with an egalitarian philosophy, even though in reality there is a strict hierarchy of privilege, reward, and ranking. The pracademic may have tricky waters to negotiate here as well. For instance, if a Provost asks a faculty member to intervene in a conflict between two department chairs who are having differences over restructuring their curriculum, the pracademic, while perhaps at a lower faculty rank, may be embroiled in higher educational politics. Seeing behind the scenes into

administrators' squabbling may become somewhat embarrassing at a later date when these administrators are in a position of authority related to the pracademic's promotion or tenure.

There may be an inherent risk that needs to be carefully assessed when a pracademic chooses to become an intervener. In our experience the calls from department chairs, administrators, deans, and others outnumber the calls from faculty unions, individual faculty members, staff and students. The administration is supposed to be the problem solver even when they may be part of the cause and have strong interests in the resolution. Pracademics' impartiality is jeopardized if they are seen as in "bed" with administrators.

Conclusion

American universities are experiencing a challenging, fascinating, fast changing landscape on the sources and management of conflict. This provides an opportunity for scholars who practice within the university to develop alternatives to legalized policy and rule driven approaches to disputes and conflicts in universities. Some conflicts are better seen as the result of structure and change within the university or interpersonal problems. Many can be effectively resolved. But we need a significant paradigm shift in how conflicts are being processed on college campuses. Pracademics are both responding to and stimulating the change. One choice is between developing "indigenous" dispute resolvers within the academic culture or developing more formal ombuds offices which house a variety of advocacy and dispute resolution services.

There are a variety of unintended consequences as faculty trained and experienced in conflict management are asked to bring those skills into their own university settings. How these "indigenous" experts are treated remains open for much discussion. Their role, career line, compensation, and security need to be delineated. As the field of conflict resolution expands and the number and type of conflicts mushroom, more thought must be given to the role of the interveners on campus who now teach, conduct research, consult,

facilitate disputes and intervene both with faculty, students and the university administration.