

# 16

## The Accidental Ombudsman

By Howard Gadlin

---

“I want to free my music from my memory and taste and from my likes and dislikes so that my music, instead of saying something that I have to say or expresses me, changes me.”

— *John Cage*

---

**Howard Gadlin** retired in 2015 after 17 years as ombudsman and director of the Center for Cooperative Resolution at the National Institutes of Health, where he developed new approaches to addressing and preventing conflicts among scientists. In establishing the Gadlin Lecture Series in his honor, NIH officials noted Gadlin’s “big-picture approach” to ombuds work and said the lectures will “embody his ongoing commitment to scholarship, intellectual curiosity, creative problem-solving, and values of fairness and respect.” From 1992 through 1998, he was university ombudsperson and adjunct professor of education at the University of California at Los Angeles, where he was also director of the UCLA Conflict Mediation Program and co-director of the Center for the Study and Resolution of Interethnic/Interracial Conflict. While in Los Angeles, he also served as consulting ombudsman to the Los Angeles County Museum of Art. Before moving to Los Angeles, Gadlin was ombuds and professor of psychology at the University of Massachusetts at Amherst. Gadlin is past president of the University and College Ombuds Association and of The Ombudsman Association and past chair of the Coalition of Federal Ombudsmen. An experienced mediator, trainer, and consultant, he has many years’ experience working with conflicts related to race, ethnicity, and gender, including sexual harassment, and is often called in as a consultant or mediator in “intractable” disputes. With colleagues he has written *Collaboration and Team Science: A Field Guide* (2nd ed., 2018), “The Welcome Letter: A Useful Tool for Laboratories and Teams,” and “Mediating Among Scientists: A Mental Model of Expert Practice.” He is the author of “Conflict Resolution, Cultural Differences, and the Culture of Racism,” “Mediating Sexual Harassment,” and “The Activist Ombudsman.”

Accident and coincidence play a bigger role in our lives than we sometimes like to admit. I recently retired after 35 years as an ombudsman, first in universities and then at the National Institutes of Health.

I never intended to become an ombudsman.

In the fall of 1982, I was a professor of psychology at the University of Massachusetts at Amherst. I was an activist, more often involved in generating conflicts than resolving them. Being a professor had been my goal ever since my college days, even before I decided to major in psychology. It was my dream job, and I loved it. So when the chancellor asked me to take on the job of ombudsman, a two-thirds-time position, I was a little apprehensive. And I never expected it to be a life-transforming experience.

I grew up in a home that had only six books. My father, a salesman with a touch of Willy Loman (minus the infidelity) in him, grew up in the Depression. He dropped out of high school to help his family and never went back. Along with his two brothers, he made up the name Gadlin to replace Gadolowitz, which itself was an immigration officer's transliteration of Gedelowicz, to sound more American (read: less Jewish). My mother, who did not enter the world of work until my younger sister went to high school, had been abandoned as a child by her mother, who ran away with the milkman. At our apartment in Brooklyn and then Queens, she gave her children the attention and love she never received. She was very astute interpersonally, in the way only someone who has been hurt and insecure at the deepest level can be, so it was no surprise that I wound up in psychology.

I had a happy childhood, but I couldn't wait to leave home. My parents were somewhere between apolitical and vaguely liberal, but ever since Jackie Robinson joined my team, the Brooklyn Dodgers, I had followed stories about desegregation. A civil rights movement was underway.

Concern about the threat of nuclear war was growing. I wasn't content to be content. I wanted engagement and stimulation.

At Queens College, I leapt into my new life. In addition to taking classes, I worked on the student newspaper and was politically active. By the age of 26, I had my PhD and first job, as an assistant professor at the University of Illinois at Chicago Circle (now the University of Illinois at Chicago). In the late 1960s, Chicago was a great place to be an activist academic. Like many in my cohort, I was deeply involved in both teaching and turmoil. The turmoil even reached into my young family. With friends, we started a politically inspired commune where we wrestled with issues about money, child-rearing and discipline, sexuality and feminism. The friendships survived. The marriage did not.

In 1969, toward the end of my third year in Chicago, I was recruited to UMass. My start was not a quiet one.

In my first semester I helped organize and spearhead a challenge to Hubert Humphrey, who was scheduled to speak at the university. Hoping to undercut a possible disruption of his speech, Humphrey, who was preparing to run for president but was also teaching at a small college in Minnesota, had agreed in advance to answer questions about his political positions before delivering his prepared remarks. But by the time he walked onto the stage, the students were quite raucous, and many were shouting critical comments.

Trying to warm up the crowd, Humphrey remarked that he was a professor now and (condescendingly) reminded the audience that in the academic world, arguments are not settled by decibel level. After he quite successfully parried critical questions from three or four students, the energy in the small arena where he was talking subsided.

At that point, I took the microphone and said (self-righteously) with a smile, “Professor Humphrey, Professor Gadlin here.”

Humphrey smiled back at me.

“I agree about the decibel level,” I said, “but there is another level about which I am concerned, and that is the bullshit level.” The audience went wild. Humphrey’s smile disappeared.

I went on to give a brief but pointed critique of some of Hubert Humphrey’s past political actions and positions. When a graduate student asked some other pointed questions, the audience erupted in cheers. Humphrey left the stage.

Those of us who had decided to challenge Humphrey had wanted to get him to answer questions about his political actions; we never intended to keep him from speaking. So I was surprised—and a bit scared—about the possible consequences for my job. The university administration was embarrassed and angry, a faculty senate committee was set up to investigate, and some state legislators called for me to be fired, but I was not punished. Although worried, in an odd way I felt that my credentials as a radical had been validated.

More was to come. The spring semester of 1970 was marked by increased protests against the war in Vietnam, and on April 30, after President Richard Nixon announced the invasion of Cambodia, student strikes erupted on more than 700 college campuses. Five days later, National Guard soldiers killed four protesting students at Kent State University in Ohio, and then, on May 15, police killed two students at Jackson State College in Mississippi. At UMass, the reaction was a volatile mixture of fear and anger. Some students and faculty wanted to cancel a strike we had planned, fearful that they, too, might be shot. Others thought we couldn’t back down and had to proceed with

the strike. Some students called for more militant actions. The university administration wanted the strike plans to dissolve. The student organizing committee, overwhelmed and unable to manage or resolve the competing factions, turned to the faculty advisory committee that I had organized with some colleagues.

I was asked to take over as chair of the strike committee. Together with the student leadership I developed a proposal designed to keep the strike going but also ensure that there would be no violence. At a massive outdoor rally, I asked for a pledge of nonviolence from the strikers and a commitment from the administration to restrain the campus police. The strike committee even asked that the administration let the strikers take responsibility for policing the campus.

The administration agreed, and we established a volunteer peace-keeping group. The pledge of non-violence was overwhelmingly supported, and the subset of students who had wanted to stop the strike continued their participation. Immediately after the rally, however, I learned that a small group of graduate students were planning to bomb the ROTC building—an action that surely would have been disastrous, both for the damage it would cause and its effect on the fragile agreements.

Through my contacts with other graduate students, two of the student strike leaders and I were able to meet with the group that was planning the bombing. At 2 am, after four hours of discussion and negotiation, they agreed not to go ahead. The strike continued through the end of the semester. There was no violence.

Sometime that year I was visited by Ellsworth “Dutch” Bernard, an English professor who had been appointed as the first ombudsman at UMass. I had never heard the term “ombudsman,” and although I found Dutch quite engaging and well-intentioned, I remember being quite skeptical of

the role, which I suspected was a way of coopting protest. I dismissed him as just another liberal academic and continued along my career path.

Twelve years later, in 1982, I was appointed ombudsman at UMass. I later learned that two factors had contributed significantly to making officials want me in the job: they believed that my history as an activist meant that I was not afraid to stand up to power and would not be intimidated by the university administration, and although I had never spoken with anyone other than the strike leaders about the 1970 negotiations with the would-be bombers, administrators had learned of my role. I might not have thought of myself as a conflict resolver, but others did. When I became ombuds, Dutch, who had retired in 1973, was one of the first people to visit me—not to ask for help but to offer support. We became good friends.

### **Serving as Ombudsman**

Even though I had training in psychotherapy and experience in running T groups,<sup>1</sup> I was not really prepared for my new position.

I still recall the first time I met with an unhappy employee and his supervisor, hoping to help them resolve their differences regarding the supervisor's evaluation of the employee's performance. I felt as if I had been pulled into a giant industrial vacuum cleaner and then expelled, covered with dirt, through its exhaust.

Luckily the previous ombuds, my friend Janet Rifkin, referred me to Albie Davis, who was the queen of community mediation in Massachusetts at that time. I enrolled in one of her mediation training sessions and returned to campus a week later, warily ready to test my newly acquired skills. The following week I had my chance.

My first mediation was a student-faculty sexual harassment case. The hapless faculty member could not

tell the difference between a student's enthused interest in her teacher's subject matter and his own infatuation with the young woman who actually paid attention to what he was saying. In a marathon session, we talked our way to an agreement in which, among other things, the faculty member apologized to the student and promised never to do again what he had denied having done in the first place. He even agreed to have a copy of the mediation agreement kept in a confidential file with the *proviso* that if he were ever again accused of sexual harassment, the file would be forwarded to his dean.

That mediation session was a pivotal experience for me. First off, I was excited about mediation. I sought out additional trainings and joined organizations that put me in contact with other practitioners and researchers in what was then known as alternative dispute resolution. After I got more experience, with lawyer colleague Nancy Braxton, I developed a divorce and family mediation practice. I wanted to work with as many different types of conflict as possible.

Attending meetings with mediators and ombuds was a revelation. Unlike status-conscious academics, with their barely hidden competitive undercurrents, people at ADR meetings were supportive and generous about sharing knowledge and techniques. These were cooperative competitors with a shared enthusiasm for the field they were building, brought together by the feeling that they were doing something valuable and new (or at least new to us). More enduring friendships emerged from those gatherings than I can enumerate.

In addition to introducing me to new colleagues, my entry into this field shook up my thinking; it forced me to rethink my ideas about how to bring about change. Until my appointment as ombudsman, I had kept up my activism, which still seemed to be the only way to produce sig-

nificant change. Now that I was in the role of a neutral, I realized that I could also contribute to change. But it was more than that. As I met with a wide range of people, I was learning that for many folks, being treated respectfully and being heard were often even more important than getting the outcome they thought they wanted.

At the same time, that first mediation session was the beginning of an upheaval in my understanding of campus power dynamics and the role of faculty. As a faculty member, I had always taken it for granted that professors were widely respected and admired, but that assumption was quickly dismantled by those who came to talk with me. It was shocking to hear how many staff members felt insulted by the way faculty interacted with them; surprising to learn how many students felt mistreated by their teachers; dismaying to learn about the array of conflicts, from trivial to substantive, among faculty or faculty and administration. Like many academics, I had always valued scholarly intelligence and intellectual achievement, but now I was learning how often very smart people could be really dumb, not to mention cruel and insensitive.

By far the most dramatic change in my thinking came from listening to stories of sexual harassment from students, staff, and women faculty. Up until then I had an almost romanticized view of sexual relations among faculty and students. For me, such relationships were a logical extension of changing sexual mores, the loosening of restrictions on sexual expression and freedom, and an acknowledgment of sensuality as a part of human interaction. Now, hearing these stories of predation and exploitation, listening as (mostly) women described their deep disappointment when they realized that their mentor's interest in them was more sexual than intellectual, I was forced to rethink my own history over the previous decade.

If I could have, I would have sent out recall notices on many of my past relationships.

Mediating sexual harassment became an area of specialization, both as a way of making it safer for women to come forward at a time when most universities lacked effective or trusted policies or procedures and as a way of better understanding the dynamics of sexual harassment. I wrote papers and received invitations to give sexual harassment workshops around North America, including York University in Toronto, where I gave a two-day workshop and then, because of complications in my travel arrangements, stayed the weekend in Toronto and hung out with Brenda Hanning, one of the workshop organizers. One and a half years later, we were married.

My personal life wasn't the only thing that was changed by my focus on sexual harassment. Working with sexual harassment cases also forced me to appreciate more fully the second dimension of an organizational ombuds' responsibility—to identify problematic systemic factors in the organization. While mediators work from case to case, ombuds have to understand cases in the context of the larger organization in which they develop. This approach requires more than just keeping track of the frequency with which particular issues recur in an organization and reporting upward to leadership. Sexual harassment can't be reduced, or even eliminated, merely by identifying harassers and taking disciplinary or corrective actions. Fundamental aspects of an organization's climate and culture, as well as its procedures and processes for addressing grievances and conflicts, can create the conditions in which harassment occurs and is allowed to flourish, unchecked.

Trying to make sense of harassment, I began to realize that when working with people in conflict I had placed too much emphasis on personal traits and interpersonal dynamics. The dramatic nature of these dynamics in any

particular mediation works mightily against viewing that conflict through a wider lens—one in which social forces give shape and meaning to these psychological factors. Although people experience and understand conflicts in personalized ways, they are often unaware of the contextual factors that elicit or exacerbate those conflicts. Now, in addition to attending to individual disputants, I was looking to understand how each dispute reflected systemic factors: features of the organizational culture, roles, policy, rules, or procedures that elicit, sustain, or exacerbate tensions, animosities, and miscommunications among the members of the organization.

An ombuds is well situated to see these systemic factors. Hearing many stories about certain recurring experiences in an organization—for example, bullying or sexual harassment—the ombuds can look beyond the idiosyncratic features of each instance and discern commonalities and patterns among these differences. With this information, the ombuds can help leaders understand the nature of a systemic problem and help them conceptualize the steps to be taken to ameliorate the problem. It is in this way that an ombuds can contribute to social change within an organization. Intellectually, this insight became the most exciting aspect of ombuds work for me.

Working from this vantage point and borrowing from my training in family therapy and systems theory, I listened in a different way to the stories people told me. I asked them different questions, questions that asked the disputants to reflect more on their interactions and the circumstances in which their conflict flared than on their individual perspectives.

I recall one situation in which IT management referred two high-level employees, team leaders in a division that had five highly interdependent teams, to me. These two employees argued regularly at team meetings, and because

they differed in both gender and religion, management assumed that those differences were the basis of their recurring conflicts. But I noticed something interesting: although the two individuals did not seem to like each other, when we worked together, neither one ever mentioned gender or religion.

After hearing their accounts, I asked each one to describe the sorts of situations where they most often clashed. It turned out that at meetings, the woman was critical of the quality and timeliness of the division's output, and the man was defensive, both of the team and of his group's contributions. I then asked when and how often the five division leaders and their director met to evaluate their team's performance. The answer? Never. No time was set aside to reflect on their work process or output.

I noted that when a work group fails to establish norms for collective reflection and evaluation, that function is taken up along the fault lines of personal styles: one team lead was consistently critical, the other was consistently defensive. As we spoke, the two team leaders recognized that they had taken on themselves responsibilities that properly belonged to the division. They realized that each had interpreted in personal terms what was primarily a consequence of the dysfunction in their division. By the conclusion of our session, the two agreed to go together to the director and ask that the division establish processes for team self-reflection. The director, unprepared for the two of them cooperating on a proposal for how the division functioned, readily assented. This shift led to a new framework for communications and group self-assessment at division meetings. Not only were there fewer conflicts between the two with whom I had worked, but the division meetings were more energized and more productive.

Although I was not aware of it at the time, an interesting convergence between my ombuds musings about the

functions of conflict and my scholarly work was developing. Over the years I had become interested in the social history of psychology—examining the role of psychological ideas and practices in terms of the social structures and processes in which they are embedded and to which they contribute. So at the same time that I was asking myself, the ombuds, “what purposes do conflicts play in organizations and the larger society?” I was asking myself, the psychology professor, “what purposes do psychological theories and practices play in the larger society?”

Ironically, putting conflict in a broader context by reflecting on the personal and social functions of conflict deepened and shifted my appreciation of the individual psychological needs that are served by conflict. Sigmund Freud once wrote:

My emotional life has always insisted that I should have an intimate friend and a hated enemy. I have always been able to provide myself afresh with both, and it has not infrequently happened that the ideal situation of childhood has been so completely reproduced that friend and enemy have come together in a single individual—though not, of course, both at once or with constant oscillations, as may have been the case in early childhood. (Freud, 1966: 451)

In my early years as an ombuds and mediator I saw conflicts primarily as problems to be overcome, problems for the individuals who were caught up in them, and problems for the organizations in which conflicts occur. Later, I came to realize that conflicts often also satisfy people's needs. A mediator or ombuds can't “take away” people's conflicts without giving them, or helping them get, something else

in exchange, something that in some way addresses the same needs that the dispute did. With the most intractable conflicts, a dispute taps into some aspect of the disputant's identity. When that happens, the possibility of resolving a conflict also threatens to alter the person's sense of who they are. In my divorce mediation practice, I noticed that often as a divorcing couple came closer to working out a mutually satisfactory settlement, one or the other of the partners would raise new issues. It was as if coming to agreement threatened their identity as people whose incompatibility could be resolved only by divorce.

Around this time, somewhere in the middle of my third two-year term as ombuds at UMass, I also realized that *my* identity had been changed by this work. Ombuds wasn't just a service I provided or a role I was playing; it provided levels of satisfaction that being a faculty member or even an activist did not. Being an ombuds required more than intellectual engagement—and required it with a wider range of people—than being a professor. And as ombuds, I was in a position to act on my commitments to fairness and equality.

Luckily, I had a sabbatical coming. I had encountered several people from the Hewlett Foundation-supported University of Hawai'i conflict resolution program at a meeting of the Society of Professionals in Dispute Resolution, and the prospect of learning from and working with them was more than enticing, so I set off for Honolulu. Although my mornings were spent working on a book, the rest of the time I was free to connect with Peter Adler, Neal Milner, David Chandler, John Barkai, and their colleagues. Participating in their network also established a framework of informal consultation essential to an ombuds, which is often a solitary role. That sabbatical reinforced my feeling that it was time to escape my life as a psychology professor.

It was also the beginning of another set of lasting friendships.

In 1991, toward the end of my fifth term as UMass ombudsman, I was offered the ombudsman position at UCLA, replacing Don Hartsock, who had established the office in 1969. I'm one of those New Yorkers who has always been drawn to California, and UCLA was appealing because it was both a public university and a first-rate school. But there was a catch: I was a tenured full professor at UMass, and at UCLA they believed that neutrality and independence required that the ombudsman not be a regular faculty member. I disagreed. I had always felt that the security of tenure protected my independence as an ombuds, but I knew that to accept the UCLA job, I would have to give up my professorship.

I gave up the golden handcuffs and moved to LA. There were many differences between life in a small western Massachusetts college town and a meandering city like Los Angeles. What most fascinated me were the demographic differences, both in the city and on campus. On the East Coast, Black-White relations and tensions shaped or permeated many of the major social issues. Not so in LA. Other ethnicities and communities—Asian and Latino—were equal partners with Blacks and Whites in defining the key parameters of inter-group politics and conflict. I found it fascinating and energizing. And of course, in addition to conflicts between individuals there was an abundance of inter-group conflict on campus and around the city, where some demographic aspect of identity itself was at the center.

One of the orienting principles of the ombuds role is to help people help themselves in addressing their problems and concerns. Since identity, directly or indirectly, was frequently identified as a key factor in many conflicts, I thought it would be helpful to develop a program in which

participants would learn to better understand and resolve such disputes. Along with Vice Chancellor Raymund Paredes, then the highest-ranking Latino administrator at UCLA, I established a Campus Mediation Program oriented toward identity-based disputes. Each year we brought in a diverse group of 40 people: 30 students, undergrad and grad, and 10 staff and faculty (mostly staff). We held an initial three-day training in mediation basics (led by CDR Associates), followed by monthly sessions focused on specific aspects of mediation. In addition, students were required to take a full three-credit academic course on inter-group conflict. The course, which I taught along with guest lecturers from a large number of UCLA faculty with expertise in related areas, gave students an interdisciplinary perspective on identity and inter-group conflict. Staff and faculty members of the program were invited to sit in on the course as well.

The program clearly tapped into deeply felt needs of the participating students and many of the staff. The program office became a gathering place for the students, who took over governance of the program—planning programs, initiating additional trainings, inviting guest speakers, and most significantly, setting up a process for recruiting and selecting the next year's participants from the more than 100 applicants. The biggest impact on campus was the team of student and staff mediators who were available to mediate disputes on campus, with a particular interest in identity-based disputes, and to develop and present workshops in the residence halls. From my perspective, more noteworthy than their ability to mediate disputes was their increased ability to productively discuss and often mitigate identity-based differences, disagreements, conflicts, and tensions.

These discussions brought people closer together rather than driving them further apart, especially when

we were called on to mediate a conflict. When I assigned a pair of mediators, I could confidently put together two students who in class had been engaged in a sort of grievance competition (whose identity group had it worse?) because I knew that having managed their own differences productively, they would be astute in working with disputing parties.

It's hard to describe how exciting our regular weekly case review discussions were. Making collective decisions and reviewing our cases, we felt as if we had moved into a level of honesty that was different from anything any of us had ever experienced. The program was one of the most satisfying experiences of my professional life.

As I had at UMass, I balanced my dispute resolution work with scholarly pursuits. With Carrie Menkel-Meadow, I established a Center for the Study and Resolution of Interethnic/Interracial Conflict, funded by the Hewlett Foundation. Working with colleagues both at UCLA and from around the country, we supported research and conferences related to identity-based conflicts.

In 1997, in my sixth year at UCLA, I was contacted by the National Institutes of Health and asked to participate in a speakers' series designed to help institute leaders compare mediation programs and ombuds offices, an effort spurred by a presidential order that all federal agencies should develop their own dispute resolution programs. As one of the speakers, I emphasized the ombuds' responsibility to identify and address systemic issues as well as handle individual cases. I guess I was persuasive because at the end of the process, I was invited to establish an ombudsman program at NIH.

The chance to create a new program, unencumbered by traditions and tailored to the specific needs of an enormous agency dedicated to conducting and supporting biomedical research, was enough to entice me and my wife

to give up jobs we loved in a city we loved. We packed up again to embrace another period of personal and professional upheaval.

Starting an ombuds program from scratch is exciting, especially in an organization as vast and dynamic as the NIH was in those days. There are no precedents, no guidelines, and no former ombuds to tell you how they did it (or former users who tell you how *they* think the old ombuds did it). You are educating the organization about a role you have not yet created in an organization you do not yet understand. You want to help people explore and address the problems and conflicts that brought them to your office, but you do not yet have a deep feel for the issues they are confronting and the context that elicits and sustains those issues. Of course the profession has standards of practice and ethical guidelines, but these are usually too general and abstract to apply across the board to any one organization's idiosyncratic culture and dynamics.

Then there is the bureaucracy and the immense scale of the place. I have always worked at structured public universities, but that did little to prepare me for NIH, which comprises 27 separate institutes and centers of different biomedical disciplines, and for a bureaucracy as thick and challenging to navigate as the federal government's. Even more interesting is working in a research-based institution that is not also primarily an educational organization. As one NIH leader who had also just come from the academic world put it, "At least in the university, there is the civilizing influence of the responsibility for educating students." Not necessarily so at NIH.

As part of my efforts to make the office visible to the 20,000 people at NIH, I gave about 70 introductory talks in my first year, explaining the idea behind the ombuds function. When I was speaking to groups of scientists, who make up roughly half the population of NIH, I noticed

mixed reactions when I spoke about mediation and related conflict resolution approaches. Although people were interested in techniques that might help resolve certain workplace disputes—such as dealing with poor performance or a problematic staff member, postdoc, or peer—achieving resolution was not especially relevant when it came to scientific disputes and disagreements. The more I worked with biomedical researchers and read the publications they willingly shared with me, the more I came to understand that researchers wanted help creating conditions in which disagreements could actually be productive.

Science progresses through conflict: contradictory research findings, competing theoretical perspectives, and different ideas about methodologies (in approaching a problem, applying statistics, or analyzing data) all inspire new research and advances. Differences were often the food that nurtured creativity.

The years that followed my arrival in 1998 were an amazing time to be at NIH. The institutes were in the early stages of a five-year period during which the budget was doubled, and the place buzzed with the excitement of scientists who had the resources to study the most important biomedical issues in their respective fields. For me, in addition to the contact high, there was the satisfaction of knowing that successfully mediating a dispute among scientists mattered to more than just the parties. If I was mediating conflicts within a vaccine development team, for example, resolution meant the team could focus on its work—and perhaps make a huge contribution to public health.

I was also fortunate because my early years at NIH coincided with a time when science itself was becoming increasingly collaborative and interdisciplinary. Scientists who had thrived on autonomy were gradually being required to learn about interdependence, joint ownership, and collective responsibility. They needed help in com-

municating across differences. Increasingly, my work with researchers involved engaging with scientific collaborators as they struggled to overcome barriers and challenges created by a wide range of conceptual, organizational, and personal differences.

Early on, I learned that scientists starting a research collaboration, carried away by their enthusiasm about the issues they were about to tackle, often failed to be explicit about what they expected from each other, especially in inter- or trans-disciplinary projects. They reminded me of the people I had worked with in divorce and family mediation who had fallen in love and tried to build a relationship around shared passion but hadn't been explicit about their expectations about marriage. Something similar happens with scientists who get excited about a research area and decide to work together: they spend lots of time thinking about the research but little about the vicissitudes of the research endeavor.

So I thought, why not create pre-nup agreements for scientists? I found a model in the partnering agreements that the Army Corps of Engineers was using in large-scale construction projects, which were getting a lot of attention at the time. Like those agreements, the pre-nups required clear statements about the goals of the project, decisions about who would do what, processes for determining authorship, delineation of domains of autonomy, and processes for resolving conflicts. My work on teams led me to L. Michelle Bennett, an NIH scientist who was promoting scientific teams and collaborations. Building on our shared interest, we wrote *Collaboration and Team Science: A Field Guide*, and soon we were writing papers and conducting workshops around North America.

My new-found appreciation of disagreement expanded my thinking about what we call the conflict resolution field. Before going to NIH, I was so accustomed to people asking

for help resolving conflicts that I had taken to seeing conflict as an indicator that something was broken and needed to be fixed—rather than understood and even appreciated. But as Bernie Mayer pointed out in his wonderful book *Beyond Neutrality*, people in conflict don't necessarily want resolution.

That admonition, along with my understanding of the necessity of differing views in science, helped me see my work as helping people have better disagreements. It also helped me be more relaxed about resolution and more concerned about helping people understand how often they are so caught up in their conflict that they cannot understand how anyone could possibly see it in any way other than their own.

Early in my career, I thought I was working toward a conflict-free world. How wonderfully naïve. Now I find a certain pleasure in appreciating both the inevitability and desirability of conflict. When I was first learning about mediation, I remember being told that we, mediators, do not resolve disputes. The disputants do. I sort of understood that, but I had a hard time not seeing failure to reach agreement as a failure on my part. It took a career of more than 35 years to get to the point where I fully understood what I had been told at the outset: settlement is up to the parties. Unless people, at some level, actually want to settle, they can resist almost any techniques, or tricks, a mediator has to bring them together.

If we understand the circumstances in which differences lead to destructive and unproductive conflicts, we should be able to create circumstances in which those differences can be harnessed cooperatively. I am no longer naïve. I do not believe we will ever get to the point where differences will not be the basis for conflict. But we need not capitulate to destructive conflicts, and we can work

toward expanding the sensibility needed for cooperative action.

This seems like a good project for retirement.

## Notes

<sup>1</sup> A T-group or training group (sometimes also referred to as sensitivity-training group, human-relations training group, or encounter group) is a form of group training where participants, typically between eight and 15 people, learn about themselves and about small-group processes in general through their interaction with each other. They use feedback, problem-solving, and role-playing to gain insights into themselves, others, and groups. See "T-groups," Wikipedia, last modified June 17, 2020, <https://en.wikipedia.org/w/index.php?title=T-groups&action=history>.

## References

Freud, S. 1966. "The Interpretation of Dreams." In *The Basic Writings of Sigmund Freud*. Translated and edited by A. A. Brill, 181-468. New York: Random House.

