

# Talking to the "Right Brain" in a Conflict

By Bill Eddy

One of the biggest tasks for dispute resolvers in any setting is calming highly-upset people enough to focus them on problem solving. Sometimes professionals become angry, stern and bossy with particularly "difficult" clients. Sometimes we become quiet and hope that by just listening they will exhaust their anger, fear and sadness and become reasonable and flexible. Up to now it has been mostly a matter of guesswork and personal style. But more recent brain research gives us some pointers that seem to help.

Neuroscientists say that the left hemisphere of the human brain is dominant most of the time, but under stress and in unstable situations the right brain becomes dominant. (Allan Schore, *Affect Regulation and the Repair of the Self*, 2003) Since our clients are often highly stressed and in unstable situations, it makes sense to learn about the differences between our right and left brains. In reality, the human brain is made up of many "brains," with many different specialized functions, but with lots of overlap. When I speak of the "right" brain, the reality may be less clear-cut in terms of location and function, but I believe the general principles that follow may be useful for dispute resolvers to consider, whether you are an advocate, a mediator or a decision-maker.

## The Left Brain

Much of our traditional methods of communication and learning have emphasized left brain thinking. The left brain is associated with reading, writing and speaking words; linear thinking; analyzing detailed information; solving problems; planning for future actions and dealing with the outside world. It's where we store solutions to earlier problems, often in the form of stories and other conscious memories, so that you don't have to start over again whenever a familiar problem re-occurs. When you are consciously thinking about thinking, you are probably using your left brain. Feelings of calm, contentment and safety are associated with the left hemisphere. Personally, I find it helpful to think of the left brain as the "logical brain" (LB).

## The Right Brain

The right brain has had much less attention from researchers until the past decade or so. I like to think of the right brain as the "relationship brain" (RB). This hemisphere processes information in global terms, mostly unconsciously. In a sense, the right brain thinks in pictures, while the left brain thinks in words. (Malcolm Gladwell, *Blink*, 2005) The right brain is

responsive to information about the environment, focusing on the relationships of objects (art, architecture, interior design) and on the relationships of people. Non-verbal social information gets a lot of attention in the right hemisphere, including tone of voice, hand gestures, eye contact and facial expressions. Your right brain has more neurons connected to your body, so that when you have "gut feelings" and make "gut decisions," you are likely to be using your right brain. (Schore, 2003)

The right brain seems to be the primary source of creativity and intuition. (Daniel Pink, *A Whole New Mind: Why Right-Brainers Will Rule the Future*, 2006) When you have a light bulb moment, it may be because there are more long neurons in your right brain which can connect more distant, unrelated thoughts. Thus, you can come up with new ideas in a flash (RB) that you couldn't get simply by writing or consciously thinking hard about a problem (LB). For this reason, people are often encouraged to sleep on a big decision, rather than just making a list of "pros" and "cons." In your sleep, your right and left brain communicate a lot. Your right brain is just as important to thinking and problem-solving – but thinks differently.

The right brain is where there is the most activity involving negative and intense emotions. In a sense, the right brain is our defensive/protective brain, paying attention to threats in our environment, both human and non-human. Your right brain is faster-thinking than the left, and has probably saved your life many times with quick automatic action – be it fight, flight or freeze – while the left may be virtually inactive until the person gets to a somewhat safe place. Then, the slower, but more accurate thinking of the left hemisphere may take over.

## The Right Amygdala

The amygdala focuses on responding to danger and instantly shifting the brain's attention to quick action. Think of the amygdala as a "smoke detector," which "hijacks" the brain when necessary. (Daniel Goleman, *Emotional Intelligence*, 1995) We actually have two amygdalas, one in each hemisphere, in the middle part of the brain (the limbic system) which is centrally located for quick, unconscious action and which handles much of our emotions. The right amygdala is particularly attentive to negative facial expressions, especially of fear and anger.

However, your brain also sends its information about the environment (sights, sounds, smells and so forth) to the "higher"

brain – the cortex – to examine more closely whether to fight, flee, freeze, or to ignore the information as not dangerous at all. Most of this logical thinking goes on in the left hemisphere. This conscious thinking can override the amygdala when appropriate.

### **Corpus Callosum (the “Bridge”)**

Between the two hemispheres is the corpus callosum, which has approximately 300 million neurons speeding communication between them. When we are emotionally upset (RB), this helps us analyze problems and develop plans for solving them (LB) at the same time. With this bridge, we can be talking about technical ideas and also noticing how people are responding to what we’re saying at the same time. Having a well-functioning corpus callosum is very useful in resolving disputes – our own and others.

Unfortunately, neuroscientists have found that children who have been repeatedly abused have smaller corpus callosums. Martin Teicher and colleagues have discovered that this loss of functioning may explain why these children have a harder time controlling their emotions and can’t solve problems when they are under stress or upset. (Teicher, “Scars That Won’t Heal: The Neurobiology of Child Abuse,” *Scientific American*, 2002)

### **High Conflict Personalities**

Teicher also found that some adults with personality disorders have smaller corpus callosums and smaller amygdalas. This may explain why some personality disorders are associated with dramatic mood swings, which include being super friendly one minute and in an uncontrollable, defensive rage the next. Many of such people were abused as children, but not all. They didn’t learn to connect their upset emotions to realistic problem solving, which may help explain their high conflict behavior. They truly have high conflict personalities – this is part of who they are.

Other high conflict people have grown up with an extreme sense of entitlement and have not developed the skills (sufficient neuronal connections) to manage their own upset feelings while realistically solving problems. As people with personality disorders appear to be increasing in modern societies, we may be facing more and more people who lack the neuronal connections to fully manage their own emotions (RB) and shift smoothly to problem-solving (LB) across their corpus callosum.

### **Talking to the “Right” Brain**

With this brain information in mind, the following are three steps which seem to help.

#### **1) Resist the Urge to Confront**

This is the hardest part of dealing with upset people. Their upset emotions – especially fear and anger – trigger an unconscious urge in others (probably in the amygdala) to escalate emotions in response. High conflict people in particular are repeatedly upset and angry – including at those who are trying to help them. Because your amygdala responds instantly and unconsciously, you may feel the “fight, flight, or freeze” response burst out of you, literally without thinking. Of course, such a response will reinforce the upset person’s emotional response, and problems will escalate.

Common urges for dispute resolvers are to confront the upset person angrily, logically, or giving what feels like “helpful” feedback. Angry confrontation: “Look, I’m in charge so listen to me.” “You’re acting disrespectfully.” Logical confrontation: “Your proposal makes no sense.” “Let me explain the law to you on this subject.” Helpful feedback confrontation: “Let me help you here – can’t you see how self-defeating your behavior is? Why don’t you try this instead?”

Unfortunately, all of these confrontations generally fail when people are upset – whether they are a high conflict person or just upset at the moment. The confrontational tone escalates the sense of danger in the right hemisphere, rather than causing the person to have insight in their left hemisphere. In a sense you’re talking to the “wrong” brain. Forget about it!

Instead, disengage from the urge to confront. Remind yourself: “It’s not about me.” “The issue’s not the issue right now.” “I’m not responsible for the outcome, just the process.” “This person lacks the skills to have insight right now.” “I’m talking to the wrong brain.”

Words you can say to the upset person or persons to help you stay non-confrontational can include:

“You might be right! I’ll never know.”

“You have a dilemma. We can talk about your options.”

The key is to avoid feeling responsible for anyone’s feelings, behavior (unless it’s a safety issue), or decisions – despite their intense fear or anger. And avoid feeling defensive yourself. You don’t have to prove anything.

#### **2) Connect with your E. A. R.**

Since the right brain pays attention to non-verbal communication, your tone of voice, facial expressions, eye contact and hand gestures are highly important. These non-verbal factors may matter much more than any particular words you say.

For example, a study of the tone of voice of surgeons who were sued for malpractice was very revealing. The results showed that the likelihood of getting sued was more related to their tone of voice with their patients, and not to their years of experience or skills. Half of the research group had been sued at least twice, and the other half had never been sued. The researchers recorded numerous interactions, then extracted ten-second segments from two of the interviews for each doctor and garbled the speech – so a panel of judges could not tell what was being said. From these brief segments, the panel accurately identified who had been sued and who hadn’t. The surgeons who had never been sued tended to explain things more, to listen more and to use a tone of voice which showed more respect and more concern. The sued surgeons spoke in a more dominating tone of voice. (Gladwell, 2005)

The same appears to be true in the success of different responses I have tried in mediation and negotiations with “high-conflict” people over the past decade or so. I developed what I call an

“E.A.R. Statement.” This includes a response to a highly upset person such as the following:

“I can really **empathize** with you - I can see how important this problem is in your life today. Don't worry, I will pay **attention** to your concerns. And I really **respect** the efforts you have made to address this problem.”

Of course, you don't have to use these words or all of these words – or any words – to communicate empathy, attention and respect. The idea is that the person's right brain will usually feel soothed by such a statement. After many years of using this technique, I have found it highly effective (with some practice) with any upset person – whether or not they have a high-conflict personality (which often isn't obvious until you have spent some time with them).

This doesn't mean that you agree with the upset person, or believe the accuracy of what they are saying. It just means that you are showing them some caring and want to help. If the person gets angry with you for using a “technique” or “patronizing me” or other negative reaction to E.A.R., then you can say that you were just trying to help. After all, we all need empathy – especially high conflict people. They have often pushed everyone away who was close to them, so they will take empathy, attention and respect wherever they can get it and often seek it from professionals. You can interrupt an upset, long-winded person with an E.A.R. statement. This matter-of-fact approach helps the dispute resolver stay calm, as well as helping the upset person de-escalate.

### 3) Then, Focus on Logical Problem Solving

Only after talking to the right brain by resisting the urge to confront and after giving empathy, attention and respect, is it time to constructively focus on logical problem solving in the left hemisphere. This can include making proposals, setting limits on various behaviors and teaching about the consequences of various options. Yet, throughout the process of problem-solving, dispute resolution professionals must still pay attention to the potential for right-brain defensiveness to arise at any time. If or when it does, then stepping back and using E.A.R. statements may become necessary again. Sometimes this can be brief, and other times this may need to be substantial. Here's a few tips for problem solving with the right brain in mind.

#### Make a Proposal

An additional or alternate activity can be to simply tell an upset person: “Make a proposal.” When a party gets stuck in emotionally complaining about what the other person has done in the past, you can say: “Then, what's your proposal.” This helps you avoid triggering right-brain defensiveness (such as by admonishing them to stop blaming or stop talking about the past). Instead, you can just skip over any negative feedback and say: “How could you turn that concern into a proposal?”

Then, let the parties know that the only response they really need to make to a proposal is: “Yes, No, or I'll think about it.” There is no need to criticize a proposal or to defend a proposal. All proposals are just proposals, not decisions, unless they both agree. Yet parties often get stuck discussing the absurdity of each other's proposals (which just triggers more right-brain defensiveness). Instead of joining in the anger or frustration, you can just calmly say: “Then what would you propose instead as an alternative that might be acceptable for both of you?” With such a back and forth of proposals, the parties can often be successfully directed away from back sliding into right-brain defensiveness and getting stuck there. You just have to be patient enough to calmly bring them back to making proposals, rather than expressing frustration and admonishing them.

#### Setting Limits with E.A.R.

Depending on your role in the dispute, you may need to set limits during a conflict as a mediator or facilitator, or as a decision-maker addressing past behavior as a manager or a judge. In either case, the key is to continue using a matter-of-fact tone of voice and continue giving the parties empathy, attention and respect – while still setting limits.

For example: “I'm sorry, but I need to give other people an opportunity to speak to this issue.” Or: “I regret having to make this decision, but I am required to do so by our rules or laws. I can understand that you may feel frustrated or angry with this decision, but I believe it will actually help you in the long run.”

#### Educating About Consequences

Upset people, especially high conflict people who are repeatedly upset, are usually absorbed in the present (RB) and have a hard time thinking into the future (LB). You may need to tell them several times about the consequences of various actions. “You may not realize this, but the course of action you're considering can actually hurt you in the long run. Here's what often happens when people try that approach...” The point is to be patient, rather than frustrated, with their inability to think logically about their own self-interest.

#### Conclusion

Highly upset people are often unable to calm themselves down in a conflict. They may be stuck in right hemisphere defensive reactions and unable to access logical analysis of their problems. Yet they have problem solving skills. By talking to the “right” brain in the right way at the right time, it may be possible to help the most “difficult” clients reach a resolution to their disputes. It may take twice as long, possibly because of having to process information in two different ways in the two different hemispheres. Yet using such an approach seems to increase success as well as reduce the stress on clients and dispute resolution professionals.



*Bill Eddy is an attorney, therapist and mediator. He is President of the High Conflict Institute and the author of several books, including *It's All Your Fault!* (2008) and *Don't Alienate the Kids!* (2010). ([www.HighConflictInstitute.com](http://www.HighConflictInstitute.com))*