## Contents

*Preface* vii

1 **Conflicts in Construction** 1
   1.1 Recent history 2
   1.2 Understanding conflict 3
   1.3 Addressing conflict 3
   1.4 Positive aspects of a conflict 4
   1.5 The real causes of conflict 6

2 **Why Do We Need to Manage Conflict?** 11
   2.1 Functional conflict 12
   2.2 Dysfunctional conflict 12

3 **Causes of Conflict** 19
   3.1 A conflict of ideas 19
   3.2 A conflict of beliefs 22
   3.3 A conflict of interests 24
   3.4 The Fertile Ground Theory 25
   3.5 Internal conflict 29
   3.6 Internal conflict in construction 34
   3.7 Other factors 38

4 **Dishonesty and Self Deception** 41
   4.1 Plain dishonesty 41
   4.2 Self delusion 43
   4.3 Cognitive Dissonance 44
   4.4 Confirmative Bias 45

5 **Interpersonal Relationships** 49
   5.1 Anthropological factors 50
   5.2 Sociological factors 52
   5.3 Physiological factors 54
   5.4 Psychological factors 54
   5.5 Prejudice 57
   5.6 Personality types 57
   5.7 The urge to conflict 62

6 **Anatomy of a Construction Project** 63
   6.1 Overview of the project and the parties 63
   6.2 The pre-contract period 65
   6.3 The contract period 67
   6.4 The dispute period 69
   6.5 Summary and analysis of the dispute 71
7 Twelve Steps for Reducing Conflict

7.1 Step 1: Communicate with precision
7.2 Step 2: Listen and consider attentively
7.3 Step 3: Think before speaking
7.4 Step 4: Take time to build relationships
7.5 Step 5: Be honest in your dealings with others
7.6 Step 6: Do not dispute trivial matters
7.7 Step 7: Look for common ground
7.8 Step 8: Recognise and avoid prejudice
7.9 Step 9: Express your understanding
7.10 Step 10: Control your emotions
7.11 Step 11: Apologise gracefully if you are wrong
7.12 Step 12: Accept apologies gracefully if others are in the wrong

8 Reducing Conflict

8.1 People, people, people
8.2 Interpersonal techniques
8.3 Perceptions and personalities
8.4 Tactical behaviour
8.5 Summary

9 Managing Conflict

9.1 Simple resolution techniques
9.2 Control of conflict
9.3 Conflict prevention
9.4 Prevent conflict from spreading
9.5 Call the professionals
9.6 Summary

10 Informal Dispute Resolution

10.1 Negotiation
10.2 Alternative Dispute Resolution (ADR)

11 Formal Dispute Resolution

11.1 General principles of dispute management
11.2 Arbitration and Litigation
11.3 Arbitration explained
11.4 Litigation explained

12 Conflict in Changing and Challenging Markets

12.1 Will people change?
12.2 Will contracts change?
12.3 Does Europe have anything better to offer?
12.4 Conflict in changing market conditions
12.5 More conflict or less conflict – you decide!

Index