

FROM CONFLICT TO COOPERATION

Succeed with Rocco's 4 R's

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This book is dedicated to my older brother Salvatore Rocco, who died much too young. He might be an unusual candidate for a book on conflict mediation because he often resolved conflict with his fists. But his regret was apparent, as he always helped up his opponent. He and his friends Johnny, Lou, and Joe all guided my hand in this book.

—Stephen Rocco

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PREFACE

“You can’t”; “We won’t”; “Why do you?”...such words easily arouse our back stiffening resistance with others. These are words that almost instinctively lead to conflict...conflict that leads it’s participants with the “how did this happen” unhappy resolutions. What I describe in this book is regretful and not reasoned behavior.

I have written this book to peel away layer by layer the adhesive, almost primitive human forces which magnify conflict—conflict that can envelop co-workers and customers as easily as countries and courts. Its concepts can be used by participants trading real or symbolic elbows as part of our daily struggle to those conducting formal mediations or negotiations.

The uniqueness of this text is in the recreation of these same adhesive forces that can just as easily lead to cooperation between disputants. I have created eight vignettes that illustrate a range of conflict within society. They range from spontaneous conflicts involving police, and co-workers, to more formal disputes involving divorce and labor management negotiations. It concludes with the full divorce mediation.

In these narratives I examine how easily and tenuous is the descent from understanding to greater conflict among others. More importantly, I provide a step-by-step application of the ascent toward great cooperation. I call this application Rocco’s 4 R’s.

Not a rigid formula, Rocco’s 4 R’s help guide a specific awareness that the proper interpersonal pulse must be maintained with disputants. My narratives do not just discuss mediation theory – they apply it to real life situations. It shows how, when, and why specific theories such as reframing and paraphrasing are used.

My thanks to the thousands of families that I have been privileged to serve who are the foundation of my knowledge. I write that all types of conflict resolution – whether informal or formal – involves both art and science. I hope this book will help to provide both to my readers.

—Stephen Rocco

THE ROAD TO WISE CONFLICT RESOLUTION OUTLINE

I. The Problem

- a. What people “see”: our own perceptions of events or people are the silent contributor to human misunderstandings.
 - i. Even reasonable people are able to engage in unreasonable conflict given the human ability to misunderstand others.
 - ii. Our own assumptions, biases, and stereotypes often escalate conflict by blindly turning inaccurate thinking into a self-destructive reality.
 - iii. The more we act to prove something about ourselves, the more likely we are to engage in unreasonable conflict.
 - iv. It is easier to judge a person than to listen to him
 - v. Vignette grandfather and grandson automobile case

- b. People are reactive organisms, just as a person reacts in a defensive manner to protect himself from physical harm, we instinctively engage in defensive communications when we feel misunderstood, resisted, or evaluated.
 - i. Man’s fragile ego is constantly on guard to protect its self-image.
 - ii. Our emotions are the oil that lubricates the human reactive engine, which ignites conflicts.
 - iii. In conflict, behavior that is driven by our emotions is unreasoned and contrary to our own best interests.
 - iv. The question is the perfect confliction tool to deescalate provocative behavior.
 - v. Student grievance dialogue

- c. Escalating conflict is the end result of their human tendencies in which people blindly react to the person rather than to the real issues or problems.
 - i. Man’s capacity to turn his wishes and fears into a disguised reality prompts self-protective communications.

- ii. In self-protective communication the parties see the problem only from their perspectives, creating a biased and unbalanced view of the problem.
 - iii. As a result, a polarized relationship evolves characterized by suspicion and self-protection.
 - iv. The paraphrase is conflictual intervention that destroys self-protective communications and replaces it with better understanding of one another.
 - v. Landlord/tenant exercise
- d. With proper awareness, either party can choose to stop this negative cycle of conflict and concentrate on wise and efficient decision-making for all.
- i. To replace regret with satisfaction in our conflictual encounters requires self-discipline, awareness, and goal setting.
 - ii. The key to remaining in control of conflict is to let your adversaries believe that they are in control.
 - iii. Rocco's—Four Rs provides a structured problem-solving approach to the wisest resolution of most conflicts.
 - iv. Summarization is an extended paraphrase, which unites several conflictual themes into goals that can be solved together.
 - v. Rivera/Police Officer

II. The Solution—Rocco's "Four Rs"

- a. Restructure the interpersonal momentum
 - i. The direction of conflict is largely dependent on interpersonal rhythms that can minimize or maximize human differences.
 - ii. Conflict can quickly degenerate into a negative free-fall when retaliation and unwise decision-making becomes the goal.
 - iii. That same human energy that fuels conflict can be used to fuel cooperation.
 - iv. Good negotiators bargain over objective needs rather than emotional positions.

- v. Textile sexual harassment case
- b. Read the conflict
 - i. Conflicting parties do not naturally move in a linear fashion toward wise problem solving.
 - ii. Wise negotiators have to read all of the obvious and not so obvious forces, which motivate the conflict.
 - iii. In order to “read” our opponents, we must first filter our own subjective ability to distort conflict.
 - iv. Similar to putting a new frame around an old painting, conflictual reframing involves putting new words around harmful comments between disputants.
 - v. Divorce case
- c. Redefine the conflict
 - i. Conflicting parties often have shared issues and interests that must be identified and reinforced.
 - ii. A person’s view of the conflict must be shaped by images that are in their best interests to resolve it in a healthy fashion.
 - iii. Such images must demonstrate that a change in their thinking will result in a gain for them and not a loss.
 - iv. Motivational bargaining is a method to help your opponent see your way of thinking
 - v. Student Peer Mediation Exercise
- d. Reasoned, not regretful decision-making
 - i. A person’s unreasoned reactions to his differences with others often prevent him from choosing the most reasoned of decisions.
 - ii. Reasoned conflict resolution uses objective and not emotional evidence to resolve disputes.
 - iii. Wise negotiators recognize that preparation away from the bargaining table is as important as action at the bargaining table.

- iv. Communications that reveal the most meaning between people leads to the best agreements.
- v. Community Group Home

INTRODUCTION

THE ROAD TO WISE CONFLICT RESOLUTION

Former wife: Look, you are not going to take your bimbo on visits with the children!

Former husband: Who are you calling a bimbo?

Former wife: You made your bed, now lie in it. You will see the children over my dead body!

Former husband: (screaming) You're not taking my kids from me! If you had been a better wife, this never would have happened.

Former wife: (bitterly) The kids hate you for this; they will *never* forgive you.

Former husband: And you will make sure of that!

CONFLICT! The word alone conjures up dark images of anger, estrangement, even violence. These dark images most likely resurrect unpleasant encounters with others, whether professionally or personally, in which we acted in ways unlike what we would normally expect of ourselves, in ways that left the best resolution of the conflict as a forgotten option. This is the type of behavior in which when we “calmed down” and objectively examined the problem, we regretted our behavior or at the very least, our loss of control over the encounter. On the other hand, we may have justified or rationalized our poor behavior as the result of our unreasonable adversary’s “pushing our buttons.”

The ironic aspect of the subject is that conflict with others is both natural and inevitable. In our close-knit world of human interactions, there is an inevitable clashing of real and symbolic elbows with other people. People have unique goals, objectives and needs that clash with others in our interdependent world. These differences may be as simple as two basketball

players trading elbows as they disagree with each play's defense or two motorists arguing over who has the right to a coveted parking spot.

It may be as complex as two different ethnic groups fighting over divine land. Each group is guided by a spiritual hand that tells them it is their sole right to occupy it even if the cost is the lives of their young children. Or it may be a conflict as psychologically obscure as people polarized by unconscious needs to prove something about themselves. Managers trample on employees' rights, since they cannot be trusted to do the job right on their own. Disrespected employees then justify their own unreasonable responses in a tit-for-tat conflictual style that results in doom for the company.

For all of man's prodigious intellect—scientific, medical, or business ingenuity—he has a quite primitive response when it comes to handling conflict with others. When perceived to be attacked (either physically but more often personally), resisted, or evaluated in some way, he often instinctively reacts in a way that magnifies conflict. He has a unique ability to justify his own actions and minimize his contributions to a dispute.

He has an inaccurate ability to draw the worst inferences of another's behavior and the kindest self-assessments of his own role in the dispute. He fails to see how his adversary's behavior is often a reaction to his behavior. How else to explain fender-bender accidents resulting in otherwise congenial motorists trading vulgar insults or worse, lying in hospital morgues; family members seething behind slammed doors but regretful of wounding those whom they love; individually reasonable coworkers who let a small problem fester until each is oblivious to ulcers percolating in their bellies.

He has the ability to make unhealthy decisions even when he is aware that better decisions lie within easy mental reach. After a fender bender, the normally reasonable but now frenzied motorists get out of their respective vehicles careful to protect their fragile ego but mindful that little good will come out of the exchange. Family members, more reflective after their argument, question why they have to exhaust their ugly feelings before sharing the good ones; a coworker realizes that only his health and reputation are hurt in continued conflict with a coworker even if he is right.

This book has a very simple purpose—to help people negotiate their differences with others in the wisest manner possible. Wise decisions are defined as those that help people to remain in control of disputes when our all-too-human reactions are to act contrary to the problem's best solution. Wise decisions are emotionally mature decisions. Those decisions in which

people accurately assess their own behavior as well as their opponent's behavior in order to make the best choices: ones that focus on the problem and not on the personalities. Wise decisions must be captured from those often ephemeral reasoned states in which individuals regret their act of patience to understand others: that small rational voice lying behind the forceful anger of the motorist getting out of his vehicle to confront his fender-bender antagonist; the realization that periodic family squabbles provide only temporary psychic relief and can create familial scars that may never heal; that divisive coworker squabbles often obscure their common interest—the viability of the company; and peaceful coexistence between countries may be as simple as each ethnic group inhaling the fresh innocence of their doomed children.

This book examines conflict in a unique way: it examines the human rhythms associated with both negative and positive conflict resolution. Rhythms suggest a fluid, changing communication process that can quickly transition from conflict to cooperation and back to conflict again. The text provides awareness toward understanding this vibrant conflictual system and provides specific techniques to maintain a positive and healthy problem-solving momentum in which all parties receive some gain.

Conflict's potential for destructive or productive rhythms are illustrated in a unique four-part process. It analyzes step by step man's almost instinctual capacity to magnify conflict and his descent to self-protective postures. It also offers a four-step model to restructure conflict when it inevitably erupts. With practice this model—named Rocco's Four Rs—is easily assimilated into a learned awareness that can sweep all conflicted parties toward cooperation and healthier decisions.

The common thread to all conflict—formal, international, business, legal disputes, or informal, often spontaneous conflicts with family members, rude store clerks, or coworkers—is people. Countries or companies do not engineer conflict, people do: people with unique perceptions, prejudices, or habitual responses that can blindly magnify conflict. This book is geared toward redirecting people's responses toward more mature choices that can be applied to all levels of conflict, from formal or informal one-on-one negotiation to third-party mediations. Each chapter focuses on one aspect of conflict and offers an illustrative or conflictual narrative as a working model to examine it. Each chapter concludes with one technical skill honed by the author such as paraphrasing, reframing, and summarization—by years

of hands-on negotiation. The art of all good negotiations—the capacity to direct negotiations in the way you want them to go—will be enhanced for you in this text.

ROCCO'S FOUR RS: YOUR GUIDE TO EFFECTIVE RESOLUTIONS

THE PROBLEM

A tired mother returns home from work to find her son lying on the couch and the dishes piled in the sink.

Mother: I thought I told you to clean the dishes. You're just plain lazy!

Son: Ma, I have an explanation...

Mother: Don't give me one of your explanations. I'm working all day to pay the bills, and you're sitting on your behind. You're not going to amount to anything that way.

Son: Right. You know everything. Maybe I'll just go live with Dad so that you don't have any more problems.

Mother: After everything I have done for you, you're threatening me! You'll end up a loser just like your father. So go ahead...don't let the door hit you on the backside.

Son: Thanks! (He limps out of the house.)

We can all identify with this unpleasant exchange in which mother and son offer biting words that probably neither one means. The exchange highlights the quick and predictive quality of people to release unpleasant, often misdirected tension. The conflict quickly escalates from dirty dishes to dirtier insults stained less by their real feelings than by their reactions to one another.

As family members, the "wick" required to ignite the mother/son conflict was perhaps quicker than less intimate situations. Once ignited,

however, the defensive patterns resembled that of all conflictual participants: buttressed by one all-too-human amalgam of anger and blame, each party is swept along in a dynamic in which the most hurtful invective rather than the wisest solution becomes the goal.

From this unpleasant scenario, my four major conflictual themes can be developed that apply to all types of conflict.

The following are conflicts that can destroy familial or international peace.

A. What people “see”; our perceptions of events or people are often the silent contributor to human misunderstanding.

Conflict engineers its own special type of myopia for its combatants. Similar to the mother’s first vision of her son and the dirty dishes upon entering the home, our views can be tarnished in complex ways. Depending on the length of her day’s end traffic or the nature of her workday, the mother’s reaction may well have been different. Her reaction then, may speak more about herself than about the dirty dishes.

The mother failed to see that there might be other explanations for why her “lazy” son failed to wash the dishes. The mother also failed to see how her own good intentions did not translate into good behavior on her part. Deep down she probably believed that her harsh words were useful motivation for her son. Perhaps her overreaction spoke to her own unconscious needs about her own life and losses. Regardless, she probably believed her son should be able to accurately assess her good intentions from her behavior. She, like most engaged in conflict, would be wrong. One human conflictual frailty is our inability to see how we might be contributing to the conflict escalation. We fail to see the interruption between our good intention and how our actions are interpreted by others. In other words the son viewed his mother’s behavior differently than she viewed her own.

Conversely, the son failed to see that there may have been a positive explanation for the mother’s caustic demeanor. He wrongly assumed her intent from her words, resulting in his own negative participation in the conflict. He contributed to the conflict’s escalation by not considering the full dimensions of his mother’s behavior—that she could have a good motivation for her concern. With that interpretation in mind, his own reactions would probably have been more positive and more reflective of her true concern for him.

B. People are reactive organisms, just as a person reacts in a defensive manner to protect himself from physical harm, we instinctively engage in defensive communications when we feel judged, resisted, or evaluated.

When under physical attack, our blood pressure and adrenaline visibly rise in order to meet the challenge ahead. Experts describe this jolt of energy as the “fight-or-flight” syndrome. Under personal attack—such as in the mother/son criticisms of one another—our physical reactions are as real but our responses more complex. Energy is directed at self-protective methods to protect our egos from harm. Unfortunately these instinctive reactions often lie contrary to wise conflict resolution. For in our desire to protect ourselves, energy is directed away from understanding our adversaries. In the end both sides are reacting to behaviors of the other side, which are largely misplaced.

C. Escalating Conflict is the end result of their human tendencies in which people blindly react to the person rather than to the real issues or problems.

The end result of the mother/son conflict is a self-defeating cycle of communication which dooms wise problem solving. As will be evidenced throughout the text this dialogue reflects elements that quickly envelopes most conflictual participants. Under a haze of self rationalizations, and often faulty beliefs, people often fail to see their own contribution to the conflict’s growing escalation. They also misunderstand how this defensive cycle of misunderstanding cascades and builds to more extreme levels. Each side quickly join into a no-win system in which they respond to each other rather than to the problem. At the end of their rift, mother and son each utter words that probably neither means, but feel justified in uttering. Each is locked into a negative and selfish communication pattern that provides only temporary emotional relief.

The mother and son dialogue demonstrates that in unhealthy conflict the true issues got lost in “win-loss” terms. To resolve their dispute each party has to prove that the other party is wrong. In so doing, the problem loses all perspective. Each could have chosen to stop this negative cycle, but felt powerless to do so. Rocco’s Four Rs offers instruction at every level of this cycle to turn disputes into “win-win” resolutions.

D. With proper awareness, either party can choose to stop this negative cycle of conflict and concentrate on wise and efficient decision-making for all.

I have identified some of the egocentric, self-protective, and emotionally charged behaviors arising from our differences with others. Given these almost unconscious reactive ingredients, conflict is likely to spin negatively out of control unless the cycle is consciously aborted. Neither mother nor son chose to clarify the value of their relationship over the insults associated with dirty dishes. When conflict is in such free-fall, insults often seem the better choice for parties to reflect on than their true feelings for one another.

The ironic aspect of unhealthy conflict is that more healthy choices often lie within easy reach. If mother or son chose to simply scratch the surface of their relationship, positive feelings for one another were probably quite visible. This holds true with many disputants—two fender-bender antagonists could be easily sharing coffee with one another if their differences were not falsely exaggerated in their minds.

Rocco's Four Rs offer a blueprint that uncovers and grasps wise decisions from unhealthy relationship styles. It examines and restructures the behavioral patterns associated with many disputes and unlocks responses that will lead to wise joint solutions for all.

THE SOLUTION

A tired mother returns home from work to find her son laying on the couch and the dishes piled in the sink.

Mother: I thought I told you to clean the dishes. You're just plain lazy!

Son: Ma, I have an explanation.

Mother: Don't give me one of your explanations. I'm working all day to pay the bills, and you're sitting on your behind. You're not going to amount to anything that way.

Son: Ma, I know you're upset with me. Sounds like you had a bad day, huh?

Mother: You don't want to know. I got a new boss who's driving me crazy. That is why I don't need to see dishes piled up when I come home.

Son: I understand. I wouldn't want to come home to dirty dishes with that kind of aggravation.

Mother: So, why don't you help me out?

Son: I was trying to tell you that I spent most of the day at the hospital. I twisted my ankle playing basketball, and I thought it was broken. I didn't want to bother you at work.

Mother: My goodness, why didn't you call? You're the only thing that is important to me.

A. Restructure the Interpersonal Momentum

Aha! If only all our conflicts were so easily resolved. The dialogue does capture a central tenet of this text that is part of all successful conflict resolutions. Its participants are swept along by wave-like communications rhythms that can magnify or minimize those differences. Sometimes that momentum can be changed by the slightest intervention by one side or the other. Unfortunately those parties have to be ever vigilant about cooperation's fragile nature. Those relationship-like open seas can become turbulent at any time—often capsizing the boat when the parties are close to a peaceful shore.

This book examines conflict in a unique way—it examines the adhesive forces associated with healthy and unhealthy conflict resolution. It provides structured interventions that ensure the parties will choose their wisest of joint options. For example, the mother and son dialogue reveals the parties' deep feelings for one another. While those feelings remained hidden in the first encounter, the son was resolute that he would not allow his mother's misunderstanding to harm their relationship. By acknowledging and normalizing his mother's feelings, he changed the tempo of the dialogue. The mother revealed her true feelings, which existed even in her first encounter with her son.

Many conflicts are far more complicated than this family spat at the home. The need to understand the malleable forces that make up the conflictual dynamic are always present, however. Many disputes begin with small misunderstandings that quickly metastasize to unrecognizable, out-of-control conflict. The Palestinians and Israelis will hopefully participate in a journey in which their common interests overcome their cancerlike behaviors. For instance, their common economic goals can result in tangible

gains such as better homes and schools. That journey will hopefully begin with small positive acts and build into a momentum of greater trust and understanding of one another.

B. Read the Conflict

In any conflictual dynamic, each side is responding to two different realities. They are responding to what they see and hear from their opponents. Their beliefs are also affected by how they experience that reality. In other words, a part of themselves is involved in their assessment of the conflict. This inner reality—their current emotional state, expectations, assumptions, or wishes—can distort this outer reality. In the second example of the mother/son scenario, we see how the mother’s displaced anger and false assumptions negatively impacted her reaction to their household problems.

To “read” any conflict, each side has to be helped to view their dispute in objective terms. This means examining one’s own inner state to see if their experience is affecting the goal of wise decision-making. In this example, the son did not act on his angry impulse regarding his mother’s provocative behavior. He considered that she was acting atypically because of some unusual stress. His simple deflection of her attack quickly led to her powerful statement of concern for him. This highlights a second aspect of reading conflict. Our opponents often have to be helped to make wise decisions when their role is to accentuate differences. The good mother’s false expectations that “good sons” clean the dishes for their tired moms led her to justify her own negative behavior.

In another type of conflict, a labor negotiator may harbor a wish that management wants to “break the union.” This wish may reflect on personal needs for power or control or reflect a more generalized wish to confront management’s past behavior of limiting some hard-won benefits. Labor’s views on management’s behavior may be right or wrong. The more their decisions for their representatives are made on evidence and not expectations, the wiser will be their decision. Unfortunately man’s capacity to react to internal stimuli may affect their process. Ideally, labor would allow themselves to be led on a special mission to reassess their positions stressing needs to quantify and qualify their views. What specific acts of management convinces you that their goals have a sinister purpose? How much did these acts cost labor? How does this company’s benefit package compare with other companies in their industry?

As two accountants sit side by side and use logic and research to solve a complex financial problem, wise conflict resolution requires a similar discipline. It requires a commitment to make the most efficient decisions free from exaggerated inner needs.

C. Redefine the Dispute

A person's behavior as a result of his differences with others often assumes habitual reflex-like patterns. For example, the mother's anger probably grew from her belief that her "lazy" son should appreciate all of her hard work. In his case, however, that inner voice that gave her permission to release that anger was not successful. She was guilty of not opening her mind to the other reasonable possibilities that explained the dirty dishes, a failure that plagues many conflicts.

In similar ways people may take equally strong but self-limiting positions in their conflicts with others. They may assess that a good boss or a competent sales clerk or a fair landlord would behave in a certain manner. These beliefs may reflect less on reality, however, than on their own underlying personalities, emotional needs, or even their own immature thinking.

People often rigidly adhere to these beliefs even when disconfirming evidence exists that they may be wrong. Why? For one, these positions often quickly nestle into their egos to assume a comfortable reaction that they are "right." For another, people often look to find a single cause for their problems. Their minds are tidy places: to simply blame their opponent eliminates the need to tackle their own contribution to a complex issue.

In addition, since these positions are so intricately attached to their identities, a change in their thinking would be viewed as a loss of some kind. People wish to avoid losses, and they don't want to look weak or indecisive.

For a change in people's beliefs to occur, the problem has to be "redefined" in their eyes. For one, they must become internally comfortable with a new position. As their identity-laden but often faulty initial positions felt right to them, they have to internalize and justify new positions. In healthy negotiations a person raises objections, develops arguments, and communicates his views to support his position. These very analytical acts ironically open a person's mind to someone else's point of view. For in making one's own arguments credible, he is opening his mind to other possible, more creative solutions.

The problem is also redefined as they come to view a change in their position as a gain and not a loss. A divorcing father may give up his eager pursuit for custody of his child if he can be convinced it is in that child's best interest to do so. His decision change is not a sign of weakness but one of personal strength, making the best choice for his child. This perceptual change in a person's thinking is not triggered by someone telling them they are wrong. It occurs because the person convinces himself that it is a better choice.

D. Reasoned, Not Regretful, Decision-Making

As stated previously, conflict with others is inevitable—it is a natural result of our differing and unique human needs and desires. Even with those committed to a joint search for the best solutions—who use objective rather than emotional evidence to support positions; who draw on precedence or expert valuation to solve discrepancies rather than might; who model trust and respect for one another rather than blame—that search can be a difficult one. In a “downsizing” economy, what is the right amount that allows the company to grow and allows its employees to pay their own bills? What boundary fulfills one country's need for security and the other group's need for housing? What is the best date for the tenant to vacate the apartment while allowing the landlord to recoup his rental losses?

For parties committed to this type of joint search this book will ensure that momentum maintains its steady course. For others it will identify even before they enter the conflictual dynamic what to expect. It will help them avoid the inevitable pitfalls that plague unhealthy conflictual interactions. For those currently enmeshed in conflict, this book will offer a healthy way out toward better decision-making. That way out can alter one's escape from angry confrontation.

Reasoned decision-making is emotionally mature decision-making. It is reflective, resourceful, and rational decision-making. It is decision-making in which you control the conflictual dynamic to ensure that the best resolution of the problem is made.