

The book cover features a background image of a Ferris wheel with a complex metal lattice structure. The scene is overlaid with large, semi-transparent geometric shapes in shades of purple, blue, and teal. The title is prominently displayed in the upper half of the cover.

**Introduction**  
To  
**MASS COMMUNICATION**  
**PRINCIPLES AND PRACTICES**

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## CHAPTER SEVEN

# MEDIATION AND NEGOTIATION AS PARACOMMUNICATION SKILLS FOR CONFLICT MANAGEMENT

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### CHAPTER OBJECTIVES

At the end of this chapter the reader should be able to:

- (i) Identify the major mediatory and negotiation skills
- (ii) Highlight some Nigerian conflicts since 1980
- (iii) Show understanding of what conflict and conflict management entail
- (iv) Determine the communication skills necessary for conflict management
- (v) Identify the strategies for management

### 1. INTRODUCTION

The world has become increasingly a difficult place to live in. Daily, human beings are reported to be in conflict with one another as individuals, groups, nations or regions. Each new day throws up new challenges to an increasingly paranoid and conflict-prone world. It is needless to ask why conflicts occur and why we take measures to minimize their severity. Human conflicts have generally been characterized as violent and undesirable. But experience has shown that this is not always so. There is enough historical evidence to prove that while conflict may be hated, they are nonetheless desirable. In fact, those societies that have made tremendous progress are those that have shown that conflict is an important and inescapable factor in human development and progress. Unfortunately, conflict has most often been associated with violence and negative activities. However, the beauty of conflict lies in the fact that human beings who also cause it have also established mechanisms for managing it. For example, such routine mechanism as mediation and negotiation are put in place to address problems and issues arising from conflicts.

## CRISES AND CONFLICTS IN NIGERIA SINCE 1980

Nigeria, as a nation has witnessed several conflicts many of which are induced and political in nature. The most tasking of these conflicts came in the 1960s and these culminated in the two-and-a-half-year civil war from 1967 – 1970. The decade, 1970 to 1979 was actually meant for reconstruction, rehabilitation and re-establishing nationhood (reconciliation). After the Second Republic came into being in 1979, a new wave of conflicts with roots in ethnicity, but largely touted as political party crises engulfed the nation. The rivalry among the parties led the NPP, UPN and GNPP to form a grand alliance against the majority NPN. This developed into a national crisis which did not go away until the military recalling the good moments of the past, seized power on 31st December, 1983 and thus ended the Second Republic.

During the Buhari-Abacha dictatorships, crises and conflicts reached their highest points. During the Abacha junta, the conflicts reached boiling point with several underground groups ranged against the maximum dictator. A pirate radio station, Radio Kudirat, was set up to fight that seemingly mindless regime.

It is however sad to note that while the various conflicts were going on during the period, no clearly discernible, realistic, political strategies were put in place to manage them. What we had were the atavistic methods of arresting and detaining alleged opponents, killing them through clearly puerile techniques, assassination, alleged phantom coup plots, orchestration of fake trials, organizing fake political parties, and sponsoring marches in support of the leadership and aggression against opponents.

This went on without a clear-cut effort to bring about sanity. The only crude method used by them was intimidation or coercion to get the opposition to succumb. There were no alternatives. You either accepted the position of the maximum dictator or you were eliminated or you went underground. It was a Hobson's choice.

It seemed, at the time, that the military leaders did not have the concept 'conflict management' in their working vocabulary. It is this concept, along with the para-communication strategies and skills embedded in mediation and negotiation that this chapter sets out to examine in a general context.

During this period, we have had political, economic, military, religious, social, educational and other conflicts, revenue allocation, resource control, salaries, military coups d'etat, ethnic militants, poverty, unemployment, funding of education, inequities, and strike actions in the educational sector, fuel price increase and others which had brought about conflicts.

### **CONFLICT AND CONFLICT MANAGEMENT**

As we have already noted above, conflict is a term associated with negative things and hence it has become a hate word. Many leaders avoid it like a plague. Yet many do not really know what it is. Conflict is a human phenomenon that has been with us since creation. When Adam ate the forbidden fruit in the garden, he had Eve to blame for his inappropriate action. It was there that human conflict started, and consequently man's conflict with God, his creator also began then. *The Holy Book* also reports conflict between Lucifer, the fallen angel and God. But we are not talking about these supernatural conflicts. The *CNR Newsletter* of July 2003 defines conflict as a relationship between two or more opposing parties whether marked by violence or not, based on actual or perceived differences in needs, interests and goals. It further states that conflicts are a normal part of human interaction and many conflicts can be managed productively.

In a published guide for Watershed Partnerships, the author defines conflict as a natural disagreement resulting from individuals or groups that differ in attitudes, beliefs, values or needs. It can also originate from past rivalries and personality differences.

As we have already noted, conflict is inevitable and it is a necessary and inescapable tool for human development when properly managed. It is a permanent fixture in the lives of men.

Conflict situations pose some challenges to those in leadership positions and have implications for security management too. The general lack in rural areas, the seeming stagnation of these areas on the road to development, and the growing restiveness of youths, all create conflicts in the polity. This situation tends to generate violent conflict and is generally seen as the reason why leaders hate to hear or read about conflicts in their domains. Since conflicts are inevitable, it is natural that when the seeds of

conflicts are sown, we must find ways to mediate and negotiate them in positive ways. Clearly, the seeds of conflict are sown when the following fertilizing ingredients exist: first, there must be *extant needs* which are stirred by biogenic drives. These needs are essential to our well-being. Conflicts easily arise when we ignore them. These needs must not be confused with wants or desires which advertisers feed on.

The next ingredient for conflict is *perception*. Since people interpret reality differently, they necessarily perceive differences in the severity, causes and consequences of problems or threat that will determine your reality profile with respect to a given situation.

Another ingredient is *power*. How we define and use power is a strong determinant of conflict types and points to how we may manage the different types of conflict. Excessive use of power or the lack of it can also determine the direction of conflict. The what-can-he-do attitude is also another conflict generator in the exercise of power.

In addition, how we see or respect each others' *values* constitutes another strong ingredient of conflict. Values are seen as beliefs or principles we consider to be very important to us. And serious conflicts arise when people hold incompatible values with ours or when such values are unclear. Conflicts arise when we also refuse to accept the fact that the other party holds something as a value rather than a preference.

Also, when we vie for indivisible goals, conflicts may arise from the *rivalry* or *competition*. For example, when as citizens vie for political or other positions, there could be conflict arising from our failure to be winners.

Finally, *feelings* and *emotions* are important ingredients in conflict manifestation. Many of us allow our feelings and emotions to become a major influence over how we deal with conflict. Conflict can also occur because we ignore our own or others' feelings and emotions. Our feelings come between others and us thus generating crises leading to conflicts.

The management of conflicts therefore involves the practical skill, which we employ to minimize the severity of any conflict created through human actions or behaviours. It is generally agreed that conflicts are manifested through some form of human communication behaviour. It is also indisputable that such behaviours can perhaps only be managed or modified through communication. Although all conflicts are products of

communication behaviour, all communication behaviours are not products of conflicts.

### **MEDIATORY SKILL IN CONFLICT MANAGEMENT**

When there is conflict whether in its violent form or with a non-violent but negative characteristic and when the parties involved are almost uniformly affected, the need for a third party or mediator becomes unavoidable.

Evans (1993:230), has outlined some key elements of successful conflict management to include:

- (i) Strict fairness and impartiality
- (ii) Trustworthy and sensitive approach to gain confidence
- (iii) Even-handed examination of each party's position
- (iv) Identifying root cause and deciding on corrective actions
- (v) Enforceable and fair outcomes
- (vi) Acceptable conflict resolution and conflict minimization
- (vii) Monitoring Resolution
- (viii) Transfer / job-role change may be necessary

Mediation is the act of an agent or middleman coming between combatants in a conflict and seeking to minimize their conflicts. In mediation, communication skills are employed. to achieve certain set goals or objectives. The use of communication in mediation is geared towards achieving instrumental goals, that is, to achieve or obtain something. Communication is also to control, that is, to get someone to behave in a particular way; to provide information, that is, to find out or explain something; to express, that is, to make one's feelings known; to establish social contact; to alleviate anxiety, that is, to sort out a problem; to stimulate, that is, make a response to something of interest and to reflect the role played by individuals in society. The mediator must be seen to possess the attributes of honesty, fairness or impartiality and credibility. He or she must have an understanding of the issues in conflicts, know the parties, have their confidence, be a true middleman be patient and accommodating, have a willingness to go the whole hog and place his cards face up. We can liken the mediator~role to that of an outside

specialist who is free of the emotionalism of the parties involved. Mediators often have a wide experience and a fresh viewpoint so that they may be able to suggest settlements not previously considered. They also act as confidential intermediary.

### **NEGOTIATION SKILLS FOR CONFLICT MANAGEMENT**

Negotiation is essentially the parties' involvement in establishing an agreement in conflict situations but when a third party is involved, it becomes mediation. The purpose of negotiation is to enter into an agreement such that both parties have their needs satisfied and are motivated to fulfill their agreements and enter into further negotiations with the same party in the future.

In a successful negotiation, both parties should be fully satisfied with the result and feel that they have each 'won' or no deal should be made at all. Successful and dependable negotiations often end in 'win-win' situations. You win some and you lose some but never really a 'win-lose' situation if agreements are to last.

### **MEDIATION AND NEGOTIATION AS PARACOMMUNICATION SKILLS**

Having examined the key concepts let us now see how mediatory skills as well as negotiation skills can be effectively used in conflict management. But first, let us look at the skills of mediation.

As we have already noted, the major distinction between mediatory and negotiation roles lies in the fact that with a mediator we are faced with a third party, a kind of middleman. But in the case of negotiation, those in conflict are directly involved in trying to hammer out an agreement based on their points of disagreement.

Therefore, in order to have an effective mediator, the player of this role should possess certain skills and attributes, which are critical to success in minimizing conflict. First, the mediator is one who should be able to simplify and clarify the issues after isolating them. Identification, simplification and clarification of a problem are steps towards being able to manage it. This involves the use of clear language.

Second, as a mediator, you should feel and see issues from both sides to ensure that you are perceived as neutral by all sides. This encourages those in conflict to come out and speak more openly and honestly. Fairness (impartiality) is the name of the game.

Third, provide credible options as you make credible offers. The credibility of any mediator is vital to the success of any mediation act. Once one or all parties to the conflict doubt the integrity of the mediator, then his or her efforts will be in vain. A credible mediator should provide credible options to the conflict.

Fourth, the mediator must have a clear understanding of the issues involved. Showing a sympathetic understanding of the problem helps in opening up resistance as well as reduce extreme or defensive reaction to the mediator's efforts. You must have the skill of a near omniscient operator driving all parties on all issues.

Fifth, the mediator must try to know the parties in conflict so that he or she can understand where they are coming from as well as understand the nature and character of the conflict.

Sixth, the mediator must be ready to take a stand when he or she has fully examined all sides of the case. An effective mediator must not be afraid to make his position known when he or she is convinced that that point has been reached.

Seventh, in order to avoid an exercise that appears endless, the mediator must be willing to draw a line and bring the effort to an appropriate end when a deal has to be struck. This should be done to avoid mediation fatigue. Nevertheless, he must be one with a staying power. Some conflicts last for too long and therefore require persistence and in some cases personnel changes. A new mediator can bring a breath of fresh air into the process. The ASUU-FGN conflict has taken a long time because labour issues tend to fester when both parties are adamant.

Eighth, the mediator must have the attribute of being patient and accommodating. He or she cannot afford to explode even if he or she reaches his or her wit's end. Your patience could become a source of inspiration for and emulation by the disputants.

Ninth, he or she should work hard to alleviate the anxiety of the 'combatants' by sorting out the problem sincerely, tactfully and firmly.



Once all sides accuse the mediator of favouring one of them, they should feel more confident that they are on the right path.

Tenth, as a mediator, you must understand group dynamics and the task of all team workers in conflict management situations. You must be able to discern the antics of dynamogenic speakers and demagogues. The mediator cannot afford to be swayed easily by continued group antics intended to win sympathy. He or she should be able, at all times to keep the arguments in control lest they veer into personal attacks or diatribes.

Overall, the mediator should adopt some or all of the following strategies to support his or her skills:

- Collaboration
- Compromise
- Competition
- Accommodation
- Avoidance

In **collaboration**, the mediator allows a high concern for the interest of those in conflict as those of others.

Reaching a **compromise** is usually the goal of mediators. It is also the ability to synchronize and reach an agreement regarding the interest of all parties.

There is **competition** involved in every mediation effort as each party seeks to take advantage of the other. There must be an equal concern for the interests of all sides as this 'win-lose' situation could escalate the conflict.

**Accommodation** results when mediators show a lower concern for one group's interest than the other to create a 'lose/win' situation. The strategy is generally used when the issue appears to be more important to one side than the other. This could, of course, lead to a charge of partiality.

**Avoidance** presents a 'lose-lose' situation. The strategy is generally used when the issues are seen to be trivial. It is also used when confrontation or acting otherwise has a high potential for damage or when more information is needed.

## NEGOTIATION SKILLS IN CONFLICT MANAGEMENT

Negotiation normally involves direct contact between the disputants. A third party (mediator) could also be involved acting as a referee or umpire but this is not mandatory. The idea is that the parties in conflict see the need to 'jaw-jaw' and not to 'war-war'. The desire by all parties to reach a peaceful agreement directly is always encouraged. But often this point is arrived at when combatants see more virtue in talking than in fighting and when the benefits of these greatly outweigh the outcome of the opposite situation. In some conflict situations, an official especially appointed and known as 'special negotiator' may be appointed to midwife a negotiation between parties. This special negotiator as often found in war situations is a mediator but he is often appointed by a superior organ like the United Nations to facilitate talks between warring factions.

Under this umbrella, five steps are suggested as being fairly adequate for managing conflict using the negotiation route. These steps are:

- Analyze the conflict
- Determine management strategy
- Pre-negotiation
- Negotiation
- Post negotiation

In **analyzing the conflict** the negotiator has to examine the nature and type of conflict. Just as it is for the mediator, the negotiators represented the warring parties should try to understand the nature and type of conflict they are embroiled in. Next, the groups involved have to **determine the management strategy** they have to adopt to stem the conflict. After this, the next stage is the **pre-negotiation stage**. In order to set a stage for effective negotiation, the groundwork must be laid. Therefore, the following activities must take place prior to negotiation:

**Initiation:** One party raises the possibility of negotiation and begins to process. Even here, where this is not possible, a trusted outsider could be brought to facilitate this.

**Assessment:** Conditions must be right for negotiation to 'be successful'. Key players must be identified and invited. Spokespersons for each group

must also be identified. Parties to the conflict need to determine which issues are negotiable and which one are not.

**Ground rules and agenda:** The group must agree on ground rules for communication, negotiation and decision-making, a kind of standing order to smoothen the negotiation process. An agenda of issues to be covered needs to be developed and agreed upon before commencement of discussion.

**Organization:** Meeting logistics must be established, including agreed upon times and places. Minutes must be taken so that information can be distributed before and after meetings.

**Joint fact-findings:** The groups must agree on what information is relevant to the conflict. This should include what is known about social and technical issues.

The next step is **negotiation**. This is the actual business of debating, arguing and extracting commitment from each other. This step also involves sub-stages or procedures.

**Interest:** When negotiating, be sure to openly discuss interests rather than stated positions. Interests include the reasons, needs, concerns and motivations underlying positions. Satisfaction of interests should be the common goal.

**Options:** In order to effectively manage conflicts, concentrate on inventing options for satisfying commitment.

**Evaluation:** Only after parties in conflict have listed their options, concentrate on creating an inventory of options to be discussed. Together, you should determine which ideas are best for satisfying various interests.

**Written Agreement:** Document areas of agreement and disagreement to ensure that agreement can be remembered and communicated clearly.

**Commitment:** All parties must be confident that others will carry out their parts of the agreement. Discuss and agree upon methods to ensure that all parties to the conflict understand and honour their commitments.

Step 5 deals with **post-negotiation**. This is a stage reached when the group has reached the agreement and they are now at the implementation stage. This also has other steps to follow:

**Ratification:** Parties to an agreement must see to it that their organizations, which were involved in the previous steps follow the procedure needed to review and adopt the agreement.

**Implementation:** Communication and collaboration should continue as the agreement is carried out. The agreement should include a plan to monitor progress, document success. Negotiation skills required to carry the above strategies are delicate and need a high level of commitment and professionalism. A negotiation, as we know it, is an important skill for coming to an agreement when conflicts develop anywhere – at home, at work, among groups, and when dealing with issues like those related to the running of local government council areas. Therefore, when negotiating, you must possess the skill to do the following:

**Separate people from the problem:** When negotiating, remember you are dealing with people who have their unique needs, emotions and perceptions. Remember, many conflicts are based on differences in thinking and perceptions. These conflicts may exist mainly in people's minds. Sometimes we are focusing on personality traits rather than on real issues and problems. Recognize and try to understand the other side's emotions as imagining yourself in the shoes of the other person can aid understanding.

**Interest vs. Position:** People often confuse interest with positions. An interest may lie in reducing environmental degradation in various forms in your local government area. There are many possible ways of addressing this interest. One might be the position of mandatory clean-ups by offering individuals or groups. Another may lie in providing dumps for cans, bottles, cellophane and plastic packs. Still another could be in organizing monthly sanitation exercise. The common interest is reducing environmental degradation and how we do it is our position (strategy). We should not allow the differences in position to eclipse the issues of mutual concern.

**Focus on interests, not positions:** Focusing in interests rather than positions makes it possible to come up with better agreements. Even when people stand on opposite positions, they usually have a few shared interests.

**Develop optional solutions:** When developing optional solutions that meet the interest of all sides, try to meet as many of each side interest as possible. Brainstorm ideas and issues before reaching a decision.

**Develop objective criteria:** When developing criteria for selecting or combining possible alternatives, revisit the conflicting interests. These cannot be ignored or 'wished' away. Also keep in mind principles such as fairness, efficiency, and scientific merit.

## CONCLUSION

We have noted that the act of mediation requires a middleman, a go-between or someone who intervenes, while negotiation involves parties directly in contact with each other usually without a mediator or facilitator. The skills applicable to both circumstances are in so many ways similar. Conflicts being delicate situations demand tact, credibility, honesty, sincerity, fairness, impartiality, vision, patience, and clarity of thought and language.

## SUMMARY OF CHAPTER

In this presentation, we have shown the interrelatedness of strategies to skills and knowledge.

We have also argued that it is impossible for human beings to live without one form of conflict or the other. It is not true that although all human conflicts are products of some communication behaviour that effective communication by human beings can bring an end to conflict. Perhaps better and effective communication can reduce the severity or intensity of conflicts in some situations but an effective management of these conflicts through the use of communication makes the difference. Perhaps, we might go away with the lover's adumbration that she loves quarrelling with her man because making up is such a pleasant experience. Since conflict on its own is not a particularly lovable experience, the effective management of it usually brings about pleasant experiences to all parties.

### Experiential Vehicle

1. What does conflict mean to you?
2. What role does communication play in bringing about conflict and what role does it play in managing it?
3. Identify the major mediatory and negotiation skills used in conflict management.
4. Discuss how different Nigerian governments have managed conflicts since 1980
5. Explain the five steps of negotiation used in conflict management.

### FURTHER READING

A Guide for Watershed Partnerships .(2005). *Managing Conflict*  
[www/ctic.purdue.edu/KYW/Brochures/Manage Conflict.html](http://www/ctic.purdue.edu/KYW/Brochures/Manage%20Conflict.html)

Brian, T. (2002). *The 100 Absolutely Unbreakable Laws of Business Success*. Benin: Joint Heirs Publications.

Burgoon, M. and Ruffner, (1978). *Human Communication*. New York: Holt, Rinehart and Winston.

CNR Solidarity, Network Newsletter Issue 25 (2003). *Conflict Management Tools for Conflicts over Natural Resources!*  
[http://www.sidint.org/crnweb/newsletter/conflicts management issue](http://www.sidint.org/crnweb/newsletter/conflicts%20management%20issue)

Evans, D. W. (1993). *People, Communication and Organization*. London: Pitman Publishing

Thomas, K. W. (1977), Towards Multi-Dimensional Values in Teaching: The Example of Conflict Behaviours. *Academic Management Review*. 2 pp 484-490.

Wilson, D. (1999). *Communication and Social Action*. Port Harcourt: Footstep Publication.

