PERFORMANCE LEVEL 1

Resolve Conflict and Negotiate

How adults at Level 1 **Resolve Conflict and Negotiate:**
- Acknowledge that there is a conflict
- Identify areas of agreement and disagreement
- Generate options for resolving conflict that have a "win/win" potential
- Engage parties in trying to reach agreement on a course of action that can satisfy the needs and interests of all
- Evaluate results of efforts and revise approach as necessary

Level 1 Indicators

Use Key Knowledge, Skills, and Strategies
Adults performing at Level 1 can:
- Define and recall (simply but in a way that is fair and agreeable to all conflicted parties) a conflict involving a single area of disagreement, and identify at least one area of agreement among conflicted parties.
- Gather and analyze information needed to demonstrate a basic understanding of differing positions and to suggest at least one option for resolving the conflict that has "win/win" potential
- Use a few simple strategies to facilitate negotiation between parties toward a course of action that can satisfy their needs and interests, such as application of some (limited) prior knowledge about "people skills"; some simple questioning and active listening to brief verbal communications; attention to body language and eye contact (as appropriate); and simple but accurate communication/representation of a consensus resolution.
- Monitor negotiation process and its results for effectiveness and fairness, and adjust strategies as necessary to reach consensus resolution if possible

Show Fluency, Independence, and Ability to Perform in a Range of Settings
Adults performing at Level 1 can Resolve Conflict and Negotiate, slowly and cautiously with some noticeable effort and hesitation, and supported by significant guidance, direction and assistance, to accomplish well defined and highly structured tasks that include a few simple steps and require limited (but some) prediction or judgment, in a single comfortable and familiar setting

Level 1 Examples of Proficient Performance

Adults performing at Level 1 can Resolve Conflict and Negotiate to accomplish a variety of goals, such as:
- Consider a conflict between parents and children about balancing TV watching with doing homework after school, then negotiate a resolution
- Reflect on a family conflict between 2 adults about one priority for spending on a budget, then resolve the conflict based on reflections
- Address conflicting ideas in order to agree with a friend about what to do for entertainment on a weekend night

Equipped for the Future
Resolve Conflict and Negotiate Performance Continuum

PERFORMANCE LEVEL 2

Resolve Conflict and Negotiate

How adults at Level 2 **Resolve Conflict and Negotiate:**
- Acknowledge that there is a conflict
- Identify areas of agreement and disagreement
- Generate options for resolving conflict that have a "win/win" potential
- Engage parties in trying to reach agreement on a course of action that can satisfy the needs and interests of all
- Evaluate results of efforts and revise approach as necessary

Level 2 Indicators

Use Key Knowledge, Skills, and Strategies
Adults performing at Level 2 can:
- Define, and accurately restate (with some detail and examples, and in a way that is fair and agreeable to all conflicted parties), a conflict involving more than one area of disagreement, and identify more than one area of agreement among conflicted parties.
- Gather and analyze information needed to demonstrate understanding of differing positions, and to suggest more than one option for resolving the conflict that has "win/win" potential
- Use a range of simple strategies to facilitate negotiation between parties toward a course of action that can satisfy their needs and interests, such as application of prior knowledge about human behavior and "people skills"; some prediction of outcomes or reactions based on prior knowledge; active listening to extended verbal communications; questioning to "draw out" information from others; use of appropriate humor; some basic problem-solving; and accurate communication/representation of a consensus resolution.
- Monitor negotiation process and its results for effectiveness and fairness, and adjust strategies as necessary to reach consensus resolution if possible

Show Fluency, Independence, and Ability to Perform in a Range of Settings
Adults performing at Level 2 can Resolve Conflict and Negotiate, with some (initial) hesitation but without major difficulty, and supported by some initial direction, but minimal ongoing assistance, guidance or support, to accomplish fairly complex but well defined and structured tasks that include multiple steps and require some prediction and judgment, in one or more than one familiar, comfortable setting

Level 2 Examples of Proficient Performance

Adults performing at Level 2 can Resolve Conflict and Negotiate to accomplish a variety of goals, such as:
- Call and conduct a family meeting, and resolve conflicts between parents and children during the meeting.
- Meet with co-workers to resolve conflicts about responsibilities for maintaining a tidy and safe work space

PERFORMANCE LEVEL 3

Resolve Conflict and Negotiate

How adults at Level 3 **Resolve Conflict and Negotiate**:
- Acknowledge that there is a conflict
- Identify areas of agreement and disagreement
- Generate options for resolving conflict that have a "win/win" potential
- Engage parties in trying to reach agreement on a course of action that can satisfy the needs and interests of all
- Evaluate results of efforts and revise approach as necessary

Level 3 Indicators
Use Key Knowledge, Skills, and Strategies
Adults performing at Level 3 can:
- Define, and accurately summarize and/or reframe (with selected relevant detail, and in a way that is fair and agreeable to all conflicted parties), a fairly complex conflict involving several areas of disagreement; clarify and prioritize areas of disagreement to be addressed; and identify multiple areas of agreement among conflicted parties
- Gather and analyze information needed to demonstrate deep understanding of differing positions and the needs that underlie them, and to suggest multiple options for resolving the conflict that have "win/win" potential
- Use a wide range of strategies to facilitate negotiation between parties toward a course of action that can satisfy their needs and interests, such as application of significant prior knowledge about human behavior and "people skills"; prediction of outcomes or reactions based on a strong ability to generalize to other, similar conflicts; developing rapport through encouraging open and honest exchange of views; extensive questioning and accurate interpretation of verbal and non-verbal responses/cues; effective problem-solving; and accurate communication/representation of a consensus resolution.
- Monitor negotiation process and its results for effectiveness and fairness, and adjust strategies as necessary to reach consensus resolution if possible

Show Fluency, Independence, and Ability to Perform in a Range of Settings
Adults performing at Level 3 can Resolve Conflict and Negotiate easily and comfortably, needing little or no assistance or support and providing direction and guidance to others,
to accomplish fairly complex tasks with some definition and structure that include multiple steps and require significant prediction and judgment, in multiple familiar and unfamiliar settings

Level 3 Examples of Proficient Performance
Adults performing at Level 3 can Resolve Conflict and Negotiate to accomplish a variety of goals, such as:
- Analyze a recent conflict in the community learning center between some adult learners and a substitute instructor who refuses to return because of perceived behavior problems with the learners, and negotiate a win/win solution to the conflict with the instructor
- Analyze communication conflicts with a public assistance caseworker that have resulted in a grant being stopped, and negotiate a win/win solution to the conflict with the caseworker
- Analyze, during an informal therapeutic support session, a conflict affecting a relationship with a life partner that is leading both partners to consider separation, and negotiate a win/win solution to the conflict with the partner

How to Read the EFF Performance Continuum for
Resolve Conflict and Negotiate

Each performance level of the EFF Performance Continuum for each EFF Standard is divided into four sections:

Section 1: The Definition of the Standard

Section 1 is the definition of the Standard. The definition of the standard in the components of performance is a useful tool for communicating to adult learners and their teachers the essential features of the construct for each standard. By "unmasking the construct" in this way (making it clear how the skills of resolving conflict and negotiating are defined), adult learners are better able to articulate their own learning goals for improving proficiency and teachers are better able to focus learning and instructional activities that build toward the goal of increasing ability to Resolve Conflict and Negotiate to accomplish everyday activities.

The definition of the EFF Standard *Resolve Conflict and Negotiate* is repeated in the same form at each level of the continuum. This repetition serves as a reminder that the integrated skill process defined by the components of performance for this standard is constant across all levels, from novice to expert levels of performance. Thus, the standard does not change from level to level. It remains a consistent focal point for learning and instruction. What changes from level to level is the growth and complexity of the underlying knowledge base and the resulting increases in fluency and independence in using the standard to accomplish an increasing range and variety of tasks. These changes are reflected in the descriptions of key knowledge, skills, and strategies at each level (Section 2); descriptions of fluent and independent performance in a range of settings at each level (Section 3); and the examples of real-world activities that can be accomplished at each level (Section 4).

Section 2: Key Knowledge, Skills, and Strategies

Section 2 of the performance continuum for *Resolve Conflict and Negotiate* contains descriptions of some of the key knowledge, skills, and strategies that form the basis for proficient performance on the standard at each level. This listing of key knowledge, skills, and strategies is specific to each level and is the foundation for designing assessments to measure performance at that level. Beyond serving as guide for assessment development, the key knowledge, skills, and strategies described at each performance level can also be used to identify instructional objectives or can be included in the criteria used for placement of learners in instructional levels.

The first bullet under Key Knowledge, Skills and Strategies at each level of the standard addresses two critical and interrelated functions of effective conflict negotiation and resolution: conflict definition and goal interdependence. First, it describes developing ability to recognize that a conflict exists, and to define the conflict to be resolved in a "frame" that is perceived to represent an accurate and fair interpretation by all parties engaged in the conflict – a "shared definition". Development in this area is characterized by growing sophistication of strategies

used for information gathering, processing and sending, related to increased complexity of the conflict situation itself. Thus, at level 1 the individual is able to take in and compare bits of information about an interaction that appears to manifest one point of disagreement; decide that a conflict exists; and simply but accurately recall the two "sides" of the interaction. As expertise grows, an individual is able to define more complex conflict situations with more advanced processing and sending techniques, so that by level 3, problem definition involves summarizing conflicting positions where there are multiple points of conflict, and prioritizing subissues for negotiation.

Next, this initial category of Key Knowledge, Skills and Strategies for Resolve Conflict and Negotiate addresses the important role of goal interdependence among conflicted parties when the desire is to engage in integrative negotiation. Here the focus is on the individual's ability to increase, or emphasize, goal interdependence specifically by identifying areas of agreement among conflicted parties. The more complex the conflict, the greater the need to find bases for "common ground", and thus, reasons to believe that a "win/win" scenario is possible. So development from level 1 through 3 is characterized by a growing number of areas of agreement identified among parties.

The second category of Key Knowledge, Skills and Strategies directly addresses the concept at the heart of the integrative negotiation model – generating multiple proposals for "win/win" solutions based on a definition of the conflict that is shared by interdependent parties and on a clear understanding of their opposing positions. Once again the cognitive processes of gathering, processing and sending information are in play, but this time they are used to develop and apply comprehension of the causes of conflict, of the needs and interests that underlie the opposing positions. And this is where the emotional dimensions of a conflict need to be duly considered; analysis of gathered information will include clarification both of issues and of feelings. Only in this context is it possible to propose options for solutions that are likely to be perceived as satisfactory and fair to all. Movement along the continuum from novice toward expertise in this category is marked by increasing ability to gather and analyze relevant information and, as a result, increasing depth of understanding of opposing positions (both, again, related to the increased complexity of the conflict situation); development of deeper understanding in turn makes possible increasing number and quality of novel resolution options being proposed.

Application of prior knowledge and experience, and effective use of communication skills are the focus of the third bullet under Key Knowledge, Skills and Strategies at each level of Resolve Conflict and Negotiate, which describes facilitation of a process through which parties in a conflict may come to agreement on the solution that best allows for mutual gain. With growing expertise in negotiation and conflict resolution, individuals develop an increasing store of content knowledge related to particular past conflicts as well as of experience with the human behaviors associated with conflict situations. Development along the continuum, then, is marked by greater depth of prior knowledge from which one can draw, and increasing ability to apply that knowledge when confronted by a novel conflict.

And effective communication is fundamental to successful negotiation as described in this category – especially in the abilities to ask the "right" questions, listen carefully to responses, attend to other (primarily nonverbal) forms of communication, and integrate and reflect back the

results of these interactions. Questioning is an especially important concern here, and competent performance will always include demonstrated ability to pose, and process responses to, questions for one or more of a variety of purposes: to create a positive climate and develop rapport; to establish groundrules for interactions; to elicit information; to probe previous responses and trigger additional information; to clarify and verify information, assumptions or perceptions; and to evaluate the process and its outcomes. Movement along the continuum from novice toward expertise involves the number and sophistication of strategies available to support effective communicative behaviors. At level 1 such exchanges are fairly few, simple and brief, though sufficient given the nature of the conflict situation; however, by level 3 the communicative demands are much greater and therefore require a wide range of mature (and increasingly culture-sensitive) communicative strategies for guiding parties toward integrative settlement.

The final bullet in the description of Key Knowledge, Skills and Strategies for each performance level of the standard is concerned with the metacognitive functions of monitoring the negotiation process and its outcomes and planning for any changes in the process that are deemed necessary based on monitoring. In the area of integrative conflict resolution, the focus of monitoring is twofold: perceived fairness (of the process and of any distribution of resources that result from it) to all parties, and overall satisfaction among all parties. And the flexibility to adjust strategies in order to improve processes and outcomes is a critical indicator of effective negotiation. Because these functions are so important to any conflict resolution effort, no matter how rudimentary or complex the conflict situation, the descriptor in this category remains constant at every level.

Section 3: Fluency, Independence and Ability to Perform in a Range of Settings

Section 3 is the description of fluency, independence and ability to perform in a range of settings expected for proficient performance on the standard at each level. Like the description of key knowledge, skills and strategies in Section 2, the descriptions in Section 3 are specific to each level and are intended to serve as a basis for guiding assessment, learning and instruction that is appropriate to that level.

With regard to *Resolve Conflict and Negotiate*, key features of this section are developmental descriptions of performance related to
- the level of effort observed in defining the conflict situation, generation options for resolution, and guiding the parties through the process of negotiation;
- the amount and quality of external direction and scaffolding required in order for an individual to successfully complete these components of conflict resolution;
- complexity of conflict situations; and
- the range of environments in which an individual can competently perform.

At the novice level, then, proficient performance of the standard in fairly simple negotiation tasks appears to be effortful and requires a high level of externally-provided structure, guidance and support in a comfortable and familiar environment. But with movement along the continuum toward expertise, performance of increasingly complex negotiation tasks becomes increasingly

fluent. The level of direction and scaffolding provided decreases, and in fact individuals performing at the higher levels show increasing ability to assist others through the negotiation process.

Section 4: Examples of Applications of the Standard

Section 4 of the performance level descriptions provides a short list of examples of the purposeful applications of the standard (activities) that can be accomplished by an adult who is proficient at each level. This list of examples is illustrative and not exhaustive. Like Sections 2 and 3, the descriptions of activities in Section 4 are specific to each performance level. These examples of things that adults can accomplish in the real world at each level of performance on the continuum are useful to adult learners and to their teachers as ways of making concrete the purpose and need for attaining increasing proficiency in performance on the standard. By making it clear what can be accomplished at each level, the descriptions of activities in Section 3 also provide motivation for higher levels of learning. The listing of real-world accomplishments also provides guidance for selecting and designing the content for instructional materials and assessments.

Tasks here are defined with reference to two related features:
1. The number of points of conflict to be addressed in the task, and
2. The level of structure introduced into the negotiation process.

At the lowest level, tasks involve identifying and negotiating one primary point of conflict (for example, a dispute between parent and child about watching TV vs. doing homework). And the level of structure that characterizes these tasks is very high; in fact, in most cases the tasks represent opportunities to practice or "role-play" conflict resolution in a relatively safe and comfortable situation before applying the resulting learning in a more authentic environment. Tasks at higher levels feature progressively more numerous priority points of conflict to be identified and addressed, along with decreasing levels of structure provided by others and the greater possibility that performance will occur in less familiar or comfortable environments. At level 2, for instance, two or three arguments that have erupted among family members during the past week are now the focus of negotiation in a family meeting that follows a set of predetermined guidelines. And by level 3 the task might involve a range of divisive issues being explored by two partners in a couples' informal therapeutic support session.

Background to the EFF *Resolve Conflict and Negotiate* Performance Continuum

The EFF standard *Resolve Conflict and Negotiate,* one of the four interrelated and sometimes overlapping EFF standards that are categorized as "Interpersonal Skills", highlights one domain of adult knowledge and skills that is critical for adults to be able to draw from in order to carry out their responsibilities in their roles as family members, workers, and citizens. Defined generally as the act of accurately defining a conflict situation and then engaging the parties involved in choosing and pursuing a course of action that will alleviate the conflict to the satisfaction of all, "conflict resolution" is broadly acknowledged as an important ability across many domains of content knowledge and activity.

As Stuart Levine notes concerning the interpersonal dimensions of conflict in his book, *Getting to Resolution* (1998), the conflicts large and small that inevitably arise in human interactions – between partners, between parents and children, between employers and employees -- take a significant emotional toll, whether we are aware of it or not, whether we believe we have "won" or "lost". Unresolved conflicts and their emotional "baggage" can impede personal productivity and satisfaction, in business or in personal and collaborative relationships. Behavioral psychology tells us that the unmet wants of individuals who experience conflict are associated with feelings of anger or sadness, and it's very difficult to be fully attentive and productive when one is angry or sad. On the other hand, reaching resolution moderates feelings of anger or sadness and so can lighten the emotional burden, allowing one to focus more fully and creatively on the task – or person or people -- at hand.

As an extension of interpersonal conflict, organizational conflict is another concern of theory and research in conflict management. Robert Baron (1990) argues that conflict within organizations – whether caused by competition for scarce resources, ambiguity over responsibilities or jurisdiction, or faulty or inadequate forms of communication -- wastes precious human resources that might be better directed at other activities, including the primary work of the organization. Baron cites a then-recent survey of organizational managers in which the managers claimed that they spend more than 20% of their time dealing with conflict or its aftermath. And high levels of conflict have been associated with "job burnout". However, Baron also notes that the experience of conflict within an organization can yield positive benefits. Conflict can uncover persistent problems and provide an impetus for change; effective conflict management can result in increasing communication between opposing sides and so greater possibility of enhanced coordination. "Conflict Management" in this sense means to maximize the positive effects while minimizing the negative or disruptive effects of conflict. So in the realm of social or organizational behaviors, it seems clear that the ability to resolve conflict and negotiate agreement is generally quite important for individuals as they navigate the responsibilities and relationships that matter to adults in their roles as family members, workers and citizens.

While the abilities to resolve conflict and negotiate are categorized in the realm of Interpersonal Skills and so are of great interest to those who work in the social and behavioral sciences, conflict negotiation and resolution has assumed, and historically has played, a crucial role on the

job and in labor/management relations, in politics and public policy, and in international relations. Modes of conflict management in these various arenas range from direct negotiation, to mediation, bargaining and arbitration, to "deterrence". Yet in all cases the root of conflict lies in unmet wants; the wants of a requester and the wants of the recipient of a request are incompatible and so cannot occur at the same time. Individuals engaged in such a conflict of wants can respond by refusing the request; offering an alternative (indicating an understanding of the want of the other, but not wanting to comply so offering a different way to satisfy it); or offering a compromise (planning for each party to get part of a want met – a mutual concession). In most cases a resolution that is perceived by all parties to be fair and satisfactory will be one in which all of the parties consider their own wants while trying to consider, and be empathetic to, the wants of others, and will involve each party getting part of his/her wants met.

The importance of effective conflict negotiation and resolution skills to ensuring peaceful and productive social and organizational interactions in key adult contexts, then, is obvious. Yet, teaching and assessing ability to Resolve Conflict and Negotiate in adult basic/literacy/ESOL education, and doing so as necessary in complex, real-world adult contexts, across several domains of adult activity, is a fairly new endeavor. That has made our job -- to develop a Performance Continuum for the standard that will support valid and reliable assessment of individual performance on the standard -- a challenging one, and our understanding of competent adult performance in resolving conflict and negotiating continues to evolve.

The empirical basis for the three performance level descriptions for the Resolve Conflict and Negotiate Performance Continuum is data on adult learner performance collected by EFF field researchers who developed and piloted activities and performance tasks based on this EFF standard in their ABE, GED, and ESL classes. We are particularly grateful to the teachers and learners who "tread new ground" with this standard in order to provide rich descriptions of learner performance of the standard in their instructional contexts. Our current data does not support definitions of performance levels below or above the three levels we have described. In the future, research to support the description of higher performance levels or of "pre-Level 1" performance levels for more beginning level learners may be developed.

The EFF approach to defining performance levels for *Resolve Conflict and Negotiate* depends on a conception of conflict resolution as a domain-independent, integrated skills process that broadly incorporates an integrative, problem-solving model of dispute settlement. Womack (1990) defines "Integrative Settlement" as an approach to negotiation that primarily focuses on creating value or increasing gain for all parties (also known as "principled", "collaborative" or "win/win", and opposed to "distributive settlement" which primarily focuses on claiming value or seeking a share of gain for oneself) and usually involves interdependent parties who trade proposals for a settlement with a mixture of cooperative and competitive motives. Settlement usually involves compromise and concession on each side; each party is likely to have to give up something in order to gain something more important.

Effective communication is a key component of bargaining in this model; communication is the vehicle by which messages are sent and received, and by which parties come to share meaning. Thus an important characteristic of integrative settlement is the establishment of multiple formal and informal channels of communication. Through these channels the parties attempt to

- Redefine the problem (clarify and simplify points of dispute, and in doing so, increase or emphasize the parties' mutual dependence);
- Analyze the causes of settlement difficulty (probing the opponent's position in questioning and dropping defensive barriers in listening);
- Explore a wide range of mutually acceptable alternative solutions (in part, by dropping, simplifying and/or packaging issues); and
- Maximize sharing of information and disclosure of each party's needs and interests

Another key characteristic of this approach to negotiation and conflict resolution is its problem-solving orientation. Womack notes that problem solving is the generally recommended approach. Folger, Poole and Stutman (2001) extend the argument that, under specific conditions, problem solving is the preferred "conflict style" in integrative settlement because it is most likely to result in productive conflict management. But they caution that problem solving that results in win/win solutions requires the commitment by all parties of substantial time and energy. They enumerate these additional conditions:

- All parties have high aspirations for the outcome;
- All parties firmly insist that their goals/needs be satisfied, but remain flexible about the means to satisfying their goals/needs;
- All parties agree to moderate to high levels of disclosure;
- All parties engage in a high level of information-sharing and open communication; and
- All parties share control over emerging solutions.

Given these conditions, and a focus on substantive issues, it is possible for the parties in integrative settlement to problem-solve through what Folger, Poole and Stutman call "productive conflict interaction". The parties may sometimes be competitive – holding strongly to their positions – but are also flexible, engaging in a wide variety of behaviors and changes in directions, and open to movement when convinced that it will lead to the best decision. In this context the parties believe that all sides can attain important goals; the process tends to result in a solution that is satisfactory to all and in a general feeling that all parties have gained something.

Once again, the definition of the EFF standard Resolve Conflict and Negotiate, outlined in the Components of Performance and articulated more fully in the level descriptions of the Performance Continuum, is strongly influenced by this integrative mode of conflict settlement. However, we acknowledge that no one conflict negotiation/resolution style or method is appropriate across all situations. Further, it is important to remember, and Womack and others remind us, that negotiation behaviors are culturally bounded (and, some research suggests, gender bounded as well). Blackburn (1990) actually suggests that different kinds of conflict require different approaches. A conflict that features a large number of contending interests and highly complex interrelated impacts may require a more formalistic approach to allow for sorting through technical issues and organizing individuals in a way that promotes the desired level of participation from each. On the other hand, a conflict that features few parties and relatively simple impacts may merit a more flexible, adaptive and participative approach. In recognition of these concerns, the integrated skill process defined by the EFF standard Resolve Conflict and Negotiate features development and use of an increasing range of strategies from which to choose when deciding upon the most appropriate approach to a particular conflict situation. Furthermore, a critical component of the process defined by the EFF standard is the ability to

monitor and flexibly adjust use of these strategies for optimal effectiveness in various contexts. Therefore it is crucial that EFF standards-based conflict negotiation and resolution activities include opportunities for all parties to evaluate the process, and if necessary, to change it in order to meet their criteria for satisfaction of, and fairness to all. Specific criteria by which to evaluate the effectiveness of negotiation might include

- Perceived gains and losses;
- Overall satisfaction;
- Distributive fairness – have resources been allocated fairly? And
- Procedural fairness – has the process been carried out in such a way that all parties feel fairly treated?

One more note about the approach to conflict resolution articulated in the EFF standard: Susan Stewart (1998) outlines three possible methods of conflict resolution:

1. Direct negotiation between 2 parties;
2. Mediation, which introduces a third party facilitator; and
3. Arbitration, which involves intervention by a respected outsider and is considered to be "fair", although no dialogue between the disputants takes place.

Given the discussion above of the nature of the integrated skills process defined by the EFF standard Resolve Conflict and Negotiate, especially its emphasis on effective face-to-face communication and productive conflict interaction, it seems likely that competent performance on the standard will be observed most directly in activities that require an individual to engage either in direct negotiation or in mediation.

In addition to analysis of EFF field research data, we conducted a review of available research regarding theory and practice in conflict management. In the background resources we studied, we found broad agreement that the development of proficiency in negotiation and conflict resolution is demonstrated through progressively more efficient, fluent, and independent performance in addressing increasingly complex and novel conflicts.

The following are some other key findings from our research review that have influenced the EFF definition of the standard *Resolve Conflict and Negotiate*.

The cognitive basis of conflict response
Bedell and Lennox (1997) discuss three primary cognitive processes involved in responding to conflict situations:

1. Information gathering
2. Information processing and decision-making
3. Information sending

Broadly stated, in the first stage, information gathering, the parties collect necessary pieces of information: what does the other person want? What are my wants in relation to the requester? The second stage involves organizing and comparing the collected pieces of information in order to address a decision point: is there a conflict? If the answer is "yes", then a second decision point involves identifying what might be a suitable compromise or alternative. Finally, information sending in a third stage features offering of a compromise or definition of an alternative.

Earlier, in considering how individuals might self-regulate their own conflicts and correct for the various possible problems and negative dynamics of conflict resolution, Scheidel and Crowell (1979) proposed the "Reflective Thinking Procedure". This process, emphasizing cognitive and metacognitive operations of problem-solving, involves

- Defining a problem or task;
- Analyzing the causes of the problem or conflict, making sure that everyone shares a common understanding before moving on;
- Suggesting possible solutions;
- Evaluating possible solutions and selecting the one deemed most appropriate;
- Implementing a plan for putting the solution into effect, and determining how effectiveness of the solution will be evaluated.

The procedure is designed to be carried out deliberately, with each step addressed separately and in order.

Gouran (1982) appreciated the elegance of this procedure and its emphasis on cognitive operations, but was also concerned that it did not adequately reflect the role of emotion in human behavior. To correct for this, a revised version of the Procedure elaborates the first step, "defining a problem or task", to include

- Clarifying issues;
- Clarifying feelings; and
- Developing a shared definition.

Gouran's hope was that these activities would eliminate a key and common threat introduced by the presence of human emotion in the negotiation process – attribution errors (inaccurate or incomplete interpretations of the words or actions of others).

The second category of Key Knowledge, Skills and Strategies in each performance level descriptor for the EFF standard Resolve Conflict and Negotiate incorporates utilization of the cognitive processes of gathering, processing and sending information, in this case with the goal of developing and applying comprehension of the causes of conflict, and of the needs and interests that underlie the opposing positions. Conflict analysis here is meant to include clarification both of issues and of feelings

Communication and Questioning
As noted in our earlier description of the EFF approach to the standard, and further suggested above in the discussion of cognitive operations underpinning conflict response, the role of communication is integral here to reflecting and to remediating conflict. Womack argues that effective verbal communication allows one to gather important information, offer multiple options designed to provide the same payoff, and elicit the reactions of one's counterparts. Appropriate nonverbal communication (avoiding direct eye gaze, maintaining physical distance) can send the message that one does not wish to pose a threat to another. And any communications that are perceived by others to be empathetic, open, friendly and attentive – reflective of "other-directed behaviors" – are likely to enhance the effectiveness of negotiations. In fact, Folger, Poole and Stutman suggest that the kinds of communication that characterize a conflict resolution situation strongly influence whether the parties perceive the negotiation climate to be supportive and safe, or defensive. As a positive perception of the negotiation

climate among the parties is an indicator of mutually satisfactory negotiation, they argue that the more generally effective kinds of communication are

- Descriptive rather than evaluative;
- Problem oriented rather than directive or controlling;
- Spontaneous rather than strategic;
- Empathetic rather than neutral;
- Equal rather than superior; and
- Provisional rather than certain.

Small changes in communicative behaviors lead to changes in the nature of conflict interactions between individuals, and even small changes in interaction can generalize to changes in the negotiation climate. For this reason it is important that the parties be able to discuss troubling themes openly, and to engage at times in "metacommunication" – reflecting together on the nature and implications of their communicative behaviors.

A primary vehicle of communication in conflict negotiation is questioning. In discussing the roles of a neutral third-party mediator, Burrell (1990) notes that question-asking is an important strategy for identifying a conflict; sorting out critical issues; determining positions; controlling the introduction of topics and cueing their relevance; clarifying and verifying information, impressions and perceptions; and triggering additional information based on an earlier answer. While a great deal of energy is spent on discussing the role of open vs. closed forms of questioning, Burrell argues that the purpose of a question is a more important indicator of response in conflict negotiation than the form of a question. As the goal of a question in fact suggests its appropriate form, Burrell goes on to discuss open and closed questioning according to five key functions of questions, grouped in three main phases of negotiation:

1. To elicit and gather information;
2. To restate issues, probe positions, and exert social control; and
3. To evaluate proposals.

And though the point may be obvious, it is important to remember that "communication" here includes, and the practice of "good" question-asking requires, good listening skills as well.

Effective communication, and the ability to pose and understand responses to questions for a variety of purposes, are important interests in the integrated skills process defined by the EFF standard Resolve Conflict and Negotiate. Focus on these aspects of the process is especially clear in the third category of Key Knowledge, Skills and Strategies for the standard at each level of the Performance Continuum.

Goal Interdependence and Definition of Conflict
Our earlier discussion of an integrative, "win/win" approach to conflict resolution pointed to the need for all parties to believe in the possibility of mutual gain as an outcome of negotiation; effective communication among all parties through multiple formal and informal channels serves to strengthen this belief and the likelihood that it will be validated in the end. However, Tjosvold (1990) argues that the "effective communication" that leads to integrative solutions cannot be limited to communication that is perceived by the parties as "open" or "empathetic". Rather, effective communication will be related to, and reflect, goal interdependence among the parties. In other words, it will be easier to manage conflict when the parties can identify some areas of agreement, some shared or cooperative purpose, as they define the conflict to be resolved.

The ability to identify a common goal, one that all parties value and can work on together, combined with a willingness to acknowledge the legitimacy of other parties' positions, lays the groundwork for collaborative definition of conflicts that allows for integrative negotiation. And there is substantial research that says that the way we define problems influences the choices we make in trying to solve them. Folger, Poole and Stutman discuss the phenomenon of "framing" issues of conflict as one in which the conflicted parties construct their interpretation of events or define the conflict situation. Framing issues together is an important step in integrative conflict resolution, but it also introduces constraints to the process; framing tends to channel thinking, limiting the range of solutions considered and affecting the motivations of the parties for finding the best solution. And what if the channel is too narrow? What if even good-faith efforts to define a common frame result in differences of opinion being suppressed, or in individuals changing only to avoid further conflict despite deep reservations? How do the parties recognize, and transcend, too-narrow thinking?

The parties may then need to "reframe" the conflict, that is, to change or substitute interpretations of events or definitions of conflict situations. The authors suggest a procedure for exploring the possible need to do so; they call it the "Problem-Purpose Expansion Technique". Briefly, the procedure involves an initial formulation of a frame in a strictly-defined format ("we want [infinitive] + [object] + [qualifier]); then an expansion/reformulation of this initial statement by answering the question "what are we trying to accomplish by this?" ("we want…in order to…"); and then a string of subsequent reformulations, asking the same question of each new statement. The process is meant to ask parties to consider their goals and how a goal at one level relates to goals at higher (why are we trying to do something?) or lower (what do we have to do?) levels. At the same time, the authors claim, the parties must be willing to also reframe their conflict interactions if necessary. Again, if how we interpret and label episodes in our lives influences how we act on them, then parties in integrative conflict resolution may benefit by "relabelling" their conflict interactions so that the parties can look at them differently and possibly break out of their current interaction patterns.

In the context of goal interdependence within integrative negotiation, then, the parties will use effective communication skills and strategies to
- Identify and discuss specific, substantive problems to be solved;
- Focus on mutual benefits to, and emphasize mutual dependence of, all parties in solving the problem;
- Express their own views clearly;
- Try to understand the other's perspective;
- Brainstorm and combine/integrate best ideas; and
- Offer assistance and support to each other.

These two critical and interrelated functions of effective conflict negotiation and resolution -- conflict definition and goal interdependence – are directly addressed in the description of the integrated skills process that appears on the performance Continuum for the EFF standard Resolve Conflict and Negotiate. Specifically, they are treated in the first category under Key Knowledge, Skills and Strategies at each performance level for the standard.

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