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Language and communication in conflict resolution

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Language in action can be seen in terms of verbal, non-verbal and written media. Therefore, language and communication are sine qua non in this world of words and continued eruptions of conflicts or disputes. What defines human's humanity is language which is the vehicle of communication. People, therefore, engage in communication for many reasons and for the purpose of this paper, we shall examine the roles and functions of communication as one of the means of non -violent methods of conflict resolution. Language is regarded by experts as the key to the heart of a people. Language and communication, therefore, are very crucial in the management and resolution of conflicts or disputes between the two parties in conflicts. As important as language and communication are in conflicts and conflict resolutions, they are not properly focused in the works of many writers and researchers. This paper, therefore, identifies communication as a significant means of resolving conflicts. Other non-violent methods of management and resolution of conflicts where the use of language and communication are crucial and significantly inevitable include negotiation, dialogue, mediation, adjudication, arbitration as well as the use of the mass media. It is the opinion of this paper that the roles and functions of language and communication should be more focused, analysed and utilized in order to find out the root causes, management, effects and resolutions of conflicts in the society.

Key words: Peace, conflict, non-adversarial procedures, use of language, communication, mediation, resolution.

INTRODUCTION

Language is considered to be an indispensable human endowment which is conceptualised, according to Crystal (1987), as having, perhaps, 'magical and mystical' and 'unique role in capturing the breath of human thought and endeavours'. Many studies derived from the famous Sapir-Wharf's hypothesis of 'linguistic determinism' and 'linguistic relativity' has shown that there exists relation-ship between language and thought. Such relationship clearly indicates that language is the vehicle for thought. The theoretical framework of the paper, therefore, is hinged on the significant relationship between languages and thought in conflict management and resolution.

Peace is a desirable condition but conflicts are inevi-table in any society. In view of this, language, information and communication are very essential in promoting, pre-venting and resolving conflict situations. Negotiation or dialogue can only take place where exchanging and sha-ring of information is possible. Communication, therefore, is the goal of language as mutual agreement is the goal of conflict resolution. In this paper, language, commu-nication and conflict resolution are examined in a way to see their interconnectivity and productivity. Emphasis is placed on conflict management and resolution through

language and effective communication in this paper. Peace, which is the prime value of this paper, is generally defined as the absence of war, fear, conflict, anxiety, suffering and violence, and about peaceful co-existence. The main goal is about creating and maintaining a just order in the society and the use of non-violent methods in resolving conflicts. Among the non-violent methods of conflict management and resolution is the application of communication to resolve disputes. Language itself is nothing without the substance of communication.

According to David (2006), six meanings of peace are generally agreed on by many peace researchers from the African perspectives: peace as the absence of war (absence of direct violence); peace as justice and deve-lopment (absence of structural violence); peace as res-pect and tolerance between people; peace as Gaia (balance in and with the ecosphere); inner peace (spiritual peace); and peace as 'wholeness' and 'making whole'. Looking at the various interpretations of peace, it is obvious that everybody deserves it. However, when it is perceived that peace is threatened or absent, people search for it with peaceful approaches or demand for it with force thus leading to violent situations. Even in

violent conflict situations, parties involved still look for a way out either through non- violent or force methods. As a result of too many violent situations, there is a desperate search for peace and conflict resolutions in our societies. The study of peace research is known as polemology – science of peace which is concerned with the causes and resolution of conflict. Peace, therefore, is the most pressing challenge faced in the 21st century.

On the other hand, conflict is seen as the pursuit of incompatible interests and goals by different groups. Armed conflict is the resort to the use of force and armed violence in the pursuit of incompatible and particular interests and goals. The search for causes of conflict, its management and resolution have led to the use of such terms as peace-making, peace-keeping, peace-building, peace-education, conflict prevention, third party intervenetion, preventive diplomacy, and peace-enforcement and so on. Peace, therefore, is the most pressing challenge faced in the 21st century. Without peace, there will be no development.

Through language and communication we can see the heart of a people. This implies that language makes it possible to express feelings, emotions, views, ideas, opinions, perceptions as well as judgement about people, objects, places, things, information and situations. Therefore, information about conflict and conflict situations can be expressed in language. Communication relates to the presence and sharing of accurate information about a conflict or conflict situation, being able to talk about feelings and concerns of parties, speaking about what parties would like to change, and discussing the nature and type of the conflict, touching on the positions, interests, needs, and fears of parties. Communication, therefore, has come to represent a key strategy of conflict prevention and resolution.

Language

Sapir (1963) says ''Language is the key to the heart of a people''. Language is therefore conceived as a purely human and non-instinctive method of communicating ideas, emotions and desires by means of a system of voluntarily produced symbols. This functional knowledge of language symbols that human experience has achieved in the way of dealing with situation can be communicated through language. This implies that language does not operate independently of culture. Looking at the definition of language from the perspective of Sapir, it is very clear that language is more than a means of communication. He clearly captures the definition of language with a pair of lenses: communicative function and culture (cultural experience and expression). Sansui (2001) defines language from the perspectives of social functions and psychology:

> "Language is used for phatic communication, that is, as a special regulator; for ceremonial

purposes; as an instrument of action; to keep records; to convey orders and information; to influence people; to enable self expression; and to embody and enable thought".

Like the Biblical twin brothers of Esau and Jacob, peace and conflict are biologically well-seated in the heart of a people. Language as an instrument of communication may be used to influence personality; to declare war, to provoke, to incite, to oppose ideas, intentions and actions, to scatter, to condemn, blackmail, insult, destroy, tell lies, claim or testify falsely, to despise, abuse and to generate violence. In another perspective, it could be used to entertain, appeal, inspire, comfort, amuse, appreciate, build, enlighten, educate, establish cordial relationship, settle disputes and make peace with people or communities; to generate peace or to resolve conflicts within and among religious, political, community, industrial, ethnic /tribal groups.

Judging from the above illustrative definitions, one can deduce that the function of language is to relay stimuli from one individual to another so as to provoke reactions in the person who hears or reads the communicative signals or linguistic form. Therefore, as Shipley (1970) has pointed out, the main function of language is social, in that it serves to bridge the gap between individual nervous systems. So far as each person is concerned, his or her language is almost of his contact with other persons.

Furthermore, Moulton (1974) defines language as a wonderful and rich vehicle of communication, that is, expression of ideas, wishes and commands, conveyance of truths and lies, etc. He opines that only human beings have the attribute of sending and receiving an unlimited number of messages. Language, therefore, is what defines human's humanity. This means that language is species specific. Haugen (1974) describes language as 'man's most distinctive and significant type of social behaviour…. learned anew by every child'. Language and communication from all the considered definitions point to the fact that peace and conflict are well-seated in the heart of man. Through communication, the heart of man is revealed but we must not loose sight of the pretensions of man. However, no matter how long lies and pretensions last they will definitely be revealed one day through actions and reactions; verbal and non-verbal communication signals.

Communication

The Longman Dictionary of Contemporary English (1995) defines communication as the process of obtaining information or expressing thought and feelings. Going by this definition, it is obvious that human beings are naturally communicators. Shannon and Weaver (1977) also define communication as "all the procedures by which one mind may affect another". This implies that communi-

cation can take place not only in oral and written media but also in music, pictorial arts, theatre and, of course, all human behaviour. The definitions above clearly indicate that communication is a process that involves the transmission of message from a sender to a receiver and which has the goal of eliciting a reaction or reactions (feedback). What happens, therefore, can be explained in a way of stimulus – response process.

What communication is all about can be summarized as follows:

(i)   It is seen as a process.
(ii) It takes place between two or more people.
(iii) There has to be a message, which is sent from one person to another.
(iv) That message is sent through a medium.
(v)   The received message will generate or provoke appropriate behaviour or reaction.
(vi) Communication is the bedrock of any social system.

Communication in this context refers to the process of sharing and exchanging information between personalities, groups and potential parties in a conflict situation. This implies that despite conflict situations, individuals or parties involved can still talk. Whenever it is possible to have a communication link between the two parties in conflict situations there is possibility of exchanging perceptions, assumptions, stereotypes, and attitudes, which have been built up by conflict groups *vis-à-vis* others. However, poor communication or the absence of communication can easily escalate conflicts between the parties or individuals in conflicts. The exchange and sharing of information can help in a great way to resolve crises and build confidence between the parties in conflicts and bring about peace.

"Most of the non-violent methods of conflict management, according to Shedrack (2004), "such as collaboration, negotiation and dialogue as well as third party interventions like mediation, conciliation, arbitration and adjudication, are largely dependent on effective communication." In a situation whereby the parties in conflict can talk together on issues tearing them apart with the genuine purpose of finding a solution to the conflicting situations, it is envisaged that the resolution of such conflicts is at sight. The same process can also prevent crises or conflicts. Therefore, communication is a powerful and effective non-adversarial and cheap means of preventing and resolving conflicts if only the concerned parties realize it as an ingredient of peace. The following are some skills in communication:

Communication verbally and non-verbally

Negotiations can only take place when communication is made to another person that a conflict has been identified and the communicator wishes to settle it. Effective communicator is the one that can facilitate dialogue while communicating. The personality indexes and emotions play a very important role in verbal communication while other characteristics are associated with non-verbal communication. For instance, the communicator's use of gestures will ensure active participation by complementing speech with signs, usually hands and body movements, facial expressions and occasional unique vocal sounds, constant eye contact which refers to "eye magic" as a way of sustaining and connecting interest and attention of the parties involved in conflicts. It is always very important to note that non-verbal codes are somehow culture-bound or based. This implies that mediators should be well-versed in the cultural values and practices of the parties in conflicts as regards the use of non-verbal communication.

Active listening

A good mediator displays effective listening skills. He inculcates the habit of wanting to listen to people more than engaging in talking nineteen to dozen i.e. talking too much. When a mediator becomes an active listener, he or she will be able to identify the fear, suspicion, lies, truths, interests, understanding, doubts, desires, feelings, distrust, misinterpretations, misinformation as well as other pretensions of the parties involved in the conflict situations. In this way, he or she can ask questions to clarify issues with the speaker and ensures that the other party is not in doubt or has heard the point. Mediators normally show their understanding on the matters of the two parties' perspective through comments and non-verbal reactions. In fact, mediator shows good communication skills such as listening and being able to paraphrase and summarise what they have heard without distorting the main facts or messages. We shall discuss industrial and general conflicts and applied communication in terms of dialogue and negotiation in resolving disputes or conflicts.

Industrial conflict and resolution

Industrial conflicts are defined by Kornhauser and Rose (1954) as "the total range of behaviour and attitude that express opposition and divergent orientations between industrial owners and managers on the one hand and the working people and their organization on the other."(Arije, 2000) In most places, strike, cessation of work, and refusal to continue to work including "go slow" and "lock – out" are some types of industrial conflicts mostly common. The absence of these forms of industrial conflicts, however, does not mean that all is well or that it is indicative of a stable or peaceful industrial relations environment due to the fact that budding cleavages may be developing in the secret and if allowed to manifest, may be disruptive and destructive to any organization.

In conflict situations, collective bargaining is the most scientific and accepted approach in handling industrial relationship. This term 'collective bargaining' refers to all

negotiations which take place between an employer, a group of employers or one or more employers' organization, on the one hand, and one or more workers' organizations, on the other, concerning issues such as determining the terms and conditions of employment. The outcome of such negotiations which invariably helps to settle disputes between the parties is referred to as 'collective agreement' which must be signed and implemented by the parties involved.

Information flow in the collective bargaining system

Exchanging and sharing of information during conflict situations must happen before and during negotiations between the conflicting parties. Access to relevant information to the case or dispute is sine qua non. The parties involved in conflicts must be tactful and quick-witted in grasping and manipulating, utilizing effective and useful information and facts. Each party should have the correct facts and figures about the case before venturing to engage in any negotiation or dialogue. The shrewd utilization of information will determine and enhance the bargaining power and the extent to which each party achieves its goal or interest. Any party which is not sufficiently equipped with relevant and accurate information is likely to be flawed and embarrassed by the stronger party with accurate facts and figures during collective bargaining. According to Arije (2000), the two parties should be:

(i) Well-versed and knowledgeable in the establishment's collective agreement and the existing grievance procedure.
(ii) Knowledgeable in the establishment's rules and regulations.
(iii) Current with relevant news or actions or cases in other contemporary organizations and the society.

During the conflict process or conflict progression, communication is very essential. The relevant information must be communicated timely and at appropriate stages and places during the collective bargaining. Also, the following communication strategies must be utilized to disseminate information in conflict situations:

- Circular letter ⎤ to give notice or declaration of
- Press release ⎦ dispute appeal, protest, request Refute
- Speeches
- Bulletins: to sensitize, educate, enlighten, blackmail etc.
- Press conferences: for justification of action, resolution
- Issuing Communiqué
- Public Address System, newspapers, television, radio
- Internet
- Memorandum of Agreement.

The role of communication is very powerful as one of the proactive methods that aim at preventing the occurrence of conflict or conflict resolution. Conflict resolution is conceptualised by Miller (2003) as "a variety of approaches aimed at terminating conflicts through the constructive solving of problems, distinct from management transformation of conflict." Miall et al. (1999) indicate that by conflict resolution, it is expected that the deep-rooted sources of conflict are addressed and resolved, and behaviour is no longer violent, nor are attitudes hostile any longer, while the structure of the conflict has been changed. This development implies that peace is secured. He further says that conflict transformation entails the coming into being new situations involving conflict issues, perceptions, relationships and communication patterns. Lack of communication or poor communication often aggravates already strained relationships between the two parties in conflict situations. It is very obvious that communication is very vital in resolving conflict matters.

We shall consider communication as one of the elements of the collaborative processes for conflict management in Western Alternative Dispute Resolution (WADR). It is worth stressing that communication is not restricted to WADR alone but also to both Alternative Dispute Resolution (ADR) and African Traditional Dispute Resolution (ATDR). Communication in this context or sense means the process of sharing and exchanging information between individuals, groups and potential parties in a conflict situation. Interactions and relationships with other people involved in a conflict situation as well as between the two parties engaged in conflicts are very essential and required for resolving conflicts. To prevent conflicts, there needs to be exchanging and sharing of information in order to remove doubt, suspicion and help build confidence. The truth is that poor communication or lack of it will definitely escalate conflict situations but being able to talk about the nature and type of the conflict actually helps to diffuse tensions, fears, suspicions and engender the positions, interests, needs and feelings of the two parties in a conflict situation.

It is assumed that most conflict situations arise as a result of perceptions, assumptions, stereotypes, and attitudes, which have been built up by the parties in conflicts as well as others over the years. For instance, the Cuban Missile Crisis in 1962 was caused by communication gap, which culminated into a real confrontation during the Cold War between the United States of America (USA) and the former Union of Soviet Socialist Republics (USSR) over the matter of supplying and installing missile in Cuba by USSR. The crisis was based on suspicion and fear that Soviet had planned secretly to hit some targets in USA. It was later discovered that the allegation was not true. In the long last, the two nuclear powers clarified the issue and decided to keep communication channels open in order to douse the flame of imminent war. Intermediaries were engaged and it was agreed upon that a direct communication line between Moscow and Washington should be opened. The crisis made people to identify the

place of communication in conflict and management.

Most of the methods adopted in non-violent management of conflicts such as collaboration, negotiation and dialogue as well as third party interventions such as mediation, conciliation, arbitration, and adjudication mostly rely on the effective application of communication and communication strategies. The significance of information and communication is further recognised in the activities of the third parties in preventing and resolving conflicts. The third party interveners normally facilitate interactions, discussions and dialogues between parties in conflict situations with the sole aim of identifying, understanding and resolving the conflicts. Shedrack (2004) opines that:

> "Communication is a non- adversarial, cheap method of preventing and removing conflict situations, quite within the grip of the parties. Once communication is lost, parties risk getting into deeper crisis that cannot be easily resolved. Thus, communication is invaluable for conflicts prevention in the first instance, and then for conflict resolution".

Some of the non-violent methods of conflict management connected with the use of language and communication such as negotiation and dialogue as well as third party interventions like mediation, conciliation, arbitration and adjudication are briefly discussed as follows:

Negotiation

Negotiation has to do with an organisation or form of carrying out a plan through some norms that are socially acceptable in achieving a predetermined goal or achieving a significant or high degree of purposeful steps taken or actions through dialogue. Negotiation is a back-and-forth communication designed to reach an agree-ment when you and the other side have some interests that are shared and others that are opposed. As Akinnawonu (2006) has argued, dialogue must be con-structively employed in disputes or conflicts situations in order to impact positively on the peaceful resolution of conflicts. He further buttresses this claim by saying that: "Since the rule of law ensures peace rather than violence in the country, and knowing that dialogue is a necessary path to peace, it inevitably means that dialogue is a fundamental factor in ensuring the rule of law. In cases where there is no very radical conflict of essential principles, ill-feeling may commonly be alleviated by face-to-face discussion." Many people believe that lack of opportunity for explanation is responsible for misunder-standings and suspicions between parties in conflicts. Effective communication, therefore, is central in negotia-tion which is a direct process of dialogue and discussion taking place between at least two parties who are faced with a conflict situation or a dispute. The University for Peace sees negotiation as: "communication, usually

governed by pre-established procedures, between repre-sentatives of parties involved in a conflict or dispute".

It is realised that parties in conflict situations have to come together, talk together, agree together in order to find a solution to their problem. The end result of nego-tiation, according to Jeong (2000), is "… to reach agreement through joint decision making between parties."

Shedrack (2004) identifies two types of negotiation: positional and collaborative negotiations. The former is based on the aggressive pursuit of interest by parties, and it is typically adversarial and competitive and it breaks down easily while the latter is a process where the parties involved embark upon education and enlight-enment about their needs and concerns in a manner to solve their problems amicably without further conflicting of interests. The principle of non-violent method, using dialogue is employed to talk and negotiate the interests of the two parties in conflict situations. Normally, there are no third parties involved in this process of "open comm-unication" or negotiation. Dialogue as a form of negotia-tion was judiciously used to resolve the xenophobia attacks on Nigerians and other foreign nationals in South Africa. The Vice-President of South Africa flew to Nigeria to dialogue with the Nigerian Government when the violence became terribly unleashed on the Nigerians leading to about 64 casualties. This development is seen from the international parlance as a means of promoting peace and understanding between the two countries in order to avert possible retaliation.

Mediation

Mediation is a process of managing negotiation by a third party, realizing that the two parties involved in a conflict have agreed to resolve their problem. According to Godongs (2006), ''Mediation is a special form of negotia-tion in which a neutral third party has a role. Such a role is to help the parties in conflict achieve a naturally acceptable settlement''. To eradicate a kind of conceptual problem of interpretation, we shall regard conciliation, good offices and fact-finding approaches of non-adver-sarial method of management and resolution of conflicts as part of mediation. Conciliation involves the use of a trusted third party giving an informal communication between the two parties in a conflict. Also good offices are employed in mediation process to help identify problems and to lessen the tension being generated by such problems by direct negotiation. Intermediaries are engaged as a go-between. Fact-finding is the goal of these intermediaries whereby the conflict situation are assessed and reports are given to the concerned parties in order to proffer solutions to the conflict issues. Beer and Stief (1997) define mediation as ''… any process for resolving dispute in which another person helps the parties negotiate a settlement''. This paper agrees totally with the University for Peace Glossary of Terms which

provides that:

> "In acute situations, mediation acts as means of facilitating communication, commonly termed 'good offices' through the consent of vested parties that are un-able to formulate mutually satisfactory resolution on their own. The process is usually initiated by the intended external mediator, such as an international organisation, a government, or non-governmental organisations – or by the relatively weaker party of the conflict" (Miller, 2003).

Example of the roles of mediators in settling disputes between two parties or nations involved in conflicts are the international conflicts between Egyptians and Israelis, and between Palestinians and Jews whereby United States intervened through President Jimmy Carter and Henry Kissinger respectively. Another example in the recent times is the violent crisis over the disputed presidential elections in Kenya where the Former Secretary General of the United Nations, Kofi Annan, mediated on the violent dispute and the two parties resolved the crisis and peace was restored to the country. Mediation is, therefore, a popular process in the Western context of conflict management. It is quite essentially used as a means of non-adversarial method of settling conflicts that would have otherwise escalated easily.

There is no exclusivity in both negotiation and mediation as methods of conflict management because they all depend on communication, dialogue, and negotiation. These trio approaches also have their bases in language for effective impacts and realities. Therefore, language and communication are essential ingredients operating with 'dual inclusive mutuality''. Like mediation, arbitration and adjudication are other methods of third party intervention in settling disputes or conflicts but this paper is limiting its scope to negotiation and mediation and emphasising the significance of language and communication in carrying out these methods which are non-violent in managing and resolving conflicts. Sometimes, dialogue, negotiation and mediation may fail to bring about peace just like in Zimbabwe during the disputed presidential elections that led to the withdrawal of Robert Mugabe's opposition leader, Morgan Tsvangirai, from the runoff election, citing a campaign of state- sponsored violence. The United States of America, the European Union and other international communities roundly condemned the development.

Arbitration

Arbitration is one of the methods of non-violent approaches to conflict resolution. The use of a third party in settling disputes or conflicts through negotiating, dialogue, cooperation, communication, information flow and management is becoming more apparent in our societies. The arbiter hears the evidences from both parties involved in conflicts and may listen to witnesses, interview leaders or representatives of the parties, visit the areas in conflicts, assess or evaluate claims, documents, lands and properties in dispute. After collecting vital information and facilitating discussion, negotiation, dialogue, listening and hearing meetings, which are aimed at helping to make a critical decision about who is right or wrong, the arbiter then takes a bold step to ensure fair play and justice in order to restore peace. The decision taken thereafter is called an award which is expected to be binding on the parties. The parties in conflicts however, have to agree and accept the arbiter who sits over their case. Arbitrators are usually people of respected characters, authorities, and peace in the society. Arbitration has similar properties of mediation and adjudication in the sense that negotiation, dialogue and communication are used in managing and settling disputes or conflicts. The achievement of arbitration as a means settling dispute or conflict depends on effective communication in the form of interaction, conversation, dialogue, negotiation in order to bring about an enhanced process of "controlled communication". Competence in Communication is desirable for successful arbitration because listening and speaking skills, reading and writing skills are necessary for effective mediation, negotiation, dialogue and communication. Ability to listen, understand, summarise, ask question for clarification and investigation count in an arbitration process through a serious arbitration, lies will be detected, truth will emerge. Also, fear, suspicions, concerns interests and goals will be revealed during dialogue, negotiation and conversation to the arbitrators who will now take a decision to bring about an acceptable offer or award for resolving disputes or conflicts that will be binding to the parties involved in a conflict.

Adjudication

Sometimes, parties involved in conflicts may decide to resolve their differences in law courts and use litigation mechanisms. The aggrieved party who chooses this non-violent method is ready to take the verdict or judgement of the presiding judge of competent jurisdiction either good or bad or either in its favour or against it. The judgement is binding and will be legally enforced through the state apparatus for resolving conflicts. This means of resolving conflicts is usually marked with winner and looser, bitterness and joy as the case may be.

Legal counsels are engaged in adjudication processes. Counsel to the parties involved in conflicts will present their cases through addresses, giving information, arguments, claims, evidences, cross-examinations, proofs, witnesses with the aim of winning after hearing and judgement delivered. Communication, information and logical presentation of facts, proofs, evidences and application of the legal procedures are some of the features of adjudication. However, when a particular court fails to interpret or apply certain laws in accordance with

the public values underlying them, it is subject to corrections by higher level courts and by the legislature. As Shedrack (2004) explains:

> "…. litigation tends to destroy trust, love, respect and other forms of confidence between parties. It increases suspicion, and the bitterness of litigation lingers on for a long time after the judgement must have been given. Litigations end in win-loss outcomes, where the winner appears to take all, and the loser ends up with nothing. That way, the bitterness stays. In addition, litigations take quite a long time to dispose of, and they are expensive."

Apart from the bitterness that follows after judgement, in case of the loser, peace is also elusive between the two parties involved in the conflicts. Negotiations after conflicts cannot be possible since litigations end in win-loss outcomes. Parties cannot decide the duration and the nature of the outcomes of the judgements. A good example of adjudication is the conflict or dispute between Nigeria and Cameroon over the true ownership of Bakassi Peninsula. The Cameroonian Government claimed that Gowon, the Head of State of Nigeria in 1970s ceded the Peninsula to her under a legal agree-ment. When violent dispute engulfed the oil rich area, Cameroon headed for the World Court in Hague to seek for legal redress. The Court adjudicated that Cameroon is the legal owner. The ruling became binding on both parties in the conflict. Adjudication is close to arbitration and similar to mediation because they involve non-violent method of settling disputes or conflicts. It is different from arbitration because it is done in the courts and the court judgements are binding and the state apparatus, that is, the law enforcement agencies are involved in the enforcement of the court judgements. As Shedrack (2004) noted:

> "There is no exclusivity in these methods of conflicts management. Most of them have pro-perties that are common to other methods, for instance, negotiation, mediation and arbitration all depend on communication, dialogue, and negotiation. Arbitration has several properties of mediation and adjudication. These differences are for analytical purposes".

Table 1 which was adopted from Kleiboer (1998) clearly shows the comparison between adjudication, arbitration and mediation.

Communication and media or peace-making through information

The media and all the channels of communication and information flow or dissemination are very crucial in gathering information about disputes or conflicts as well as dissemination of information on conflicts or peaceful messages or signals to people around the world. It is observed that media can promote conflicts if it chooses to. In this era of information and communication technologies, information spreads like wild fire. A fresh dispute or conflict in the far Asia can spread to the interior part of African continent within a couple of minutes through internet, telephone, newspaper, BBC, CNN and VOA carrying such dispute or conflict. Sometimes, the disputants or principal actors in a dispute can appeal to the society to rise up for a cause or call off an action of violence through the media-electronic or print. Communication, information and language therefore are vital in conflict management. The recent political crisis resulting from disputed presidential election in Kenya and the role played by the former UN Secretary General, Kofi Annan as mediator, were highlighted in both local and international media such as e.tv, BBC, CNN, VOA and a host of others.

Language strategies in settling disputes

There are no sacrosanct language strategies of settling disputes the world over. Experience, cognitive abilities, unquestionable personalities, tolerance, transparency, demonstration of understanding of the disputes, coupled with effective communicative skills are what many conflict researchers consider to be foremost requirements of mediators and of conflict resolution generally. However, some language and communicative strategies are prac-tised during dialogue, negotiation, mediation, arbitration, adjudication etc. The mediator usually welcomes the two parties involved in disputes with warm greetings and introduces all the personalities on the mediation team. Also, the representatives on the two divides of the conflicts are recognised with keen interest. Shortly after the introduction, the business of the meeting is unfolded by addressing the problem and stating the mission of the gathering which is to resolve the conflict on ground and restore peace. The implications of the disputes on the socio- economic development are highlighted and discu-ssed. The full cooperation of the two parties is therefore sought, stressing the need to promote peace and love.

The common language of the parties in conflict is automatically the language of the conflict resolution but where necessary, interpreters are engaged to make everybody share and exchange information. Since language and culture are interwoven, mediators are expec-ted to show understanding and respect to the cultural values of the affected people. Presentation of the griev-ances by each of the two parties will definitely enable the mediator to know the heart of the people concerned in the conflict at hand. Both verbal and non-verbal communication media are very significant in understanding the problems, interests, desires and fears of the speakers and the parties they represent. Listening and speaking skills are very essential in order to follow and summarise the points made by individuals and the leaders of the two

Table 1. Comparison between adjudication, arbitration and mediation.

Starting point	Adjudication	Arbitration	Mediation
Decision-making authority	Judge	Arbiter	Disputants
Outcome of intervention	Binding	Binding	Non binding
Focus of intervention	Law based outcome	Law based outcome	Management and pragmatic outcome
Nature of outcome	Win-lose	Win-lose	Win-win (compromise)
Number of parties required for occurrence of intervention	One	All	All
Parties influence over identify third party.	No	Yes	Yes

Source: adapted from Kleiboer (1998)

parties involved in the conflict. The following language and communication strategies are employed to disseminate information during industrial conflicts: letters, press release, speeches, bulletins, press conference, communiqué, internet communication etc. Blackmail is freely and powerfully manipulated during industrial disputes. Since language and communication are to be manipulated to negotiate settlement, it therefore requires a communicatively informed intelligence that has clarity about the goal of the communication as well as an understanding of the regime of reception and that makes decisions about which communicative options should be selected in order to increase the probability that the communicative goal may be realised. The end result of mediation, dialogue, negotiation, arbitration, adjudication, conciliation as non-adversarial methods of conflict resolution is settlement. Although, language and communication are not really what bring about the settlement, they are the instruments that are actually used to dialogue, negotiate, mediate, facilitate and settle disputes in our societies.

Problems of language and communication in conflict resolution

Generally speaking, many communication experts often argue that in conflict situations, it is not easy to bring the two parties involved together except the two parties have identified the need for them to be together for the sake of making peace. Many communication barriers are responsible for prolonged disputes. In this situation, information will not flow and rumours of plans of secret attacks will be gaining ground. The situation may even become worse if the two disputing parties fail to share and exchange information through all the information channels put in place by mediators or arbiters.

Without any doubt, volunteers often meet with some communication setback because of misinterpretation of the genuine intentions. The sociologist and psychologist may not bother by the behavioural dispositions of the

disputants for failing to cooperate at the initial stage of the moves to settle the disputes. The answer to the display of anger and hatred could be justified by the nature of human behaviour which sometimes could be based on cultural perspectives, values and suspicion or lack of trust. Negotiation, therefore, will be hindered as a result of the perceptions and psychological impact of the outcomes from such suspected negotiations, relationships and the disputed subject-matter.

Recommendations

As a result of the importance of language and communication in resolving disputes between the two parties involved in election, land, religious and other forms of dispute, the following recommendations are given:

a.) Many communication channels should be opened and utilized in settling disputes.
b.) Language and communication skills should be effectively used during the process of sharing and exchanging information between individuals, groups, communities and parties in conflicts or disputes.
c.) Also confidence must be reposed in the mediators, volunteers and the parties in conflicts
d.) Parties in conflicts or disputes should be able to talk freely about their feelings, concerns, interests, needs, and fears.
e.) The cultural values of the parties involved in conflicts must be understood and respected.
f.) Judgements must be given by adjudicators, arbitrators and mediators in clear terms without elements of ambiguity.
g.) The language must package and communicate justice and peace.

Conclusion

Many writers have focused on the causes, operational

modalities and effects of disputes or conflicts as well as the forms of conflict settlement or resolution. However, they shy away from identifying the significant role of language and communication as the key factor of tracing the heart of the two parties involved in conflicts. This paper is of the opinion that language and communication can be used to trace the causes and management or resolution (or both) of the prevalent violent conflicts in the society. Communication could be verbal, non-verbal or written. Therefore, this paper considers communication as one of the non-adversarial methods in Western Alternative Dispute Resolution. In view of this, it should be given more attention in order to get to the root causes, information, understanding and management or resolution of the continued eruptions of conflicts or disputes in the 21st century. Although, some people may argue that it is neither the language nor the communication forms that actually resolve disputes but the willingness of the two parties involved in a dispute to restore peace and the level of agreement reached. Such critics argue further that sanctions and armed forces or war could do the magic of restoring peace. The point is that non-adversarial methods of conflict resolution are apparently favoured as the most acceptable scientific approach to restoring peace. Frankly speaking, the ability and willingness to accept and allow peace to reign, firstly, lies in the mind (thought); and secondly, resides in actions. Since there is a relationship between language and thought, therefore, communication is the vehicle for thought (Crystal, 1987).

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