

EXPRESSING EMOTION
HOW EMOTION IS ENCODED IN
LANGUAGE AND THE ROLE OF EMOTION
DURING CONFLICT TRANSFORMATION

2005

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837937

EXPRESSING EMOTION

How emotion is encoded in language

And the role of emotion during conflict transformation

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A dissertation submitted in fulfilment of the Requirements for the degree of

D Litt in Communication Science

University of Zululand (Durban Campus)

2003

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Declaration

I, the undersigned, declare that the contents in this thesis constitute my own original work, which has not previously been presented to another institution, either in part or as a whole for the purposes of obtaining a degree.


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Abstract

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In this dissertation I present the results of an analysis of a study about how language encodes emotion and how emotion is used during negotiation. I review canonical literature on emotions, and come to the conclusion that there are no empirical grounds to identify a set number of emotions. It is more appropriate to distinguish particular mind-body states during which people experience subjective awarenesses that they term “emotions.” I then go on to show that emotive awareness is so fundamental to humans that all language structures are involved in the encoding of emotive awarenesses that are expressed, in particular speech acts. Finally I look at the role of emotion during conflict transformation.

Dedication

This dissertation is dedicated to my wife, Lindiwe, who supported me during this period of research; and my three sons Njabulo, Langelihle and Thubelihle who for many years did not fully enjoy my presence as a father. I dedicate it also to my late parents and my brother, Raymond, and sisters Bongekile and Nokuthula for their support and good wishes. Lastly, I dedicate it to my promotor who opened up a world of study that I have enjoyed so much.

Acknowledgement

The NRF for the funding I received that contributed greatly towards facilitating the research towards this project.

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Chapter 1

ORIENTATION

INTRODUCTION OF MY THESIS

This study focuses on how emotion is encoded in language and the role of emotion in negotiation. . In the present chapter I will provide a brief outline of the structure of this dissertation.

In chapter 2 I give an outline of the focus of the dissertation, which is two aspects of the relationship between emotion and language i.e. how language encodes emotional expressions and the role that emotion plays during the negotiation process and conflict resolution.

In chapter 3 there is a discussion of emotions and their functions and how they are experienced as individuals' subjective feelings and manifested through external facial and bodily reactions. There is also a discussion of the brain as basis for language, perception and motor function and how it has to do with personal and social dimensions of reasoning. Lastly I look at the three stages of cognitive appraisal and how emotions and hidden meaning can be identified and how empathy takes place.

In chapter 4 I base my discussion on the hypothesis that language will be involved at all levels in the encoding of emotions. Then I look at how different grammatical structures encode emotion and the strategies that are used in this process and how sensual perception is used as metaphor. I also look at the three kinds of reference and the thought processes that occur between the stimulus and the response.

In chapter 5 I discuss speech acts as a type of human action together with intentionality and how intentional states are connected to speech acts. I look at the different types of speech acts as well as the conditions for their use, modality and modal auxiliary verbs.

In chapter 6 I discuss communication and negotiation, the importance of a written proposal, universal needs, communication needs, formulating communication objectives, the negotiation process, and the role of personality and emotions in negotiations.

In chapter 7 I give a summary of my research with regard to what different scholars say about emotions and whether there is unanimity as to what basic and secondary, or derived emotions, are. I also look at the connection between emotions and social context. There is also a brief overview of the persuasion process and the strategies used during that process. The role of constructive confrontation, also known as transformative mediation, in the conflict situation is summarised.

Chapter 2

STATEMENT OF PROBLEMS AND RESEARCH METHODOLOGY

INTRODUCTION

In the previous chapter I gave a general outline of what the whole dissertation is all about. In this chapter I will deal with the problem identification, the aims of the research, the approach I shall follow in my research and the significance of this study.

PROBLEM IDENTIFICATION

Damasio (1996) reveals two interesting aspects of human emotions. The first is that there are no human experiences that are free of emotion. The second is that all our memories of past events preserve emotions that we experienced when those memories were formed. Edelman (1989) shows that human understanding of real-life events entails comparing incoming perceptions with stored memories to determine whether we are experiencing something new, something known, or a new aspect of something known. Because there are no emotion-free memories, incoming perceptions consistently trigger emotional reactions regarding the things that we observe, think about and talk about. Damasio, Edelman and other researchers on the neurological basis of cognition all indicate that emotional awareness is crucial to the human cognitive process. Although significant strides have been made in studying language as one particular cognitive process Langacker (1987, 1990, 1991), Johnson (1987), Lakoff (1987), Sweetser (1993), to date no systematic analysis has been made of how human language encodes emotion and how emotion is used during communication.

This dissertation focuses on two aspects of the relationship between emotion and language, (1) Namely, how language encodes emotional expressions, and (2) the role that emotion plays during the negotiating process and conflict resolution.

This analysis will be made against the background of Communication Science as a discipline, and it will make recommendations on how human emotions should be dealt with as part of cooperative communication and negotiation.

The dissertation will focus on four crucial problems regarding the relationship between emotion and language use:

- i. The neurophysiology of emotional awareness;
- ii. The cognitive basis of learning and language use;
- iii. How emotional expression is encoded in English
- iv. The role of emotional expression during negotiation

AIMS OF THE RESEARCH

The twin aims of the dissertation are:

- i. To contribute to the understanding of the emotive aspects of language use;
- ii. To contribute to the study of negotiation and conflict resolution by giving an account of the role that emotion plays in these processes.

RESEARCH METHODOLOGY

The project is of a qualitative nature and entails the following:

- A review of cognitive literature regarding how emotion is encoded in

language;

- An outline will be given of how emotion is grammatically encoded in language, taking English as point of departure, but also using examples from IsiZulu and Afrikaans;
- An outline will be given of how speech acts are used to express emotion;
- An outline will be given of the process of negotiation and the role of emotion during negotiation and conflict resolution.

SIGNIFICANCE OF THE RESEARCH

The study will contribute to our knowledge of an aspect of language use in Afrikaans and other languages that has not yet been analysed to date, namely how emotion is encoded in language. The study will also contribute to conflict resolution in the workplace by providing a detailed model of the destructive and constructive roles that emotion can play during negotiation and conflict resolution. Lastly, it will contribute to conflict transformation in educational and corporate settings.

CONCLUSION

In this chapter I briefly discussed two interesting aspects of human emotion i.e. there are no human experiences that are free of emotion and that all our memories of past events preserve the emotions that we experienced when those memories were formed. I also looked at the relationship between language and emotion.

In the following chapter I will discuss the neurophysiology of emotional awareness i.e. the types of emotions and their functions and how the emotions are experienced.

Chapter 3

THE NEUROPHYSIOLOGY OF EMOTIVE AWARENESS

INTRODUCTION

In the previous chapter I stated the problems that gave rise to this research project, and presented the research methodology that I will employ to resolve them. In this chapter I will discuss how human experiences and memories of past events are linked to our emotions that we experienced at that time when the memories were formed. I will begin by outlining types of emotions and their functions and how they are experienced, the role of the brain in language, perception and motor function, and in the personal and social dimension. The three stages of cognitive appraisal, how emotions and hidden meaning can be identified as well as how empathy takes place will also be discussed.

THE CONCEPT "EMOTION"

Bulmer (1975: 33) calls an emotion an individual's subjective feeling of pleasantness or unpleasantness which is associated with internal reactions e.g. blood pressure, heart rate, sweating, etc; external facial reactions e.g. smiling, laughing and crying and bodily reactions like nervousness, gestures, change in voice or tone. According to Clark (1990:122) external reactions help to observe the emotions. He says verbal statements also illustrate a person's emotions:

Emotions are considered to be reactions to the personal meanings of situations.

Somehow subjective significance of events must be apprehended before they can lead to emotions. Objects accrue emotional power as a result of our interpretation of them; different interpretations produce different emotions.

Clark (1990) illustrates this in the following way, which she calls a cognitive sequence: When a person sees a bear, that stimulus information is processed and interpreted as spelling danger, resulting in the emotion of fear. Therefore, emotions are always about something we perceive.

Sternberg (1998:542) describes an emotion as “a feeling comprising physiological and behavioural (and possibly cognitive) reactions to internal and external events” To him emotions can be either pre-programmed or learned (genetic) and they can be manifested in various ways. They can also be caused by internal or external stimuli.

To Brand and Graves (1994:161) emotion may mean "excessive arousal at one time, motivation at another, or a specific feeling still at another. Feeling may mean complex or simple emotions. Feelings may be distinguished on the basis of, firstly, intensity, which is "biophysical experience contributed by our nervous system"; duration which is about how long an emotion lasts; and valence which is the unique attribute of the emotion. Valence has a positive and negative attribute.

Brand categorises emotions into trait emotions and state emotions. Trait emotions are permanently long-standing characteristics in people, which define their personality and temperament. State emotions occur at certain times and they have a start, middle and an end.

THEORETICAL APPROACHES TO HUMAN EMOTIONS

These approaches base the understanding of emotional states on the physiology of the body. They are the most ancient approaches used by ancient Greek and Roman physicians.

Traditional Psychophysiological Approaches

The James-Lange Theory: Bodily Change and Behaviour are the Impetus to Emotion

This theory was first proposed by William James and corroborated by Carl Lange. Instead of viewing perception of an event as evoking an emotion, which leads to psychophysiological changes, it says we first note an event, and then we experience bodily changes, which lead to an emotion. In the words of the widely acknowledged expert on the nature of human fear (LeDoux (1996:43), an emotion is "a sequence of events that starts with the occurrence of an arousing stimulus and ends with a passionate feeling, a conscious emotional experience." Evidence of emotions is the fast heartbeat, sweating, etc. Different emotions are accompanied by different bodily responses.

Cannon's Theory: The Brain as the Impetus to Emotion

Walter Cannon, James's son-in-law, argued against the James-Lange theory saying the identical psychological states could not be the cause of the different emotions and the organs of the body are not sensitive enough to enable people to differentiate between emotions, especially because they react slowly whereas emotions are felt immediately after a stimulus is perceived.

Cannon went on to say that producing changes in the body associated with a certain emotion does not make a person feel that emotion. He used an example of

exposing people to onions, which makes them cry, but that does not make them feel sad. Therefore he proposed that the brain, especially the thalamus, controls emotions. Philip Bard later expanded this theory. To Sternberg both these theories carry weight.

According to LeDoux (1997:45) Cannon came up with the concept of an "emergency reaction" where the body is prepared for a physiological response through blood flowing to the body areas, which will need to be activated during the response. All this action is facilitated by the sympathetic nervous system, which is part of the autonomous nervous system (ANS). Therefore the physiological responses to different emotions should be the same. This was not true.

The Right Cerebral Hemisphere and Emotions

According to Joseph (1993:1) "Some people claim that they do not believe in an unconscious or the possibility that our actions are sometimes influenced by feelings or impulses that originate outside the conscious mind." They always claim to have full control of their feelings and thoughts. However, it is true that there are many actions that are mediated by the unconscious half of the mind and brain. To Sigmund Freud the mind functions in three domains: the conscious, the preconscious and the unconscious mind. The conscious mind plays a very minor role in mental functioning. It is the unconscious mind that plays a major role, with the mental forces the ego, id and superego. Freud felt that thoughts, feelings and desires exist as unconscious impulses, which have to pass through the preconscious mind to reach the conscious level.

Brand and Graves (1994:72) state that Elizabeth Holman, when writing about intuition, says that: "the right hemisphere of adults is most active when subjects respond emotionally, particularly the negative emotions such as fear, anxiety or

disgust." She also says the right hemisphere is able to encode emotional knowledge in a way that the left hemisphere with its verbal search processes cannot.

According to Brand and Graves (1994:141) our psychic life is a continuum of emotional (hot) function at one end and cognitive (cool) function at the other. Between these two poles there are many combinations of emotional cognitive mixes.

Modern Psychophysiological Approaches

These approaches emphasise the arousal of the autonomous nervous system (ANS) and the role of the endocrine system in emotion. Ledoux (1986) and Ledoux, Romanski & Xagoraris (1989), according to Sternberg (1998:549), suggest that the arousal of the autonomous nervous system may not be solely responsible for arousing emotions. However, they are of the opinion that there may be multiple patterns of ANS arousal, which correspond to different emotions. Sternberg (1998:549) also quotes Ekman, Levenson and Friesen (1983) that "suggested that different emotions might be characterized by different patterns of physiological response."

A contrasting view by Henry and Stephens (1977) suggests that the endocrine system is linked to emotions, where concentrations of different hormones may lead to different emotions e.g.:

Emotion	Hormone
Anger is caused by an increase in	Noradrenaline
Fear is caused by an increase in	Adrenaline
Depression is caused by an increase in	ACTH
Aggression is caused by an increase in	Testosterone
Elation is caused by a decrease in	ACTH
Elation is caused by a decrease in	ACTH

Figure 1: Table showing which hormones cause which emotions

It still has to be resolved whether hormones cause changes in emotions or whether emotions cause changes in hormones.

THE HUMAN EMOTIONS THAT ARE DISTINGUISHED IN STANDARD REFERENCES

Emotions can be described as “basic ” or “primary” emotions and “non-basic ” or “secondary ” emotions. These terms are used interchangeably by authors like Ekman (1999), Brand and Graves (1994), Sternberg (1998), Tomkins (1963), Izard (1977), and LeDoux (1996), to name but a few. The differences between “basic” or “primary” emotions and “non-basic” or “secondary” will now be explained.

Basic Emotions

Ekman (1999) describes basic emotions in three ways: the first meaning is that basic emotions differ “in their appraisal, antecedent events, probable behavioural response, physiology, and other characteristics.”

The second meaning of the word “basic” is emotions come about in order to deal with “fundamental life tasks” therefore, they are innate and not learnt. The life tasks can be described as achievements, losses, frustrations, etc. Emotions go together with adaptation towards a situation e.g. when facing danger. Emotions help us to interpret the present based on our past experience. Important to note, however, is that emotions also occur even when we are not in the presence of other people, like when we are reacting to music being played. However, the main aim of an emotion is to adapt to a situation based on the past experience of the species as well as of the individual. A basic emotion is also an emotion that can combine with another emotion to form a complex emotion e.g. smugness is a combination of happiness and contempt.

Ekman (1999) gives a number of characteristics, which distinguish basic emotions from one another and from other affective phenomena:

- Distinctive universal signs
- Distinctive physiology
- Automatic appraisal
- Distinctive universals in antecedent events
- Distinctive appearance developmentally
- Quick onset
- Presence in other primates
- Brief duration
- Unbidden occurrence
- Distinctive thoughts, memories, images
- Distinctive subjective experience

Distinctive universal signals mean that emotions reflect what is happening inside a person e.g. plans, memories and physiological changes; what happened before that emotion; and what is likely to happen. Here Ekman (1999) refers to “immediate consequences, regulatory attempts, and coping”. He illustrates with the example of a person with a disgust expression who may be reacting to an offensive taste or smell, literally or metaphorically. The person may say ‘yuck’ and turn away.

Distinctive or emotion-specific physiology means physiological changes prepare the organism “to respond differently in different emotional states.” Ekman refers to evidence that distinctive patterns of autonomic nervous system activity take place for anger, fear and disgust. Although other researchers found different patterning

of activity, the overwhelming evidence is similar. This proves that the ANS patterns served an adaptive function.

If emotions have a functional life task to perform, they then must occur in certain contexts. However, learning also contributes to the establishment of antecedents. Ekman (1999) cites research where monkeys were taught to fear snakes. Other research found in many non-western cultures there was a lot in common in antecedents especially at the abstract level. Ekman does not fully believe that emotions are present at birth. Izard (1977) disagrees with this although Camras has come up with evidence to the contrary.

The presence of emotions in primates was mentioned by Darwin in his research in The Expression of the Emotions in Man and Animals (1872) and confirmed by Plutchik in 1962. Some emotions may be unique to humans although this has not been proved conclusively. However, man also has the capacity to express his emotions.

Basic emotions are said to have a quick onset in order to enable us to respond quickly to environmental changes. They are also of short duration and they are not of our own making. Our experiences, thoughts, memories and expectations are coloured with emotions and not just social learning. Therefore, it is important to know that emotions differ from other affective phenomena in these respects.

Basic emotions are expressed facially in a similar manner throughout the cultures. Brand and Graves (1994:162) call these theoretically pure or "uncognised" emotions. This has been established through research. Basic emotions are inborn and are controlled by the relevant brain systems. Sternberg (1998: 542) mentions five emotions, which he regards as basic to all human beings i.e. happiness, fear, anger, sadness and disgust, with surprise, guilt and shame as additional ones. According to

Sternberg (1998:543) Tomkins (1963) and Izard (1977) proposed eight basic emotions: surprise, interest, joy, rage, fear, disgust, shame and anguish. Ekman (1999) came up with six basic emotions: surprise, happiness, anger, fear, disgust and sadness. Plutchik and Frijda in Sternberg (1998:543) argued that emotions could also be expressed using other body parts. Plutchik has a list similar to Ekman's, with the addition of acceptance and anticipation.

The above discussion has shown that there is no unanimity on what can be regarded as basic emotions since they range from eight to four according to different authors.

Non-basic Emotions or Derived Emotions

These emotions result from a blend of basic emotions, like Izard's example of anxiety as a combination of fear and either guilt, interest, shame, anger, or distress. (LeDoux 1996:113) Brand and Graves (1994:162) call these secondary or "cognised" emotions. In this case the meaning of a situation or event is analysed and appraised. In other words, we think through an emotion and give it a name e.g. happy,



Figure 2: Plutchik's emotion wheel

frustrated, etc. We may also place the emotions in a continuum between positive and negative. Brand and Graves (19994) are of the opinion that as basic emotions become established they are culturally regulated. Therefore

society shapes personality, which is part of the greater value system. According to

Sternberg (1998: 542), Robert Plutchik (1980) distinguishes eight basic emotions organized in an emotion wheel i.e. love, submission, awe, disappointment, remorse, contempt, aggressiveness and optimism. According to Plutchik (1998) basic emotions occur in four pairs that are opposite each other in a circle. Emotions adjacent to one another combine to create a composite emotion e.g. joy combined with acceptance results in love. A mix of the basic emotions is called a dyad; a mix of two adjacent emotions in the circle is called a first-order dyad, while a mix of emotions separated by another emotion is called a second-order dyad. When two basic emotions are further from each other, they are less likely to mix and if they do mix they result in conflict e.g. joy and fear that result in guilt. To LeDoux (1996:114) it is cognition which can lead to the mixing of basic emotions into higher order emotions i.e. derived or nonbasic emotions which are purely human e.g. pride, shame and gratitude. Human beings and animals share the biologically basic emotions.

Ekman, Levenson and Friesen (1983) say there are six universal emotions i.e. happiness, sadness, anger, disgust, surprise and fear. Bulmer (1975: 43) says although each emotional experience is unique to the individual who is experiencing it, common characteristics of emotions can be made.

DESCRIPTION OF SPECIFIC EMOTIONS

Primary and Secondary Emotions

The question is sometimes asked whether there are emotions that can be considered as basic. The answer to this question depends on culture. Sternberg (1998) quotes the example of “sad love” which was considered a basic emotion in the Peoples Republic of China while in America it was not even considered a basic emotion. In the

following section I briefly outline current perceptions about the concept “primary emotions.”

Primary Emotions

Happiness, Joy, Contentment

Sternberg (1998:542) describes happiness, joy or contentment as a fundamental emotion although different people do not define it in the same way. To some it goes hand in hand with pleasure no matter how much that would cost. To others happiness means “the absence of problems.”

Sternberg (1998) does not regard happiness as a temporary state since many people give it a mean rating of about 6 on a 10-point scale, which normally remains constant from one day to the next. He also notes that married people are generally happier than never-married people and personal wealth, except in very poor countries, does not predict happiness. He also mentions the results of a study, which indicates that the proportion of happy people in different cultures varies. A study done in 1982 showed that the percentage in South Korea was 34% compared to 52% in Italy.

Joy is caused by the achievement of a goal. The intensity of the emotion of joy will depend upon the importance of the goal, the difficulty encountered in attaining it, and the suddenness with which the goal is attained.

Fear and Anxiety

Sternberg (1998) defines fear as an emotion of being afraid of a specific threat or harm or danger and it causes us to flee or avoid that danger. Anxiety, on the other hand, is a very pervasive and diffuse emotion because the source of the threat cannot be

pinpointed. Most people feel anxiety on certain occasions, but anxiety disorders are serious.

Fear accompanies the perception of a dangerous or threatening situation, which cannot be avoided. When the source of the fear cannot be identified we talk of anxiety or apprehension.

Anger

Sternberg (1998:543) mentions the cause of anger as frustration or restraint from pursuing a goal, the latter being deliberate action. If a person’s negative action is not deliberate we don’t feel anger against him. Sternberg quotes the following percentages from a study done in 1983:

Expression of anger	Target
29 %	People we love
24 %	People we like
25 %	Acquaintances
8 %	People we actively dislike
13 %	Strangers

Figure 3: The relationship between expression of anger and target

The above-mentioned table reveals that we express most anger towards the people we love i.e. those closest to us.

Sternberg (1998:543) disagrees with the practice of expressing anger to get it out of our system because it may increase it or “lead to ill-health, problems in interpersonal relationships, and even greater amounts of anger as the anger feeds on itself.” He recommends the practice to count to 10 or 100 before one vents one’s anger.

Anger is experienced when an individual has been blocked from attaining his goal, and he can identify the object or person preventing his goal-attainment. When the obstacle cannot be identified, anger is not likely to occur.

Sadness and Grief

Sternberg (1998:543) describes sadness as a “relatively mild, shallow, and usually brief emotion of sorrow” while grief is usually a long-lasting emotion of great sorrow. Both emotions are caused by involuntary, but usually permanent loss or separation. Among the reasons for sadness Sternberg (1998) mentions “making a mistake, doing something to hurt others or being forced to do something against your will.” Although a negative emotion he says sadness can help us to change our lives and encourage people to help us.

Another class of emotions has as its determinants a person's perception of his behaviour as good or bad as determined by his standards for behaviour. Here Bulmer (1975: 43) mentions guilt, shame, pride, success and failure. Success and failure are, according to Bulmer (1975), determined by a person's perception of the quality of his performance compared with his expectations. Pride and shame are deeper emotions than success and failure. The individual may be perceived as reflecting her/ his basic qualities.

The emotion of guilt is evoked by a person's perception of her/ his behaviour as being wrong or immoral. It is not associated with inability to attain a goal successfully but with wrongdoing. The emotion of love may take different forms but in it the person is drawn to the other person and desires to be drawn to the other person i.e. there is a feeling of devotion to the loved one.

According to Bulmer (1975) hate is not merely dislike of another person. It involves an intense feeling of dislike to the extent that there is a desire to destroy the hated person or object. When a person dislikes, he tends to avoid that person. With jealousy, a loved one gives affection to someone else and a perception of a "rival" arises. The emotion of envy is evoked when a person perceives another person as possessing something he wants for himself. The stronger a person desires something possessed by another, the more likely he is to experience the emotion of envy.

Somatic states induced by emotive experiences

Damasio (1996: 134) says secondary emotions occur "once we begin experiencing feelings and forming systematic connections between categories of objects and situations, on the one hand, and primary emotions, on the other."

Damasio (1996) makes an example of what happens when one meets an old friend. The heart starts to race, the skin may flush, the muscles in the face change around the mouth and eyes to project a happy expression, and the muscles in the rest of the body relax.

On the contrary, when one hears of the death of an acquaintance, the heart starts pounding, the mouth dries up, part of your guts contract, the muscles in the neck and back tense up while those in the face reflect sadness. Here we see a number of changes in the function of the viscera, the heart, lungs, gut and skin, skeletal muscles especially those attached to the bones and endocrine glands e.g. the pituitary and adrenals.

According to Damasio (1996:135) the immune system is also modified rapidly. The smooth muscles in the artery walls increase their activity producing contraction and thinning of blood vessels, which result in pallor. On the contrary, the activity in the artery walls may decrease resulting in the dilation of blood vessels and flushing.

The scene that has been described above happens continuously with the blood system balance profiler changing from high to low states of motion. Damasio (1996:135) likens this to what happens when one walks on a waterbed:

Some areas are depressed, while others rise; ripples form; the entire bed is modified as a whole, but the changes are within a range specified by the physical limits of the unit: a boundary containing a certain amount of fluid.

The above discussion illustrates that emotions can be viewed as a collection of changes in body states as a result of the brain's influence in response to a particular entity or event. An external observer can perceive some changes in body state e.g. skin colour, body posture, and facial expression. The person experiencing them can only perceive other changes.

The point that is illustrated here according to Damasio (1996: 248) is that the mind cannot be separated from the body as postulated by Descartes and the philosophic writings in the Discourse on the Method 1637, in French "Je pense donc je suis" -"I think therefore I am"; and also in the first part of the Principles of Philosophy 1644, in Latin "Cogito ergo sum".

For Descartes thinking was an activity separate from the body. But for Damasio (1996: 248): "We are, and then we think, and we think only in so much as we are, since thinking is indeed caused by the structures and operations of being." Or, to put it differently: "In the beginning it was being, and only later it was thinking."

Some additional emotions

Preferences

Brand and Graves (1994:165) describe a preference as "a mild wish for or like for something". But it is particularly linked to objects or ideas.

It is also cognitive "and becomes affective when combined with arousal" and when acquired while young. Preferences may be made even before one knows the reason why. But even if one has a reason for the preference, the reason for the source of the preference may be forgotten later while the preference remains. Preferences also lead to the formation of attitudes, beliefs and values. Damasio (1996: 10) states that the brain does not only deal with language, perception and motor function, but that it also has to do with "the personal and social dimensions of reasoning." Inter-personal preferences relate to the personal and inter-personal dimensions of reasoning to which Damasio refers.

According to Thompson (1998: 176) humans experience a number of relatively mild pleasant or unpleasant subjective reactions, which usually have to do with interpersonal evaluations.

LeDoux (1996:53) states that through logical reasoning and experiments it has been established that preferences i.e. "simple emotional reactions" could be formed without any conscious registration of stimuli." This means that emotions could exist prior to and independently of cognition.

Interpersonal Evaluations

These are simple positive and negative preferences that express human reactions to others. Typical interpersonal preferences are attraction, liking, and prejudice. Such emotions help regulate social interaction when people evaluate one another.

The role of interpersonal evaluation is clearly demonstrated by an account that Damasio (1996) gives of the life of one Phineas Gage, before and after an accident that he was involved in while he was working for the Rutland and Burlington Railroad Company in New England. According to Damasio, Phineas Gage was a well liked, punctual and responsible employee prior to an accident with explosives that launched an iron rod through his left cheek, through his skull, traversing the front of his brain and exiting through the top of his head. Surprisingly Gage survived the injury, never losing consciousness, reporting only loss of vision in his left eye.

Soon after the accident Gage, however, manifested new personality traits that contrasted squarely with those that he had before the accident. His disposition, his likes and dislikes, his dreams and aspirations had all changed. He was now using foul language, had bad inter-personal relations with his fellow workers, became unpunctual and eventually had to be discharged from work because of poor discipline. He eventually died destitute on May 21, 1865 after an illness.

Gage's case also illustrates the discrepancy that can exist between the brain functions. For example, Gage's attention, perception, memory, language and intelligence were intact and thus they contrasted with his lack of connection with real-life situations. This is a situation known as dissociation in neuropsychology.

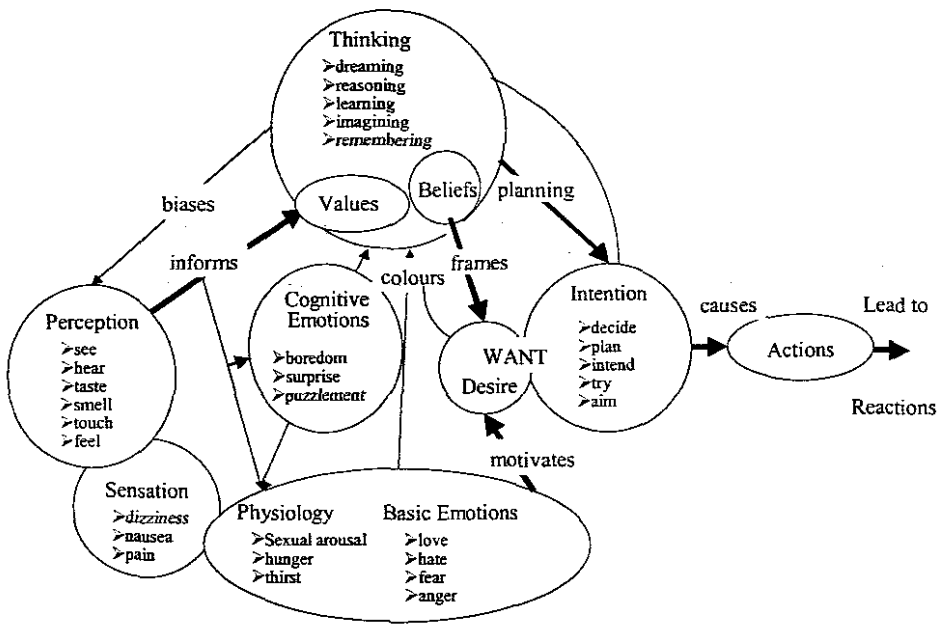
People have tried to explain emotions by incorporating a concept of cognitive appraisal. Lazarus and Folkman (1994: 31) define cognitive appraisal as: "the process of categorising an encounter and its various facets, with respect to its significance for well-being," and thinking of the personal resources to deal with the encounter. They maintain the process has three stages:

- *Primary appraisal*, which is about whether the situation has relevance for personal well being i.e. what is at stake;
- *Secondary appraisal*, which evaluates personal resources for dealing with the encounter or the issue. These two determine the strength and quality of the emotional reaction.
- *Reappraisal*, where the original encounter is re-evaluated after the success or failure of the coping strategies.

So the suggestion here, according to Lazarus and Folkman (1994: 127) is that "different emotions are initiated by different patterns of appraisal."

Steen (1997: 3) says the function of emotions is to "leak information about the intentional states of the organism." However, he says that information must be largely genuine; otherwise there would be no justification for developing mechanisms for interpreting the emotions. He also says that emotions arise where there is a potential for cooperation. In the struggle for dominance in animals, cooperation is achieved when one animal reacts to fear by backing down.

In the model of belief-desire psychology that Wellman (1992: 100-120) proposes, the author distinguishes between bodily sensations such as giddiness and nausea, physiological emotive states such as sexual arousal, hunger and thirst, basic emotions such as love, hate, fear and anger, and cognitive emotions such as boredom, surprise and puzzlement.



R M Kloppe©

Figure 4: Wellman's model for everyday belief-desire reasoning

Attitudes

Brand and Graves (1994:167) say attitudes, like beliefs and values, are learnt "from actual encounters with objects and situations." They are general in the sense that the feeling is "generally positive or negative". A person with an attitude has more information about the situation concerned. This means attitudes are "more conscious, more capable of representation and more accessible to analysis." Brand and Graves (1994:168) define attitudes as "a relatively enduring organisation of beliefs around an object or situation predisposing individuals to respond in some preferential manner"

Beliefs

Beliefs are held towards or away from classes of real objects. Real contact with the object is not a prerequisite for a belief to be held. However, the worth of the object is known. We believe that something is good or right before we can confirm it.

Values and Value Systems

Values are learnt slowly in various situations, and the choices we make later express our values. Each society has its own value system. Value systems may also be personal. Currently values are taken as set emotionally by the brain and are relative to objects or things or groups of them. When an evaluation is done, the internal features of the object are identified and then their value is judged. That then becomes a standard for future behaviour.

The Distinction Primary vs. Secondary Emotions In An Evolutionary Perspective

To explain whether emotions are basic or not Sternberg (1998:545) turns to an evolutionary perspective on emotions where he explains two aspects i.e. the physiological or physical aspect where we react physically and the cognitive aspect where “we interpret how we feel.”

The evolutionary perspective suggests that some emotions are key to survival e.g. the emotions that lead to reproduction, anger which prepares one to fight an aggressor, or fear which prepares one to flee, disgust which leads us away from harm through rejection and the love between a parent and a child which causes the parent to protect and to provide for the child.

COGNITIVE APPROACHES TO UNDERSTANDING HUMAN EMOTIONS

The Schachter-Singer Theory

This is a two-component theory of emotional experience in which Stanley Schachter and Jerome Singer in the 1960's explained that physiological responses inform our brain that there is a state of heightened arousal where physiological arousal, which can be caused by many things, including drugs or stimuli, is the first component.

The second component is how we label the emotion we feel i.e. if we have been aroused and we believe the emotion is fear, we feel fearful. Therefore, emotions are a result of cognitive interpretation of situations that is, a stimulus is received and the brain evaluates or appraises it and then a response follows. However, Sternberg (1998) notes that although this is an important contribution, research has proved that this theory is not completely correct.

Lazarus's and Zajonc's Temporal-Sequence Theories

These theories are about whether cognitions precede emotions or are simultaneous with them. Sternberg (1998:551) quotes Magda Arnold (1960,1970) who proposed that our thinking about a situation leads us to feel emotions. She clarified that the concept of appraisal occurs unconsciously, like when you appraise a bear when you see it. According to LeDoux (1991:50) we have a conscious experience of fear and it results from the tendency to run. Therefore emotional states are characterised by the presence of appraisal as to their cause. This leads to different action tendencies. Also, Andrew Ortony and Terrance Turner confirmed this, according to LeDoux (1996:115).

Zajonc, on the other hand, believed that emotions and cognition are separate; that emotion is basic and it precedes cognition. That is the case in evolution and at present animals know how to react in order to survive without thinking. This is the case even with us humans. To Richard Lazarus cognition plays a role in how to cope with emotional reactions when they have been identified. To LeDoux (1996) these approaches about appraisal, however, based their understanding from self-reports, which are not a clear-cut indication of the state of affairs. They also overemphasised the role of cognitive processes in emotion, which made the distinction between cognition and emotion less.

Sternberg (1998:551) makes the point that rather than thinking about cognition and whether emotion comes first, the whole situation should rather be viewed “as a continuous loop of emotional feedback.”

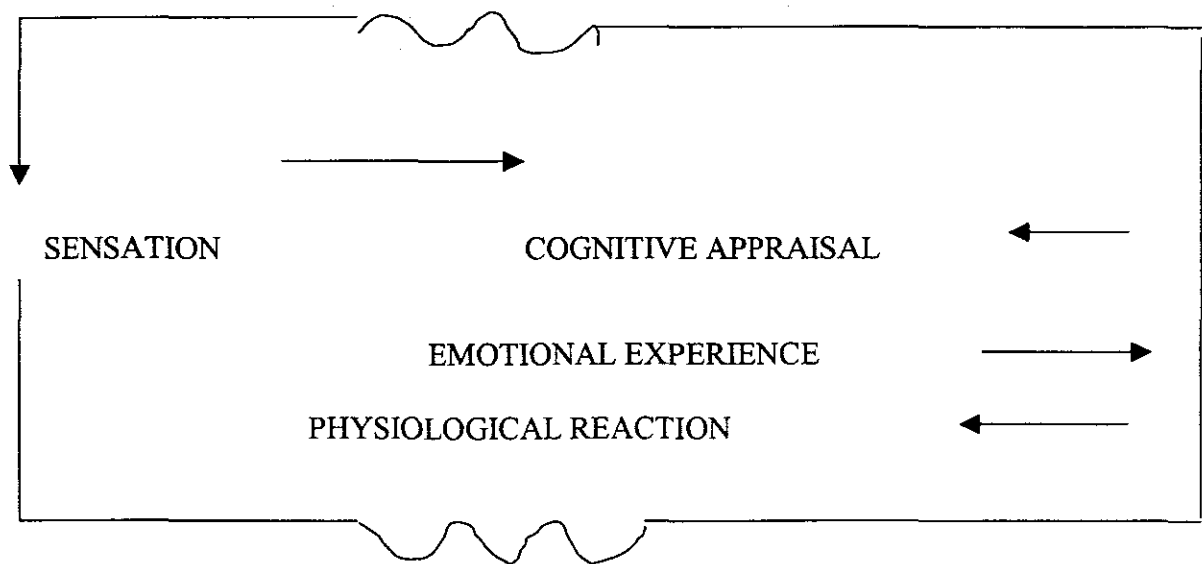


Figure 5: The emotional feedback loop, adapted from Sternberg (1998:551)

Furthermore, Sternberg (1998:552) states that these cognitive theories recognize the mutual dependency of emotion and cognition as has been shown by research on state-dependent memory according to which people tend “to recall learned information more easily when in the same emotional state as the state in which the information was learned.” Sternberg (1998) makes an example of learning a word in an upbeat mood, and says it will be easier to remember it when you are in the same mood.

CROSS-CULTURAL APPROACHES TO UNDERSTANDING HUMAN EMOTIONS

Sternberg (1998) refers to two studies by Batja Mesquita and Nico Frijda on anthropological literature on the one side and James Russell on ethnographic literature on the other.

According to Sternberg (1998: 552) Mesquita and Frijda (1992) say the following must be considered when we want to understand other peoples' emotions from a cross-cultural point of view:

- Antecedent events (events that came before the emotional reaction)
- Event coding (interpretation of the event)
- Appraisal (evaluation of the event and its possible outcomes)
- Physiological reaction pattern (emotion-related changes in the body)
- Action readiness (preparedness to respond to the emotion-arousing events)
- Emotional behaviour (actions following the experience of the emotion)
- Regulation (degree to which the individual tries to make the emotion reaction stronger or weaker)

Russell studied the way people categorise emotions according to the words they choose to describe their emotions and the given facial expressions of emotions as well as the dimensions or pairs of characteristics that they use in judging the categories of emotions. Firstly, he found out that different cultures do not recognize the same basic emotions. But despite this situation there are still many similarities or overlap across cultures in the way people identify emotions especially those associated with facial and vocal expressions.

Damasio (1996: 133) calls these “innate, preorganised, Jameson” They are dependent on the limbic circuitry, the amygdala and anterior cingulate. Many observations have been made on animals and human beings that showed that the amygdala plays a central role in emotion. For example, Heinrich Kluver and Paul Bucy's investigation revealed that the removal of the section of the temporal lobe containing the amygdala led to emotional indifference.

THE SOCIAL CONSTRUCTIVIST APPROACH TO EMOTIONS

According to this theory emotions are a product of society, and not of the physiological make-up of a person. Cognitive processes are only a mechanism that represents the social environment and which helps to interpret past experiences and future expectations. LeDoux (1996:115) regards the "emotional diversity of cultures" as evidence of this. Paul Ekman's theory reconciled the two divergent theories of emotional expression (facial expressions) and expression using bodily movements i.e. emblems and illustrators.

IDENTIFYING EMOTIONS

If you want to identify a person's specific emotions, you need to infer the specific needs and desires that s/he is experiencing. According to Bulmer (1975) this can be done either by asking the person to tell you the needs and desires that he is experiencing at that time and then infer his motives and emotions. Sternberg (1998:545) calls this the self-report measure and adds that people may also be asked about their attitudes, feelings, opinions or behaviours. However, the person may have difficulty reporting clearly what he is experiencing because he may be experiencing multiple needs. He may also be unwilling to talk about his needs and then may lie about them. If he is willing to talk about his needs, he may not be accurate because he may be unaware of his own needs, motives and emotions and their effect upon his behaviour.

To Sternberg (1998) such responses are difficult to quantify, therefore alternative self-report measures like the Likert scale have been devised. Here a respondent is asked to choose among several options the one that best describes the extent to which he is experiencing a certain emotion. The responses are graded along a

4-point scale starting from zero representing no emotion at all to 1 representing a slight feeling, to 2 representing a moderate feeling; 3 represents a stronger feeling and 4 represents the strongest feeling.

Emotions are also measured by heart rate, respiration rate, blood pressure and galvanic skin response (GSR) where the electrical conductivity of the skin increases with perspiration in a person with emotional stress.

Another measurement tool is the lie detector or polygraph, which assesses a person's physiological processes as mentioned in the previous paragraph. It is supposed to be an objective measurement tool for stress levels, so it records stress reactions caused by factors other than lying. In that way it has been found to be correct 76% of the time.

A person's emotions can also be measured by looking at the person as was done by a study of facial expressions among New Guineans, Americans, Brazilians, Chileans, Argentineans and Japanese. Sternberg (1998:541) reports that despite the differences in culture there was great consensus among both adults and children in the recognition of happiness and the lowest consensus for fear although the New Guineans had had virtually no contact with westerners.

The theory that we express emotion after feeling it has been disputed by Sylvan Tomkins in his *facial feedback hypothesis*, which says we *experience emotion after feedback from the face*. For example, if you smile you become happy. Although this might be acceptable to a certain extent, Sternberg (1998:548) is not convinced that the changes in your emotions are the same as experiencing the emotion itself. There is a weaker version of this hypothesis, which says, "facial feedback can affect the intensity of an emotion but does not actually produce an emotion."

RATIONALISATION

According to Bulmer (1975:66) rationalisation is the mechanism where anxiety is reduced by "ascribing an acceptable motive to behaviour that is motivated by needs that past training has made to appear unacceptable."

COMPENSATION

This takes place when the individual accepts a substitute goal or activity that gives partial satisfaction when he is unable to achieve direct satisfaction of a motive.

IDENTIFICATION

This is when one ascribes to oneself qualities and characteristics belonging to another person or object e.g. when a person acts proud because he owns a powerful car, thus perceiving himself as possessing such power.

PROJECTION

This is when an individual ascribes to others his own feelings and motives that he believes to be undesirable. It is the opposite of identification.

When an individual's self-perception includes traits and characteristics that he does not see as desirable, he may either identify with another person who is perceived as having the desired characteristics, or he may ascribe his own undesired characteristics to others. Projection and identification are alike in that they both may occur when a person perceives himself as having undesirable characteristics and anxiety is aroused.

REACTION-FORMATION

This is when an individual behaves in a manner opposite to what is dictated by his unconscious feelings, for example, when a stingy person spends freely because he knows others reject him.

EMPATHY

As will be discussed in chapter 7, all beings communicate at an emotional non-verbal level, but most people are just not conscious of how they are doing so. Some people can pick up on other people's emotions i.e. whether the people are loving by nature, or are prone to anger, etc. Most of these emotional states can be read from body language. Some of us are affected by other people's moods or hurt by things, which other people see as insignificant. This is a situation of empathy.

The word "empathy", according to Barnes and Thagard (1997:3), was coined by E.G. Tichener, a student of Wilhelm Wundt in 1910. It is from the German word "Einfühlung" which means, according to Theodore Lipps, a: "mode of inner imitation "

Lipps extended the meaning of "Einfühlung" from empathising with objects, like works of art, to the sphere of interpersonal understanding. Empathy is: "the ability to comprehend another's state without actually experiencing that state." Barnes and Thagard 1997: 3)

It is knowing what something would be like for the other person. It is "feeling into" something or someone. It is said empathy may or may not be motivated by good intentions. Barnes and Thagard (1997) make an example of Hitler who empathised with the Jews in order to annihilate them.

Bulmer (1975:vi) defines empathy as:

...a process whereby one person perceives accurately another person's feelings and the meaning of these feelings and then communicates with sensitivity this understanding to the other person.

Accurate interpersonal perception plays an important role in the empathic process because no matter how well phrased or how sensitive a response may seem, a true state of empathy between individuals cannot exist unless the responses are based on accurate percepts.

Empathy As An Analogical Process

For empathy to take place there must be a comparison of emotions. According to Barnes and Thagard (1997) this process is analogical and it involves the stages of selection, evaluation and learning. When someone is faced with a problem, he thinks of a similar problem and selects from a source analogue or retrieves from memory what he thinks can contribute to the solution. In other words, he maps the source analogue to the target analogue to make appropriate comparisons. Then he must critically evaluate the effectiveness of the analogy i.e. whether it has achieved its purpose of solving the problem. If it has, then he learns from the analogy and he produces a schema for future use.

Analogical thinking in empathy can, according to Barnes and Thagard (1997: 5), be understood in terms of three cognitive constraints: similarity, structure and purpose. The constraint of similarity means correspondence must be found "between objects that have properties which are perceptually or semantically similar."

The source and target analogues must have corresponding structure. Lastly, the value of an analogue can be seen in whether it has accomplished its cognitive aim, which may be problem solving, explanation or communication.

When there is correspondence between the two person's situations, goals and emotions, empathy is possible. This means not only "inferring that someone has an emotion, but also using the attribution of the emotion to explain or predict another's behaviour."(Barnes and Thagard 1997:7.)

Barnes and Thagard illustrate this by quoting a jury trial where the jury refused to convict a battered wife of killing her husband because they felt under similar circumstances they could have done the same.

CONCLUSION

In this chapter I discussed the types of emotions and their functions and how they are experienced. The functions of the brain, cognitive appraisal and empathy were also discussed. In the following chapter I will look at how *language encodes emotion, emotion and culture*, and the hierarchical nature of reference.

Chapter 4

THE GRAMMATICAL ENCODING OF EMOTION IN LANGUAGE

INTRODUCTION

In the previous chapter I discussed the types of emotions and their functions and how they are experienced, the functions of the brain, cognitive appraisal and empathy. The discussion in this chapter is based on the hypothesis that language is intimately involved at all levels in the encoding of emotions and that there are no specific syntagmatic language structures dedicated to the encoding of human concepts about emotion. This claim entails that all syntagmatic structures are used to encode emotive expressions. To illustrate this I will look at how different grammatical structures encode emotion and the strategies that are used in this process and how sensual perceptions are used as metaphors.

HYPOTHESIS

I will test the following hypothesis regarding the interrelationship of language structure and emotive expressions in this chapter:

Language at all structural levels is involved in the encoding of emotive expressions

This implies that particular phrase structures such as the noun phrase (NP), prepositional phrase (PP), the adjectival phrase (Adj P), the quantifier phrase (QP), a particular main verb (MV), a particular auxiliary verb (AUX), and the adverbial phrase (Adv P) could be used to express emotions.

A good point of departure for this discussion is (Damasio 1996) in which Damasio states that there are no emotionless statements. This insight has led to the formulation of Damasio's somatic marker hypothesis, which can be paraphrased as follows: when humans remember particular events the long-term memories that are activated, include the emotive states that they experienced when the events were committed to memory. In this regard Damasio describes the role of two emotion-processing centres, situated in the two frontal lobes of the human neocortex, and shows that through their involvement emotive mind-body states are intimately involved in concept-forming processes like understanding, planning, critical thinking, self-evaluation and finally in remembering past events. The question however arises, how language, as humans' primary tool for formulating and expressing concepts, is involved in the encoding of concepts. Because humans express encoded concepts to fellow humans within particular cultural or intercultural contexts, it is necessary to also involve the interrelationship of language and culture in any explanation of how language encodes emotive expressions.

EMOTION AND CULTURE

According to Lutz and Abu-Lughod (1990:47) emotion and culture are mutually linked. It is only simplistic folk models of human existence where a person's thoughts and feelings are separated. Serious treatment of human emotions sees emotions as "arising in social situations and compelling certain types of response." This is illustrated in the following way:

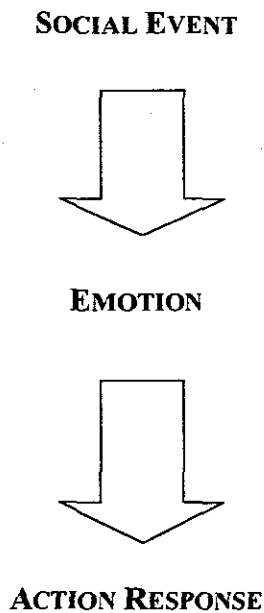


Figure 6: The prototypical sequence of the cause and result of emotion

This is taken as the prototypical sequence that obtains in most cultures. To illustrate this the emotion of anger is taken as preceded by an event of a moral breach which needs to be followed by corrective action. Lutz and Abu-Lughod (1990:69) is of the opinion that in western academic discourse emotions are (stereotypically) associated with the female mind frame that is “natural rather than cultural, irrational rather than rational, chaotic rather than ordered, subjective rather than universal, physical rather than mental or intellectual, unintended and uncontrollable, and hence often dangerous.”

Contrary to the crucial role that Damasio (1996) ascribes to emotion in human reasoning and memory formation, the western academic treatment of emotions characterises them as independible, mostly negative mind states. In this way they are disadvantaged as opposed to the more valued personal processes like cognition.

AGNOSTICISM ABOUT HOW LANGUAGE ENCODES EMOTIONS IN STRUCTURAL AND GENERATIVE LINGUISTIC THEORIES

Lutz and Abu-Lughod (1990:126) cite Irvine (1990) who quotes Beeman saying linguists are not keen to discuss emotional expression in language because emotion is seen as 'soft' and 'idiosyncratic' unlike reference and cognition that are rule-governed and the focus of linguistics as a discipline. This is seen as primarily the result of Chomsky's programme of transformative-generative theory, and secondarily of the ideas that De Saussure and Bloomfield proposed, prior to Chomsky, in their particular versions of structural linguistics. By implication both structural linguistics and generative grammar treated affect as part of the irrelevant, expressive or nonreferential aspect of language. It was also taken to be an idiosyncratic rather than a universal phenomenon. In reaction to B.F. Skinner's behaviourist approach, Chomsky in particular used the distinctions "competence" and "performance" to relegate the study of emotions in language to being unworthy of serious academic consideration.

Lutz and Abu-Lughod (1990:126), however, mention that two other linguists, Jakobson and Sapir, were among the first linguists to acknowledge that affect, or emotion, was fundamental to human life and therefore present "at all levels of linguistic organisation." This was after some linguists had started recognising that some languages expressed emotion through some phonological or morphological devices which were later identified as "word order, verb voice, quantifiers and deictics, right and left dislocation." (Lutz and Abu-Lughod 1990:127) Up to that period the study of linguistic emotional expression focused on nonverbal, expressive gestures and paralanguage- voice quality and dynamics. Although cultural variability was studied

from an anthropological point of view it was never really done from actual emotional performance.

According to Lutz and Abu-Lughod (1990) interest has only recently started to be shown on Sapir's view of the pervasiveness of emotional expression in linguistic expression. Lutz and Abu-Lughod cite the research of Irvine (1990), who bases her research on the study of registers which she calls "varieties according to use" in contrast with dialects which are "varieties according to users" (Lutz and Abu-Lughod 1990:127). According to them Irvine (1990) investigates it from an interactional point of view on research done in rural Senegal in a Wolof community. Some American linguists and sociolinguists preferred the term linguistic variety and code. The registers display certain linguistic characteristics of a community of speakers.

Irvine (1990) emphasises that recent anthropological approaches to the study of emotion have always put emphasis on the contextual approach i.e. emotions arise and are displayed in social situations and to understand emotions one needs to understand the social relations that one is experiencing and that define oneself. Important also is the role of linguistic convention, which provides resources from which one can choose when one wants to display emotions, how others and the framework of interpretation will interpret his behaviour. (Lutz and Abu-Lughod 1990:131) This expression of feelings helps to promote social relationships.

In chapter 3, when the nature of emotions was discussed, it was clear that there is no unanimity concerning emotions. This was based on LeDoux and Steinberg's views. It was also clear that there are no fundamental emotions. The scientific description of emotions is subjective, but pretends to be objective. Subjective

description portrays emotions as invariant, universal, categories. It was also clear that emotions are recognised differently in different countries.

In the discussion on fear it was also apparent that emotion as a range of awareness is not uniquely human. If emotion is so much older than language, how does language express emotion? Emotion is the primary feature of the relationship of other species e.g. primates; therefore emotion precedes language.

THE HIERARCHICAL NATURE OF REFERENCE

Words in a language are used to refer to objects and relationships. Deacon (1997) mentions three kinds of reference as distinguished by the American philosopher Charles Sanders Pierce. These are iconic, indexical and symbolic reference. An icon is something that bears a resemblance to the object e.g. a picture or portrait of something. Here we are talking of similarity. An indexical relationship means there is a physical or temporal connection between the sign and the object. For example, a bad odour might indicate the presence of a skunk. According to Deacon (1997) most animal communication has this quality. Symbolic reference means a social agreement was established that links one thing to the other. For example, a wedding ring symbolises agreement or marriage. The objects are intrinsically icons, indices or symbols. They are only interpreted to be so. This is the human level of reference.

The difference between the three modes of reference relates to the three levels of interpretation. This means that reference is arranged in a hierarchical or ascending order. A prior level must be understood before a higher level can be understood. Or this means a simpler form must be understood before a more complex one can be understood. The understanding can also occur in a descending order i.e. even if

symbolic reference is not understood, the indexical or the iconic reference may be understood. This is how a child learns a language.

Some primates have mastered the ability for symbolic representation in varying capacities. Only humans have mastered this ability completely. The ability to think symbolically means dissociating your thinking or context from the real world or external reference. In animals communication abilities stop at the indexical level. The emphasis on learning during language evolution is proved by the fact that in human societies children transmit what they learnt from their parents to their children.

When we are in the realm of values and beliefs we are in the realm of symbolic reference. Deacon (1997) relates the survival of the human species to the common dedication to the raising of the offspring (pair bonding). That is why reprisals for crimes of passion e.g sexual infidelity, attract lighter sentences. Sanctions for infidelity indicate the emotional importance of pair bonding, which is manifest in marriage, which is a symbolic interrelationship. Marriage is totally absent in the animal kingdom because relationships cannot be established by indexical communication. Therefore language or symbolic representation evolved as a result of the need for keeping the marriage relationship.

RITUALS IN SYMBOLIC EDUCATION

Deacon (1997:402) regards rituals as a “central component of symbolic education in modern societies” e.g. initiation ceremonies and repeated prayer. Rituals are meant to help the individual to discover the higher symbolic meaning of an object or action. To Deacon (1997) establishing peace is a symbolic relationship but it is difficult because of the probability of deception by one of the parties. Rituals are also

meant to ensure that all members of a group are aware of a new contract and can thus behave accordingly. During this process indices like rings and ceremonial clothing become symbols of the relationship. In this chapter I will show how everyday language use expresses emotion. In the latter part I will show how expressions that are usually used in a religious context are intentionally used profanely in everyday language for obtaining particular affects (emotional effects).

HOW LANGUAGE ENCODES EMOTIONAL EXPRESSIONS

In our discussion of emotional encoding in language, we shall look at three aspects:

- Grammatical structures
- The encoding strategies
- How one uses his sensual perceptions as basic metaphors

GRAMMATICAL STRUCTURES THAT ARE INVOLVED IN EMOTIVE EXPRESSIONS

All the major syntactic structures i.e. nouns, noun phrases, prepositions, prepositional phrases, verbs, adjectives, adverbs, adverbial phrases, adjuncts, and auxiliaries are involved in encoding emotion. Emotion is also encoded by tone and tempo (suprasegmental aspects of phonology). Therefore we shall look at the major syntactic constituents of English and Afrikaans and IsiZulu as the most widely spoken languages in South Africa examining the conceptual level in the relationship between language and emotion.

The role of nouns in the expression of emotion

There are three basic kinds of nomen: substantive, name and pronoun. All three of these are involved in emotive expressions either at the lexical or the syntagmatic levels:

	Neutral	Emotive
Substantive:	Woman	whore
	Man	bloke
	Boy	lad
Name:	John	Johnnie/ John-boy
	Jansen	Jansentjie (Afrikaans diminutive form)
Pronoun:		you swine!

The use of diminutives to express belittlement and endearment

Also in IsiZulu diminutives may sometimes be used to convey insult e.g.

Isalukazi (old woman) > isalukazana (small hag)

Intombi (maiden) > intonjana (little girl)

Insizwa (youth) > insizwana (young man)

A double diminutive may also be used in IsiZulu to express belittlement:

Umfazi (woman); umfazana (little woman); umfazazana (little woman);

Umfazazanyana (little woman)

Intombi (maiden) > intombazane (little girl) > intombazanyana (a very small girl)

Inkosi (chief) > inkosazana/inkosazane (chief's daughter, unmarried lady) > inkosazanyana (belittling reference to the chief's daughter)

Certain IsiZulu suffixes are diminutive in form and, to a certain extent, belittling in meaning:

Umntu (person) > umntukazana (poor person)

Umufo (man) > umfokazana (poor man)

Klopper (undated: 39) shows that in Afrikaans the diminutive can be used to express endearment:

Daar skuil 'n hasie onder die plant
(A little hare is hiding under the plant)

Ake ubheke amehlwana akhe.
(Just look at her small eyes.)

The role of vocatives in the expression of emotion

Vocatives are personal names or pronouns that are used to address persons in order to attract their attention, to establish rapport, and to provide cooperative or confrontational emotional frameworks for subsequent interpersonal communication. The choice of a vocative plays an important role to make the communication between the speaker and the addressee successful. According to Combrink the chosen vocative, its morphology, its syntactic position and eventually its expressive value determines the relationship and thus the level of the social interaction between the speaker and the addressee. Correct language usage is not only about grammaticality, suitability and effectiveness, but also about the internal cohesion in respect of the degree of formality, familiarity, politeness and emotionality.

In the choice of a vocative Combrink (1982) emphasises the distinction between a participating (deelnemende) and observer (buitestaande) hearer. He calls the participating listener the lawful (wettige) conversation partner. Observing listeners are, for example, people who are queuing outside a theatre, children in the midst of adult conversation, people in a neighbouring restaurant table, serving waiters, people present in your office when someone arrives to consult you or when someone phones you confidentially. Combrink says that is why before we talk to someone on the telephone or cellular phone we ask if they are alone and whether we can talk. Therefore our choice of the vocative depends on whether there is someone especially of a junior level who is within hearing distance, who may not have anything to do with the conversation. The abovementioned factors also apply in the use of swearing and cursing words.

Substantives As Vocatives

Substantives can also be used as vocatives. Combrink (1982) says the vocative is a language structure that is used to talk to one or more living beings that may be people, pets or work animals and other animals. In Afrikaans the vocative is particularly productive in expressing emotions. It can even be used to address non-living entities as when a motorist in a hurry will chide his slow starting car:

Toe nou dekselse kar, vat nou; ek is haastig!
Come on now damn car, move on; I am in a hurry
(Combrink 1982:3)

In Afrikaans a place name can be used emotively to encourage an individual who lives there:

Komaan Eunice!
Come on, Eunice!
(Combrink 1982:19)

The above exhortation is said to an athlete running a relay race attending a high school, Eunice High School.

Vuka Qoqisizwe!
(Wake up, Qoqisizwe!)

Words of encouragement to soccer players from Qoqisizwe High School not to be defeated.

To Combrink (1982) the Afrikaans vocative or its absence indicates something about the addressee, the speaker, the degree of formality and other aspects of the communication situation and the type of social interaction between the speaker and the addressee.

According to Doke (1968:280) the noun in IsiZulu can be inflected in several ways to form the vocative. That can be by eliding the first vowel of the noun prefix:

Ubaba (a father) > baba (father!)

The plural prefix **o-** of Class 1 nouns can be replaced by **bo-**:

Obaba (fathers) > bobaba (fathers!)

When a vocative is formed of a monosyllabic noun-stem of Class 3 and Class 6 singular with a contracted prefix, the uncontracted prefix is used but the initial vowel is elided:

Class 3: iso (eye) > liso (eye!)

Class 6: uthi (a stick) > luthi (stick!)

Polysyllabic noun-stems of the same two noun classes with contracted prefixes, or of the camouflaged prefix of Class 7 form vocatives either from the contracted form or from the full form by the elision of the initial vowel:

Class 3 singular: izimu (an ogre) > zimu or lizimu) ogre!)

Class 6 singular: unwabu (a chameleon) > nwabu or lunwabu (chameleon!)

To show respect and politeness the vocative **E!** prefaces greeting in IsiZulu.
(This is the exclamation used in the place of “knocking at the door”)

E! Nkosi (O Chief!)

With certain vocatives a vocative suffix -ndini is used to denote threat, exultation or sarcasm:

Siphukuphukundini (you silly fool!)

Vilandini (you wretched loafer!)

Some forms of vocatives that seem to be diminutives are also used interjectively:

Babashane (oh my!)

Mameshane (oh my!)

Names as vocatives

In Afrikaans and English titles, christian names, surnames, call names and nicknames are used emotively either as single lexemes or in combinations.

Klopper (undated: 44) mentions a subcategory of names called "noemnmane" where a person's first name can take a variety of forms when used by colleagues, family members, and friends e.g. Petrus can be:

Peterus, Pieter, Piet, Pieta, Pietie, Pietman.

Combrink (1982:9) differentiates between what he calls a conventional name or “roepnaam”, which indicates the speaker's neutral, normal attitude towards the

addressee (in this case Petrus). If on occasion Petrus is called Pieta or Pietman this is called a “geleentheidsnaam” or occasional name. Besides all the functions of a conventional name it has a subjective content through its unusualness as well as expressive value that the conventional name does not have. So Pieta and Pietman are called expressive variants (*ekspressiewe variante*) (Combrink 1982:11) So Petrus’ mother can conventionally call him Pieta, but call him Petrus when she is chastising him. This means that any originally expressive variant can become conventional between a specific speaker and a specific addressee and thus lose its expressivity.

Surnames as vocatives

Afrikaans surnames like “Van Rensburg” and “Combrink” are sometimes used as vocatives, what Combrink (1982:6) calls “*vanvokatiewe*” (surname vocatives). This sometimes happens between friends and is mostly affective because it is not the usual common manner in which the speaker addresses the addressee. In an office situation these vocatives do not reflect any emotion on the part of the speaker, but relative unfamiliarity with the addressee, as well as formality. Some surnames in Afrikaans have conventional names associated with them but this applies more to males than to females e.g. Blackie for Swart, Swartz or Schwartz.

Predicative nouns and noun groups as vocatives

Among these are vocatives to belittle, insult, distance and endear. These vocatives express a value judgement on the addressee and indicate the speaker’s attitude towards the addressee. They are only used in informal interaction.

“My skat, waar moet ek die tyd vandaan kry?” (My dear, where must I get the time?)

“Jou klein pes, jy wil mos.” (You little pest, you want to, of course)

Titles as vocatives

Title vocatives are kinds of predicates that are often ad hoc vocative applications and are seldom repeated. According to Combrink (1982:13) Afrikaans-speaking people qualify for various types of titles because of gender and noble descent (lady, lord), gender and age (meneer- sir), gender and primarily family relationship (ouma-grandma, oom- uncle, pa-father) gender and mental status (mevrou- missus, mejuffrou- miss) academic achievement or profession (dokter-doctor,) etc. Those vocatives are used in a formal situation.

However, in Afrikaans titles and job designations are also used as vocatives with people who do not qualify. Such applications are always expressive and they are used in an informal situation e.g. little brother admonishing big brother of twelve years.

Nicknames as vocatives

Nicknames in Afrikaans are, according to Combrink (1982:12) used referentially and behind the back of the person referred to. They explicitly say something about the person's origin or where he comes from, where he lives, his physical and spiritual characteristics, clothes, weaknesses, occupation, what he usually says and his actions. They also say something about a specific incident in the person's life or about the name of a woman's spouse. If the nickname is used in an insulting manner and the person referred to incidentally or otherwise hears it, it usually has unpleasant consequences for the speaker. When used as a vocative, such names are hurting and belittling. A man is called "Garing" because he is tall and slender. Garing means "thread, yarn." A woman is called "Sarie Stoffel" because her husband is Stoffel Harmse.

Job designations as vocatives

Some job designations that, according to Combrink (1982:14), have not been elevated to titles for those that qualify, can be used as affective vocatives for the non-qualifying e.g.

"Geneesheer, genees jouself."
(Doctor, heal yourself.)

"Skoenmaker, hou jou by jou lees."
(Shoemaker, stick to your anvil i.e. mind your own business)

Social status, age, gender, etc determine what kind of name will be used when referring to a person or addressing him. If a person being addressed is of a higher status or when the people talking don't know each other very well, then the formal title and surname is used. If a person of higher status is mentioned by nickname, first name or surname, it is a sign of disrespect.

Doke (1968:279) mentions three types of what he calls "common interjections":

(i) Interjections of assent:

Yebo}

Ehe} YES

And negation:

H(h) ayi h(h)ayibo }

Cha chabo}

Qha qhabo} NO

(ii) Exclamations of wonder, fear, annoyance, etc.

Pronouns as vocatives

The Afrikaans pronouns jy- you (singular, informal) and julle-you (plural, informal) can be used as vocatives e.g.:

"Jy, staan regop en trek in jou boepens."
(You, stand straight up and pull in your stomach)

"Julle, kom ons gaan speel ludo."
(You, let us go and play ludo) Combrink1982: 20

Here the speaker is issuing an order.

Further, *jy* and *julle* can also be used as part of the vocative e.g.

"Jy met die groen trui wat so sit en gaap, as jy verveeld is, moenie die mense rondom jou ook nog sit en hinder nie."
(You with the green jersey, who are sitting and giggling, if you are bored, don't also sit and bother the people around you.) Combrink 1982:20

Julle wat laat is, bring julle werk.
(You that are late bring your work)

"Jou vabond, wag, ek sal jou kry."
(You rascal, wait, I'll get you) Muskietejag: A.D.Keet

U - you (singular and plural-formal) cannot be used as a vocative on its own, but can be used as part of the vocative as in:

U Edele, ek pleit onskuldig.
(Your worship, I plead not guilty)

"Die wat minder as 50 persent het, bly asseblief sit. Die ander kan maar gaan."
(Those of you, who have less than 50 percent, please remain seated. The others may go) (Combrink: 1982)

'In IsiZulu only second person singular and plural pronouns are used as vocatives and they are not inflected:

Wena (you - singular)

Nina (you - plural)

Nonke - (all of you)

Adjectives as vocatives

Adjectives can be used as vocatives in a substantivised form. Only two of such adjectives, *liefste* (dearest) and *dierbaarste* (most beloved), are permanently used as vocatives between a speaker and an addressee. Most of the other adjectives are, according to Combrink (1982:14), used only once like that and only in informal situations. They are used to pamper, insult, plead, mock, etc. They do this by focusing the attention of the addressee to a characteristic of his and by expressing the addressee's attitude. Combrink (1982:15) gives some examples:

"Ek sê, aggressief, bedaar nou maar. Koel af."
(I say, aggressive, calm down now. Cool off)

"Ja-ja, ek weet, hoogheilig."
(Yes, yes, I know, most holy)

These adjectives can also be used ironically:

"Hardwerkend, weet jy jy skryf Geskiedenis oor 48 uur? En jy sit en TV kyk?"
(Hardworking, do you know you are writing History within 48 hours? And you are sitting and watching TV?)

"Ou domme, en toe kry jy maar net drie uit vier onderskeidings, né, né?"
(Old stupid, and then you got only three out of four distinctions, not so?)

These adjectives act syntactically as vocatives and can perform any of the vocative's functions. But semantically they not only talk to the addressee, but they also talk about him.

Adjectives also express emotion as in the following examples:

Daai bliksemse vent (approximately "that lightning bolt-like chap").
Jan, 'n bedonderde mens (John, a thunderstruck person).

THE ROLE OF VERBS IN THE EXPRESSION OF EMOTION

The emotive expressions that I outline below act as triggers of cooperative or confrontational mind states that frame communication events.

Verbs expressing inclement weather and sexual intimacy as negative emotive expressions

The Afrikaans verb slaan (hit) forms a continuum along with other verbs to express progressively stronger emotions. Verbs referring to inclement weather and sexual intimacy figure prominently in this range. Their use triggers emotive frames for subsequent communication between fellow communicators:

Slaan > looi (tan a hide) > wiks > neuk (to engage in sexual intercourse), moer (from “mother”) > bliksem (lightning bolt) > donder (thunder) > wetter (weather) > donnerwetter (thunderweather).

Verbs of smell and taste as mainly negative emotive expressions

Sensory verbs are also used to express emotion. Unconfirmed suspicions have to do with hearing e.g. hearsay:

Ek hoor jy het die eksamen geslaag. (I hear you passed the examination)

The sense of smell has to do with emotional conditions relating to suspicion:

Toe ek die deur sien oopstaan, het ek lont geruik.

When I saw the door standing open I smelt (a burning) dynamite fuse
(When I saw the door standing open I smelt a rat)

The sense of taste verbs, or deverbial nouns, are also used metaphorically to express positive as well as negative emotions:

Jou opmerkings laat 'n swak smaak in die mond
Your remarks leave a bad taste in the mouth

Dit laat 'n bitter smaak in die mond.
(It leaves a bitter taste in the mouth)

'n Onsmaklike aand.
(An unpleasant evening)

Ons span smaak uiteindelik oorwinning.
(Our team tastes victory at last)

Wraak smaak soet in die mond en bitter in die maag.
(Revenge tastes sweet in the mouth but bitter in the stomach)

Tactile verbs metaphorically refer to subjective emotional experiences

Verbs of touch, stroking and pressure refer to personal subjective experiences:

Ek voel bedroef
(I feel sad)

Ek voel opgewonde
(I feel wound up (excited))

Jan streel al weer sy baas se ego
(John is stroking his boss's ego again)

There are also specialised applications of the sense of touch e.g. pressure. Force dynamics is also very important in language and is also metaphorically used:

Hy is teneergedruk
(He is depressed)

Strelende woorde
(Soothing words)

We use body posture to indicate attitude (apathy, resistance, aggression, etc).

The hair in the inner ear registers gravity and movement. That has to do with the organ of balance:

Ek voel aangetrokke
(I feel attracted)

Hy verlaag sy standaarde
(He lowers his standards)

Modal auxiliary verbs and emotive expressions

Modal auxiliary verbs express possibility and have nothing to do with time. In

Afrikaans the following modal auxiliary verbs can be found:

Self-motivated intentions

↑
Sal (shall)
Wil (want to)
Kan (can)
Mag (may)
Moet (must, have to)
Behoort te
↓
Hoef (nie) te

Unrealised self-motivated intentions

sou (would)
wou (wanted to)
kon (could)
mog (might)
moes (had to)
↑
↓

Self-motivated intentions are intentions that are internally motivated by one's own wants and needs, while socially motivated intentions are intentions that one feels obliged to fulfil due to cultural and social expectations that others have of one's behaviour.

The socially motivated modal auxiliaries are commonly used in speech acts expressing reproach, laying blame :

Jy **durf nie** aan hom te raak nie

(You dare not touch him)

Jy **behoort** die werk te doen

(You ought to do the work)

Jy **hoef nie** te gaan nie

(You do not have to go)

All these modal auxiliary verbs are emotionally charged and they are used according to certain social norms or personal values:

Sal jy my help?
(Will you help me?)

Jy sal dit doen.
(You will do it.)

Ek sal jou help. (I shall help you)

Durf and hoef have negative connotations and are used in speech acts.

AFRIKAANS SUPRASEGMENTAL PHONOLOGY AND EMOTIVE EXPRESSIONS

Suprasegmental phonology is very important in showing how emotion is encoded in language. One of the places where it is applied to give emotional value to words is in child language as indicated under diminutives and plurals in Afrikaans. Phonemes can also be overarticulated, which is also known as hypercorrect articulation. When we talk to children we stretch diphthongs and highlight differences in tone height e.g.

A monophthong can change into a diphthong to express impatience:

Piet Pie-iet

Jan Ja-an

Voice pitch can also be used to indicate impatience:

Piet, [pit, Pi::t]

Names can also be pronounced with a higher tone, greater volume and some or all the syllables stretched:

Herman [herman] > [hε::rma:n]

Piet [pit] > [pi::t] (Combrink: 1982: 8)

Other speakers, according to Combrink change the accentuated syllable to the last one and pronounce this syllable at a higher tone than the rest of the syllables:

Herman [her'man] becomes [her'ma:n]

Liesbet [lis'bet] becomes [li:s'bɛ::t]

Sakkie [sa'ki] becomes [s^wô 'ky::]

The above transcriptions indicate a sense of urgency. This also happens in monosyllabic names:

Jan [ja::h::n]

Piet [phy::t] (Combrink 1982: 8)

This tone and resyllabification pattern indicates frustration and boredom. It also indicates threat and warning.

ISIZULU TONE AND EMOTIVE EXPRESSIONS

In IsiZulu tone is used to express emotion. Doke (1968:28) describes tone as “the sequence of musical pitch upon the syllables of words.” In IsiZulu tone is very important because it is semantic, meaning that the meaning of a word may depend on its tone.

Doke mentions two kinds of tone in isiZulu: level tones where a certain pitch is maintained throughout a syllable, and gliding tones where a syllable starts on a certain musical note and glides to another during its duration. Doke mentions three types of gliding tones: rising tones which glide up the scale, falling tones which glide down the scale and rising-falling tones which start at a certain musical note, glide up to a higher, and then before the completion of a syllable, glide down again to a lower.

IsiZulu is said to have nine tone points and the intervals between the notes are the important things. “The whole range is generally slightly above an octave, with a man much lower in the scale than with a woman.” Doke (1968:28) illustrates the nine tones with figures, using 1 for the highest tone and 9 for the lowest. Here is how he illustrates how tones changes meaning:

3 - 2 2 - 4 3

I: be le (corn)

2 - 4 4 9

I: be le (breast)

5 4

ce ba (be wealthy)

3 9

ce ba (report someone)

Besides indicating grammatical difference tone is also used in IsiZulu to indicate emotion. Firstly, it can be used to indicate the interrogative form e.g.

8 8 - 9 9

u shi lo (you said so)

5 5 5

u shi lo (did you say so?)

5 9

ye bo (yes)

6 3 7

ye bo (is it so?)

Secondly, it can be used to indicate sarcasm:

6 6 3 4 9

a ngi yi tha ndi (I don't like it)

5 5 2 1 4 - 5

a ngi yi tha ndi (I like very much indeed)

Lastly, it can also be used for emphasis:

4 3 9

gi ji ma (run)

3 2 9

gi ji ma (run!)

5 3 9

m khu lu (he is big)

4 1 1 - 2

m khu lu (he is very, very big)

CONCLUSION

This chapter I demonstrated the validity of the hypothesis that language is involved at all levels in the encoding of emotions and that there will not be a specific section in language which does not express emotion. To illustrate I showed how language can be used at the suprasegmental and the lexical level to encode emotive expressions. I in particular pointed out the crucial roles of vocative, main verbs and modal auxiliary verbs in encoding intention and emotionality.

In the next chapter I will show how humans dynamically use different speech acts to signal their intentions. I will also show which types of speech acts are used at particular phases of ongoing conflicts.

EMOTIONAL EXPRESSION AND SPEECH ACTS

INTRODUCTION

The previous chapter was based on the hypothesis that language will be involved at all levels in the encoding of emotions and that there will not be a specific section in language which does not express emotion. In this chapter speech acts act as a type of human action. They will be discussed together with intentionality and how intentional states are connected to speech acts. The different kinds of speech acts and their characteristics will also be looked at as well as the conditions for the use of speech acts. Modality and modal verbs will be discussed in relation to how they are used to perform speech acts.

SPEECH ACT THEORY

The speech act theory was formulated by the philosopher John L. Austin and developed by John Searle, based on the writings of Ludwig Wittgenstein, especially Philosophical Investigations. Wittgenstein believed that besides being used to make statements words are also used to do things or to perform an action. Before the present century, according to Hoenisch (1998), this phenomenon was either unrealised or regarded as peripheral because it did not belong to the standard matters of language. Only one kind of sentence - the proposition - was analysed.

Searle (1983:vii) emphasises the fact that speech acts are a type of human action and they have a capacity "to represent objects and states of affairs in the world." Searle (1983) regards this as an "extension of a more general capacity of the mind to relate the

organism to the world through such mental states as belief and desire, and especially through action and perception." Therefore, Searle (1983) believes any account of speech and language should include an account of how the mind relates the organism to reality.

Subsequently, according to Searle (1983:vii), sentences, which may be said or written down, are syntactical objects and they are considered as objects just like any other object. Therefore they do not have an intrinsic capacity to represent: the capacity is "derived from the Intentionality of the mind." On the other hand, the intentionality of mental states is intrinsic to the states themselves and not derived from some more prior forms i.e. when a sentence is used to make a statement or ask a question, it is not a matter of using beliefs or desires: they are there already in the person making the utterance. Although beliefs and desires may be and are expressed in sentences, they are not syntactical objects.

"Language is essentially a social phenomenon and ... the forms of Intentionality underlying language are social forms." (Searle 1983: viii)

Moreover, (Searle 1983: ix) believes in the biological foundation of mental phenomena, which are "both caused by the operations of the brain and realised in the structure of the brain." The brains have subjective mental states and mental features and the mental phenomena must not be denied but their biological nature must be appreciated.

The propositional content of an utterance is, generally speaking, its meaning. When an utterance is used to achieve a certain goal, it is called a speech act. This means that an utterance has two facets of meaning: the propositional content and the aim and the function of the utterance. (Combrink 1982: xviii)

The fact that a speech act has taken place cannot be denied. The meaning of a speech act may be true or false e.g. in the context of a marriage ceremony it cannot be true when a pastor says to the couple:

"Ek verklaar u nie as man en vrou nie." I do not declare you as husband and wife. (Combrink 1982:xviii)

Secondly, speech acts take place now or at a period very near to the utterer of the speech act.

INTENTIONALITY

Before embarking elaborately on speech acts and what their function is, it is proper to look at the phenomenon of intentionality because it underlies our whole discussion in this dissertation. (Searle 1983:1) defines Intentionality as "that property of many mental states and events by which they are directed at or about or of objects and states of affairs in the world."

One example he quotes is that if you have a fear it must be a fear of something or that something is going to happen. He calls this feature of directedness or aboutness 'Intentionality'. However, he is quick to point out that not all mental states and events have intentionality. He quotes beliefs, fears, hopes and anxieties as intentional, but a person may feel undirected anxiety or nervousness, which may have no apparent cause. These states are accompanied by beliefs and desires, which may or may not have a cause. They are therefore not Intentional.

He also warns that Intentionality is not the same as consciousness because you may suddenly experience a feeling of, say, joy without intending to feel joyful. According to (Searle 1983:2) consciousness must not be equated with Intentionality;

with the latter "the state and what the state is directed at or about or of" are not identical. For example, in the situation of having a conscious fear of snakes the fear of snakes is not identical with snakes. But having a conscious experience of anxiety means you are indeed experiencing anxiety and that makes the experience of anxiety and anxiety not the same.

To Searle (1983:3) "intending to do something is just one form of intentionality along with belief, hope, fear, desire and lots of others." This does not mean that beliefs contain intentions of intending to do something. Beliefs, hopes, fears and desires are also not mental acts like doing mathematics in your head or forming mental images of your loved one. An act is something you do. Searle uses the illustration that if you are asked "What are you doing now?" and you reply: "I am now wondering if I shall pass my doctorate," that will not be an answer.

THE CONNECTION BETWEEN INTENTIONAL STATES AND SPEECH ACTS

To (Searle 1983:5) both intentional states and speech acts represent objects and states of affairs but they do it differently because speech acts have a derived form of intentionality while intentional states have an intrinsic form of Intentionality. Intentionality, according to Searle, also applies to infants and animals that might not be said to be having a language. One cannot mistake the fact when the infant wants milk or when a dog wants to go out to his master. He has eyes and ears, and this is the way we can make out his behaviour.

Searle points out four similarities between speech acts and Intentional states. Firstly, both speech acts and intentional states have a propositional content and illocutionary force. However, in intentional states we speak of the representative

content and the psychological mode. For instance, Searle illustrates with the sentence "(I predict) that you will leave the room" that it has both the propositional content and the accompanying illocutionary force. With the same sentence there is the representative content "that you will leave the room" with the psychological mode which may be belief, fear, hope, etc which accompanies the representative content.

Searle is of the opinion that 'propositional content' should be used for those states that are realised linguistically e.g. suggest, order, predict and 'representative content' for those more general states that are realised both linguistically and not linguistically e.g. hope, fear, believe, etc. However, Searle 1983:6 proposes also to use the notion 'propositional content' for Intentional states i.e. 'those states that take the entire propositions as contents whether or not the state is realised linguistically' e.g. belief. It is also important to note that Intentional states must have at least some representative content as opposed to some expressive speech acts which do not have any content e.g. "Ouch!" "Hello!" "Goodbye!"

The second connection between Intentional states and speech acts is what Searle calls the distinction between directions of fit. He illustrates the distinction by referring to three classes of speech acts.

(i) The assertive class of speech acts i.e. statements, descriptions, assertions, etc. These speech acts have "a word-to-world direction of fit" and they are "supposed in some way to match an independently existing world." (Searle 1983:7) If these speech acts match the world we say they are true. If they don't match the world we say they are false. To put it in another form we can say, "if the statement is not true, it is the statement which is at fault, not the world." (Searle 1983:7)

(ii) The directive class of speech acts i.e. orders, commands, requests, etc.

Unlike the assertive class these are not supposed to match an independently existing reality, but are supposed to bring about changes in the world so that the world matches the propositional content of the speech act. So instead of saying they are true or false we say they have been "obeyed or disobeyed, fulfilled, complied with, kept or broken." (Searle 1983:7) This means they have a world-to-word direction of fit. When an order has been disobeyed or a promise broken, the fault is not with the order or promise but with the world "in the person of the disobeyer of the order or the breaker of the promise." (Searle 1983:7)

(iii) Some speech acts have no direction of fit. Searle (1983:9) says if you apologise for insulting someone or congratulate someone for winning a prize, you are not asserting those propositions nor ordering that these acts be carried out. You are merely expressing sorrow or pleasure concerning the state of affairs in the propositional content while supporting the truth thereof.

In Intentional states beliefs can also be true or false and we say they have a mind-to-world fit. If the beliefs are wrong, they are wrong, changing the belief can not change the world and the situation. However, desires and intentions cannot be wrong or right but can be "complied with, fulfilled, or carried out" (Searle 1983:8) i.e. they have a world-to-mind direction. If they have not been fulfilled, the situation cannot be corrected by changing the desires or intentions. It is the world that has to match them.

Like speech acts some Intentional states also have no direction of fit, also called the "null direction of fit" (Searle 1983:9) As Searle exemplifies, if you are sorry that you insulted somebody, your sorrow contains a belief that you insulted him and the wish that you had not insulted him, but your sorrow cannot be true or false in the way

that your beliefs can. It can only be appropriate or inappropriate "depending on whether or not the mind-to-world direction of fit of the belief is really satisfied." (Searle 1983:9) But that does not give it a direction of fit.

In the third instance, whenever an illocutionary act is performed with a propositional content, a certain Intentional state is expressed with that propositional content "and that Intentional state is the sincerity condition of that type of speech act. (Searle 1983:9) Promising to do something means expressing an intention to do so. All these abovementioned states are internal and are not just accompanying the performance of speech acts. However, when you perform a speech act, you are expressing a corresponding internal state, therefore it is not logical to perform a speech act while denying the corresponding Intentional state as exemplified by Moore's paradox: "I apologise for insulting you, but I am not sorry that I insulted you." (Searle 1983:9) This is not possible.

However, one does not always have to have the Intentional state that one expresses, as when one is lying or is being insincere. But it must be noted that there is a close parallelism between illocutionary acts and their expressed Intentional sincerity conditions.

In the fourth place, in both speech acts and Intentional states conditions of satisfaction apply. Searle (1983:10) makes the following example:

"A statement is satisfied if and only if it is true, an order is satisfied if and only if it is obeyed, a promise is satisfied if and only if it is kept."

With Intentional states a belief is satisfied if and only if things are as they are believed, desires are satisfied if and only if they are fulfilled, etc. The conditions of satisfaction are internal to both speech acts and Intentional states.

It is also very important, according to Searle (1983:11) that if a speech act has a direction of fit, it will be satisfied "if and only if the expressed psychological state is satisfied, and the conditions of satisfaction of a speech act and expressed psychological state are identical." This means a statement will be true if and only if the expressed belief is correct; the order will be obeyed if and only if the expressed wish or desire is fulfilled, and a promise will be kept if and only if the expressed intention is carried out.

Another fact that needs to be explained is the difference between intentionality-with-a-t and intensionality-with-an-s. If a sentence, statement or other linguistic entity does not satisfy certain tests for extensionality e.g. "substitutability of identicals and existential generalisation" (Searle 1983:23) then it is referred to as having that property of intensionality-with-an-s. Searle quotes the sentence: "John believes that king Arthur slew Sir Lancelot." This sentence can be said to be intensional-with-an-s because it has one interpretation, which can be used to make a statement, but no existential generalisation can be made about the expression following 'believes', and also no "substitutability of expressions with the same reference" can be made. intentionality-with-a-t is when the mind or brain can represent other things.

PROPER NAMES AND INTENTIONALITY

Intentionality is applicable also with proper nouns. "We need to make repeated references to the same object, even when the object is not present, and so we give the

object a name. Henceforward this name is used to refer to that object.” (Searle 1983:251)

The name used may not have sufficient characteristics to identify the object referred to, but if this is the case there may also be enough other Intentional content to identify the object referred to.

SPEECH ACTS AS ACTS OF COMMUNICATION

Bach <http://online.sfsu.edu/~kbach/spchacts.html> regards speech acts as acts of communication because when you are communicating you are expressing an attitude, for example, a belief, a request or an apology. The speech act corresponds to the attitude being expressed. If the audience identifies with the attitude expressed, then the speech act has been successful.” This does not happen automatically.during communication .It means one must choose one’s words carefully; however, one need not encode one’s intention in one’s utterance. Therefore, “understanding the utterance is not merely a matter of decoding it;” the hearer must infer the meaning.

Speech acts perform actions, for example, when you say “I nominate ...”or “You’re fired!” These are what J.L. Austin in “How To Do Things With Words” calls performatives.

Bach, however, admits that not all speech acts are performed for communication purposes. Others are performed to influence “institutional states of affairs.” He mentions speech acts, which are performed to judge something to be the case, for example, a judge’s ruling. A referee’s call, and an assessors appraisal. The other type is performed to make something the case, for example, “sentencing, bequeathing, and appointing.” These speech acts are performed” only in certain ways under certain

circumstances by those in certain institutional or social positions." Bach is of the opinion that speech acts should be regarded as "a generic term for any sort of language usage," whether oral or otherwise.

KINDS OF SPEECH ACTS

There are three kinds of speech acts: The locution, illocution and perlocution. According to Combrink (1982:xix) they can also be called locutionary, illocutionary and perlocutionary acts, or locutive, illocutive and perlocutive acts.

The locution

This is a sentence: "with a certain sense and reference". Johnson <http://wings.buffalo.edu/philosophy/FARBER/johnson.html>. Bach cites Austin as saying the locution is "the act of saying something." For example, a bartender may say to clients that the bar will be closing at a certain time.

It can be referred to as the sound / meaning combination of an utterance Die klank / betekenis-kombinasie van 'n uiting. (Combrink (1982: xix.)

The sense of every locution is: "attached through a linguistic convention, and reference is attached intentionally by the speaker" Johnson <http://wings.buffalo.edu/philosophy/FARBER/johnson.html>

The illocution

The illocution is an utterance "with a certain conventional force" Johnson <http://wings.buffalo.edu/philosophy/FARBER/johnson.html> which Combrink (1982:xix) calls:

"die seggingskrag van die uiting."

This includes an act like informing, ordering, warning, undertaking, etc. Austin locates the force of an illocutionary act: "in the conventional usage of an expression which thereby determines the kind of act which the speaker is performing." Johnson <http://wings.buffalo.edu/philosophy/FARBER/johnson.html>

He makes an example of the "guilty" verdict delivered by a jury. Convention determines that the word "guilty" has in this situation a certain force, which it would not have in other situations although the sense and reference could be exactly the same.

Kent Bach and Michael Harnish classify illocutions into four types: constatives, directives, commissives, and acknowledgements.

Constatives: affirming, concurring, confirming, answering (this is when something has been said to you and you respond to it- it shows that you are in a position of power): alleging, announcing, attributing, claiming, classifying, concurring, conjecturing, denying, disagreeing, disclosing, disputing, identifying, informing, insisting, predicting, ranking, reporting, stating, stipulating. In constatives the speaker is attempting to gain the upper hand. If the speech act does not work, then the status of the speaker is not elevated.

Commissives: agreeing, guaranteeing, inviting, offering, promising, swearing, volunteering. In these speech acts the speaker is either of a higher status or is attempting to raise his/her status. Here the speaker is also making a commitment to what has been said to him / her.

Acknowledgments: apologizing, condoling, congratulating, greeting, thanking, accepting (acknowledging an acknowledgment)

Directives: advising, admonishing, excusing, forbidding, instructing, ordering, permitting, requiring, suggesting, urging, warning, dismissing. These imply that the speaker is in a position of power and authority. Asking, begging, and requesting imply that the speaker is in a position of less power and is inviting a reciprocal reflex.

Illocutionary Act	Attitude Expressed	Intended Hearer Attitude
Statement	Belief that p	Belief that p
Request	Desire for H to D	Intention to D
Promise	Firm intention to D	Belief that S will D
Apology	Regret for D-ing	Forgiveness of S for D-ing

Figure 7: Bach's framework for attitudes and intentions in speech acts at <http://online.sfsu.edu/~kbach/spchacts.html>

In order to be successful conventional illocutionary acts need to conform to convention i.e. they need to meet “certain socially or institutionally recognised conditions for being an act of that sort.” Bach at <http://online.sfsu.edu/~kbach/spchacts.html>.

Illocutionary speech acts can be categorised into two categories i.e. effectives and verdictives. Effectives are the illocutions that give effect to the “institutional state of affairs.” In verdictive illocutions a judgement is being made as a result of an act that has taken place. Here are a few examples to illustrate this:

Effectives: banning, bidding, censuring, dubbing, enjoining, firing, indicting, moving, nominating, pardoning, penalizing, promoting, seconding, sentencing, suspending, vetoing, voting

Verdictives: acquitting, assessing, calling (by an umpire or referee), certifying, convicting, grading, judging, ranking, rating, ruling.

Allan (1998) classifies speech acts as follows according to the hearer's evaluation:

Statements- denials, reports, predictions, promises, and offers. These express the speaker's belief about how the world was. They are usually formulated in a declarative clause.

Invitationals (subset of directives) - requests, exhortations, suggestions, warnings. Here the participation of the hearer is invited. They are usually formulated in an interrogative clause. They are usually formulated in the default

Authoritatives - commands, permissions, legal judgments, baptisms. Here the speaker lays down the law and the imperative or declarative clause is normally used.

Expressives - greetings, thanks, apologies, congratulations. Here social interaction with the hearer is expressed. They are usually formulated in a default declarative clause format.

http://www.arts.monash.edu.au/ling/speech_acts_allan.html

The perlocution

This is what we achieve or do by saying something e.g. convincing, persuading, deterring, surprising, misleading the hearer. Here the speaker is trying to get the hearer to form an attitude that is similar to his or to act in a certain way as in convincing and persuading the hearer. These speech acts take place in many communication or

negotiation situations. Deterring, surprising, and misleading are aimed at causing the hearer to act in a different manner to what he originally intended to.

According to Combrink (1982:xix) speech acts can also take place without the active participation of a hearer e.g. when a wish is expressed.

Direct, indirect and nonliteral speech acts

As mentioned previously the speaker's intentions are not always explicit in his/her utterance. This is the case when an ambiguous word has been used and must first be interpreted before the meaning of the utterance can be understood; or when indexical statements or statements whose meaning depends on the context have been used. Bach mentions three ways of performing speech acts i.e. directly or indirectly by performing another speech act. For example, instead of saying "Please get me a glass of water" one says: "I am getting thirsty." Or one can ask a question like: "Can I see your letter?" Here the speech act was indirectly performed by performing another one directly. A nonliteral illocution is one, which is performed when we say something other than what we do mean. For example: "What a wonderful dress!" when the intended meaning is "What a dreadful dress." Bach calls this "conversational implicature."

This situation can take place in a negotiation process and may retard progress

CHARACTERISTICS OF SPEECH ACTS

Syntactic structures

Verbs

Speech act verbs or performatives are used e.g. request, command, beg, etc. In other words, it is the verbs that make the speech act happen. These verbs are always in the present tense:

I command you to stop.

In a command like:

Stop!

it appears as if there is no performative, but it is there in a higher level sentence:

I command you to stop.

If the conversational situation is clear enough conversational verbs need not be used. "Speech-acts are metaphorically treated as exchange or transfer of objects from one interlocutor to the other; the objects are linguistic forms, which are containers for meaning." (Sweetser 1990:20.)

In the discussion on modality it was noticed that the same modal verbs can be applied to both the real and epistemic world because they are believed to be having a parallel force-dynamic structure. Other parts of the English lexicon are believed to have the same ambiguity although they may not have been previously analysed to be parallel to the modal verbs.

Sweetser (1990:69) makes an example of the verb insist as illustrated by Tregidgo (1982) where there is a speech act involving the speaker's interaction in a real world:

"I insist that you go to London."

"I insist on your going to London"

and the speech act directed at the epistemic structure":

"I insist that you did go to London though you may deny it.."

insistence or suggestion that a proposition be believed or accepted as true, or expectation that it will prove to be true..

To Sweetser (1994:69) if we accept that a sentence can be used to express a state of affairs in the real-world: "or as a conclusion in our world of reasoning" so the verb insist can also be used: "to express insistence on either the real-world doing of an action expressed in its clausal complement, or the epistemic concluding of the truth of the proposition constituted by that complement." (Sweetser 1994:69.)

In the same page Sweetser states that speech-act verbs are more formally marked between their root and epistemic uses than modal verbs. She uses the example:

"I insist that he be there."

"I insist that he is / there." (Sweetser 1994:70.)

Thus insist may, for example, help to indicate that all linguistic expressions exist in two domains. Sweetser feels that: "Any actual utterance, however, is more than an epistemic reaction to a proposition about some content; it is a speech act achieved by means of the expression as existing in that proposition about that content. (Sweetser 1994:70.)

Subject and object

In a speech act the subject is always in the first person singular and the object is in the second person singular or plural:

I request you.

Sometimes the subject may appear in the plural form:

We request you

but as explained before, this can be just a show of solidarity.

CONDITIONS FOR THE USE OF SPEECH ACTS

Conversational rules

Speech acts are embedded in all aspects of language usage that have to do with context and situation. This has led to the drawing up of conversational rules through which context and situation can be described. Utterances need not necessarily follow on the logical content of the preceding utterances, but can also follow on the context in which the utterances are used. Combrink illustrates with the utterances:

"My oom is baie siek"(My uncle is very ill.)

"Hoeveel geld het jy nodig?"(How much money do you need?)

Here there is an implied or indirect speech act but it has been understood because the hearer has been able to interpret the context.

COOPERATIVE RULES

These are the principles upon which conversational rules are based, where the reasons are given for the formation of utterances, which follow a situation, and not just the logical content of the preceding utterance.

In the case of implied speech acts, cooperative principles must be supplemented by the shared knowledge of the speaker and hearer, which enable the hearer to make

deductions. Implications and inclusions can substitute the use of suppositions. For example, the utterance:

"Piet se tante is gaaf" (Piet's aunt is nice.)

includes that in a specific context Piet has an aunt, and

"Piet se tante is nie gaaf nie" (Piet's aunt is not nice.)

implies that Piet has an aunt. (Combrink 1978.)

MODALITY

Van Schoor (1983:140) defines modality as embracing all nuances of the speaker's conditions as against the factual state of his utterances or sentences. Therefore modal concepts are all that makes the sentence certain or uncertain, positive or doubtful, possible or impossible, probable or improbable, affirmative or negative, and all that lends desirability, inability, obligation, urge or disposition and related concepts as limitations or extensions of the sentence content.

He mentions four kinds of words with a modal lexical meaning:

(i) Adverbs: "Hy sal beslis die naweek kom."

(He will definitely come during the weekend)

(ii) Verbs: Ek wens ek het dit gesien.

(I wish I had seen it)

(iii) Modal auxiliary verbs: Hulle mag Saterdaggaande uitgaan.

(They may go out on Saturday evenings)

(iv) Conjunctions: Ek sal saamgaan as julle nie te gou vertrek nie.

(I shall go along if you are not leaving too early)

Van Schoor points out, however, that although modality has to do with all degrees of positiveness or certainty, it has become a practice to talk of modal meaning values if the sentence is non-factual.

THE USE OF MODAL AUXILIARY VERBS IN SPEECH ACTS

The following needs to be noted according to Van Schoor (1983:147)

(i) Modal auxiliary verbs are auxiliary verbs, which are used in conjunction with other (main) verbs, which are somewhere explicit in the context, usually in the same clause or sentence. And according to Combrink (1982:31) they do not all cover the same sphere of possibilities of application: one auxiliary verb may be limited to one meaning, while another may be used in several spheres.

(ii) He also points out that other auxiliary verbs have only a categorical function where the meaning is carried by the form of the whole predicate i.e. the auxiliary plus the main verb, as determined by the semantic category:

Hy **kan** more kom as hy wil

(He can come tomorrow if he wants)

Hy **kon** die volgende dag kom want dit was naby

(He could come the following day because it was near)

Modal auxiliary verbs have, besides the categorial meaning; also a semantic meaning that is two-fold. First and foremost, there is a clearly identifiable semantic value in each modal auxiliary verb:

Kan = in staat wees tot...

(can = in a position to...)

Secondly, there is a modal meaning that is very difficult to understand in all modal auxiliary verbs, which "actually adds an element of tentative consideration to the meaning of the main verb." (Van Schoor 1983:147)

Dit mag gebeur = Die moontlikheid bestaan

(It may happen = the possibility exists)

Another phenomenon to note, according to Van Schoor (1983) is that there are three groups of modal auxiliary verbs in Afrikaans:

(a) The group that displays its own category form resulting in inflected and uninflected forms:

Uninflected form

Sal (shall)

Kan (can)

Moet (must)

Wil (want to)

Mag (may)

Inflected form

sou (should)

kon (could)

moes (had to)

wou (wanted to)

mog (might - archaic form)

(b) The group that functions with te (to) as supplement and that has only one fixed form:

behoort te... (ought to)

Jy behoort die werk te doen.
(You ought to to the work)

hoef te ...(need..)

Jy hoef dit nie te doen nie.
(You don't need to do it)

The group that perhaps need not be distinguished, that consists of mag (may) - if it does not appear with an imperfect- and durf (dare, risk, venture) - which functions differently in a sentence with the auxiliary verb het, but which links semantically and in all other sentence structures to the modal auxiliary verbs.

MEANING IN MODAL AUXILIARY VERBS

According to Van Schoor (1983:48) not all modal auxiliary verbs have a primary and secondary meaning. He quotes durf, behoort and hoef as having only the primary meaning. He also notes that there is often a future dimension in the content of the sentence although it is not necessarily so. His sentence:

Hy kan dit doen.
(He can do it)

does not necessarily mean that we are going to make him do it, but the context implies that he will (have to) do it some time in the future. He gives the meaning of sal (shall) as:

van voorneme wees, beoog om, gedwing word om...
(intend to, aim at, be compelled to..)

Here he says the indication of the future is stronger than in other modal auxiliary verbs, which wrongfully led to the idea that sal (shall) is or indicates the future (even under the influence of Latin grammar)

THE ROOT MODALS IN ENGLISH

Sweetser (1990:51) mentions Talmy's suggestion that: "the semantics of root modality is best understood in terms of force dynamics, that is in terms of our linguistic treatment of forces and barriers in general."

When you permit a person by the use of the modal may, let and allow, you are:

“taking away or keeping away a potentially present barrier.”(Sweetser 1990:51)

Let and allow is about removing a physical or social barrier:

Please let me go.

May has more to do with social permission.

While Talmy takes the purely physical level of force dynamics as the most basic of all, Sweetser views modality as basically referring to: “intentional, directed barriers.”(Sweetser 1990:52.)

MAY and MUST

According to Sweetser (1990:52) may and must are: “the most clearly force-dynamic of the modals.”

She concurs with Talmy’s understanding of may as meaning a potential but absent barrier. She also partly concurs with Talmy’s understanding of must as meaning:

“a barrier restricting one’s domain of action to a certain single act.” (Sweetser 1990:52.)

But she feels that must has the force of an order to do something, a positive compulsion rather than a negative restriction. She regards it as implying an irresistible force. When you say to your child:

You must be in bed by eight o’clock

You are actually compelling him or her to choose a plan of action that will facilitate being in bed by eight o’clock.

Must, like have to, appears to have limited physical usage: "*An electron has to stay in a particular orbit around the nucleus.*" (Talmy 1988:79.)

CAN

Sweetser feels can is not as easy to pin down as may. She cites Talmy's view that can is parallel in structure to may ...: "but with less tendency for the absent barrier to return to its position." (Sweetser 1990:52-53)

This, according to Talmy, is the cause for the frequent overlapping of can and may in each other's territories. However, Sweetser has another definition of can where can denotes: "positive ability on the part of the doer ... and may denotes lack of restriction on the part of someone else."

To her can is potential force or energy like a full tank of fuel in a car, while may is like an open garage door. If there is no fuel in the car and the garage door is closed, then travelling would be restricted. In other words both conditions would have the same effect on the situation. That explains why the use of the two words overlaps e.g. when people use can to give permission.

The rationale is that removing the barrier is also an act of enablement: "and, of course, it is also politer to cooperatively enable than to invoke your restrictive powers by overtly refraining from exercising them." (Sweetser 1990:53)

Can not is one of the modals that seem to have regular physical *reference:

OUGHT, HAVE TO, NEED TO

These modals, like must, denote obligation or necessity, but ought denotes an obligation that is socially agreed upon between the doer and the imposer. It is less strong than the others and has moral overtones. It indicates a positive compulsion:

You ought to realize that this is wrong.

Have to implies the authority is extrinsically imposed:

I have to go; otherwise I'll be late.

Need implies an obligation is imposed by something internal to the doer:

I need to see the doctor.

Sweetser differs from Talmy in analyzing have to, need to and ought as barriers. She feels the three modals are resistible forces depending on whether the force is social or moral and whether the source of the force is internal or external. She is of the opinion, however, that: "anything that comes as a force can impose the relevant modality." (Sweetser 1990:54)

If the desire or lack of it is internal, or there is compulsion, then there is the modality need. If the force is social and the subject participates in it, then the modal is ought.

SHALL and WILL

These are called borderline modals, which can express the simple future. However, in usage they also express the strongest obligation or necessity of future action. In the sentence:

I know he will help you

There is volition expressed rather than the future.

Shall indicates the speaker is taking the responsibility for the carrying out of the action:

The law says the people shall share.

I shall see to it that he is punished.

Will, according to Sweetser (1990:55) does not indicate some force or barrier, but a completed path to an action or intention. It is not clear how this fits into a force-dynamic analysis, but some past analysers have regarded the future will as always epistemic; whereas like all modals except present-tense shall have both a root and an epistemic modality and the epistemic use of will is an extension of the purely futurity use. Sweetser exemplifies this with two sentences:

14a. He will be home in three hours - root modality: real futurity

14b. He will be home by now; I just saw the lights -epistemic modality (Sweetser 1990:55)

Here the understanding is that the person is or is not at home, but on future verification it will be discovered that he is at home.

There is also the future-perfect form where the event is both past and present i.e. it is between a root and an epistemic will e.g.

He will have recovered by July - he will then be able to work.

By the time you arrive, he will have been here for a week.

According to Talmy (1988:79) will not is another modal that seems to have regular physical reference:

"The knob wouldn't come off, no matter how hard I pulled."

DISTAL FORMS OF THE ROOT MODALS

Could expresses past or conditional ability e.g.

I could easily run 10 kilometres last year.

Might expresses a past or conditional absence of a barrier:

I might see him.

Ought to and must can either be used for the present or past because they have no morphologically distinct forms. Sweetser illustrates with the following sentences:

He thinks he can / ought to....

He thought he could / ought to....

Should is the distal form of ought to because: “whatever a speaker is willing to assume responsibility for ‘should’. is also something the speaker might conditionally agree was morally appropriate or obligatory ‘ought’.”(Sweetser 1990:56)

Had to is the distal form of must although its meaning is not really that of a distal must. According to Sweetser have to and need to have past forms but their past forms are not conditionals in main clauses. Would have to and would need to are the conditionals, except in if-clauses.

Would is the distal form of both the future will and volitional-force will.

Sweetser finally says: “whatever modal forces or barriers the present form of a modal verb expresses, the distal form of the verb will express those forces conditionally or in the past”. (Sweetser 1990:68.)

In fact, Sweetser is of the view that epistemic modality is not unrelated to root modality, but it is: “a metaphorical application of our sociophysical modal concepts to the epistemic world.” (Sweetser 1990:68)

The sociophysical concepts are the general forces and barriers in terms of which we understand our mental processes. She is also of the opinion that the root / epistemic contrast should be seen as a motivated polysemy relationship because both lexical items bear related senses. Such a polysemy is also cross linguistically common. If the modals in question are monosemous this is not the case. Hughes (1995) says modal auxiliary verbs are used, over and above their grammatical function, to perform speech acts.

Would + like

This combination is used to express desire e.g.

I would like to go overseas.

It is also used in polite forms e.g.

Would you like to wait?

Would + mind

This polite form is used to ask someone to do something for you.:

Would you mind leaving?

Would you like to help me?

It is also used to ask permission:

Would you mind if I use your car?

Will and Shall

Will and Shall + the infinitive of the verb are used to form the future

He will buy a car next year.

When shall is used to indicate obligation or promise, it is stressed:

I shall get money back! Promise.

The government shall fight corruption! Obligation.

May and Might

Amongst other uses, may can be used to express permission:

May I visit my friend? Yes, you may.

Could

This is the conditional form of can and is often used in polite forms for polite requests:

Could you drive me home?

MUST

When must means to have to it is used to express obligation or necessity:

We must save some money.

Should and Ought to

They are used:

to show moral obligation:

You ought to care for your family.

You should not neglect your work.

for advice:

You should not waste time gossiping.

PRIMARY OR BASIC LEXICAL MEANINGS OF AFRIKAANS MODAL AUXILIARY VERBS

(SAL (shall) means mainly:

"van voorneme wees (intend to), beoog (aim at)

"Ek sal binnekort 'n verplasing aanvra." (Van Schoor 1983:148)
(I shall shortly request a transfer)

"onder dwang wees" (to be under coercion); "verplig word" (to be compelled).

In this case sal is strongly accentuated:

"Jy sal dadelik teruggaan en dit gaan haal!"
(You will go back immediately and fetch it!"

"versekering" (assurance), "vaste belofte" (firm promise:

Ek sal julle nie alleen laat nie.
(I shall not leave you alone)

"voorspelling" (prediction, forecasting), "in die vooruitsig stel" (foresee):

Jy sal eendag jou beloning kry.
(You will one day get your reward)

SOU (would)

According to Van Schoor (1983:148) sou is the imperfect form of sal and it has only one common meaning with sal:

"van voorneme wees" (intend to), but somewhere in the past:

Hy sou die huis vir sy ouers koop.
(He would buy the house for his parents)

Furthermore, Van Schoor says sou means:

"dit word beweer" (it is alleged); "vermoedelik" (presumably):

Hy sou die man vermoor het.
(He would have murdered the man)

KAN (can) and KON (could) mean:

"vermoë" (ability); "in staat" (capable):

Hy kan goed rugby speel.

(He can play rugby well)

Hulle kon die beseerde kind nie help nie.

(They could not help the injured child) (Van Schoor 1983:149; Van Jaarsveld 1982:33)

They also mean "veroorloof" (permit); "toegelaat" (allowed); "met verlof"

(with permission):

Jy kan die huiswerk more bring.

(You can bring the homework tomorrow)

Die polisie het gesê hy kan die tronk verlaat.

(The police said he can leave jail) (Van Schoor 1983:149; Combrink 1982:33)

In this instance it is equivalent to mag (may)

MOET (must, should, have to) and MOES (had to) mean:
"dwang" (coercion); "verpligting" (obligation):

Ek moet voor agtuur by die werk wees.

(I must be at work by eight o'clock)

"bevelsvorm" (imperative form) in negative sentences:

Moenie net staan en kyk nie! (Van Schoor 1983:149)
(Don't just stand and watch!)

WIL_ and WOU indicate:

"sterk wens, begeerte" (strong wish, desire) (Van Schoor 1983:149)

Ek wil eendag ryk word.

(I want to be rich one day)

Die span wou die toernooi wen, maar dit was nie moontlik nie.

(The team wanted to win the tournament, but it was not possible)

MAG (may) and MOG (might) mean:

(i) “verlof” (permission, leave); “toestemming” consent). (Van Schoor 1983:149; Combrink 1982:35)

Jy mag die bruid soen.
(You may kiss the bride)

(ii) “vryheid” (freedom)

Die mense mag die regering kritiseer.
(The people may criticize the government)

(iii) “wens, smeekhede” (wish)

Mag die verkiesing vreedsaam verloop.
(May the election proceed peacefully)

DURF means:

“waag” (dare, risk, venture)

Jy durf nie alleen loop nie.
(You dare not walk alone)

BEHOORT has a meaning similar to moet (must, have to), but refers more to “morele verpligting, verskuldigheid” (a moral duty, indebtedness):

Jy behoort jou werk as prinsipaal goed te doen.
(You are supposed to do your work as principal well)

HOEF (need to) appears only in negative and sometimes in interrogative sentences and indicates “kwytskelding” (acquittal, pardon):

Jy hoef nie die vloer te skrop nie.
(You don’t have to scrub the floor)

Sometimes hoef appears in positive sentences used with certain adverbs like

“alleen” (alone), “maar net” (but), “nouliks” (hardly, scarcely, barely), “slegs” (only)

(Van Schoor 1983:149)

Jy hoef slegs die eerste paragraaf te vertaal.

(You only have to translate the first paragraph)

SECONDARY MEANINGS OF THE AFRIKAANS MODAL AUXILIARIES

Van Schoor (1983:150) accedes that boundaries between primary and secondary lexical meanings do not occur at the same place for everybody. However, he sees the following as secondary meanings:

MAG

“moontlikheid” (possibility)

Hy mag in die eksamen slaag, maar ek twyfel dit sterk.
(He may pass the examination, but I strongly doubt it)

A sort of acceptance i.e. one can accept that it is usually expressed:

“Teen hierdie tyd sal hy nie meer daar wees nie.
(By this time he will no longer be there)

Sal (shall) and sou (would) are often used as aids in characterization.(Van Schoor 1983:150)

Hy sal ure lank na die see sit en kyk.
(He will sit for hours looking at the sea)

Hy kan vreeslik skrik as jy skielik sy naam noem.
(He can be terribly frightened if you suddenly call his name)

Each modal auxiliary verb has idiomatic uses in a very particular meaning, which is sometimes very difficult to identify e.g. “onafwendbaarheid” (inevitability)

“Ouer sal hy sy seker word, maar gemoedelik nooit.
(Older she will become, but good-natured never)

“hoflikheid” (politeness) and “ingetoenheid” (modesty):

Ek sou graag wou weet of ...
(I would have liked to know if)

“sterk twyfel” strong doubt:

Sou sy storie waar wees?
(Would his story be true?)

“wens” (wish):

Daar moet tog nie hael kom nie.
(There must just be no hail)

Van Schoor (1983:151) points out that when some words, especially adverbs, with strong modal meanings appear, they often colour the meaning of the modal auxiliary verbs:

Jy moet hom tog help.
(You must nevertheless help him)

Jy kan gerus weer kom.
(You can safely return)

Here tog and gerus change moet and kan to words of request.

A reduplication form gives an intensified modal value. (Van Schoor 1983:151)

Die wind wil-wil die dak lig.
(The wind wants to lift the roof)

Ponelis (1979:248) describes modal auxiliary verbs as auxiliary verbs used in sentences where modalities e.g. non-realities like possibility, probability, necessity and obligation are expressed. He differentiates between reality and modality in the following manner:

Werklikheid/ feitelikheid

(Reality/Factualness)

Modaliteite

(Modalities)

Riaan lees nou die nuus.

(Riaan is now reading the news)

Riaan moet nou die nuus lees.

(Riaan must now read the news-
Obligation)

Riaan mag nou die nuus lees.

(Riaan may now read the news-
permission)

Riaan sal nou die nuus lees.

(Riaan will now read the news-future
reference)

Ponelis distinguishes between epistemic and deontic uses of the modal auxiliary verbs. According to Ponelis (1979:249) epistemic modal auxiliary verbs have to do with especially the speaker's undertaking in respect of the positiveness of the proposition, while the deontic auxiliary verb has a bearing on the event, act or condition which is depicted by it.

EPISTEMIC MODAL AUXILIARY VERBS

The sentence:

"'n vleiery kan boemerang" (Van Schoor 1982:249)
(a flattery can boomerang)

can be paraphrased as meaning:

”Dit kan wees dat ‘n vleiere boemerang”

(it can be that a flattery boomerangs)

Van Schoor (1982) says that epistemic modal auxiliary verbs can be further paraphrased by what he calls higher epistemic predicates like “moontlik /waarskynlik” (possible/probable):

Dit is moontlik dat ‘n vleiere boemerang.
(It is possible that a flattery boomerangs)

THE USES OF EPISTEMIC MODAL AUXILIARY VERBS

According to Van Schoor (1982:250) epistemic modal auxiliary verbs in Afrikaans are generally used in deduction or concluding as in:

Hulle moet seker trots wees op Hannes, want hy presteer besonder mooi.

(They must surely be proud of Hannes because he achieves particularly well)

Dit sal sy kantoor wees, want ek hoor sy stem.
(That will be his office because I hear his voice)

Van Schoor points out that pretrial assimilation, that is the change from moet to moes, is not necessarily the norm.

Hy kan gekom het
(He could have come)

and

Hy kon gekom het.
(He could have come)

can be used without a change of meaning.

According to Van Schoor (1982:271) preterial assimilation is normal in everyday language use, but in very correct formal style modal auxiliary verbs do not undergo preterial assimilation:

Dieselfde kêrel moet 'n goeie indruk gemaak het.
(The same chap must have made a good impression)

Sou is also used in a qualifying capacity to show that the proposition is ascribed to someone else or another source and is not the speaker's opinion.

Die man het 'n brief ontvang. Dit sou 'n ontvoerder wees wat losgeld eis.

(The man received a letter. It was from a kidnapper whom was demanding ransom money)

DEONTIC MODAL AUXILIARY VERBS

According to Van Schoor (1982:250) deontic modal auxiliary verbs are concerned with the subject, event and situation. In the following sentences behoort, hoef and moet express a specific degree of obligation, which rests on the subject to execute the action:

Hiervoor behoort jy eintlik meer te betaal.
(For this you are actually supposed to pay more)

Tog hoef u nie dit alles te eet nie.
(Yet you do not have to eat it all)

Ek moet met jou praat.
(I must talk to you) (Van Schoor 1982:249)

In the sentence:

Die koor kan in sowat vyftien tale sing

(The choir can sing in about fourteen languages) (Van Schoor 1982:249)

kan indicates that the subject has the ability to execute then action concerned.

Further Van Schoor says in the sentence:

Ons sal heelwat betaal vir 'n beter huis as hierdie kasarm.
(We shall pay considerably for a better house than this shack)

sal indicates that the subject is planning to carry out the action.

USES OF AFRIKAANS DEONTIC MODAL AUXILIARY VERBS

Deontic modal auxiliary verbs function individually as well as in syntactic - semantic systems.

Individual uses

DURF (dare, risk, venture)

Jy durf nie - “kan dit nie waag nie om”- die konsekwensies van jou standpunt aanvaar nie (Van Schoor 1983:251)

(You dare not - cannot risk- to accept the consequences of your standpoint)

SAL (intention)

Vir jou sal ek niks doen nie
(For you I shall not do anything)

KAN (ability)

Michael Schumacher kan baie wedrenne wen
(Michael Schumacher can win many races)

AFRIKAANS DEONTIC MODAL AUXILIARY VERBS IN SYSTEMS

Commands / Requests

MOET (must) is the central auxiliary verb in Afrikaans in commands and requests. It is compulsory in negative commands and requests. Van Schoor (1982:251) illustrates in the following manner:

Positive	Negative
Vat die goed hier weg. (Take the stuff away)	Moenie die goed hier wegvat nie. Moet die goed nie hier wegvat nie. (Don't take the stuff away)

Van Schoor (1983:251) states that moet is the only auxiliary verb which functions in negative commands or requests. The others do not:

*Mag/ sal/ durf/ wil/ kan nie hardloop nie.

He further points out that moet also features in embedded positive commands or requests:

<u>Independent command / request</u>	<u>Embedded command / request</u>
<u>Doen dit asseblief tog.</u> (Please do it.)	Ons vra dat jy dit asseblief tog MOET doen. (We request that you please do it.)

In commands or requests where the addressee is indicated by jy ("you"singular), u (respectful "you"singular or plural), and julle (you-plural) various modal auxiliary

verbs are used with different shades of emphasis. Van Schoor (1982:252) illustrates as follows:

Sit hier.[neutraal positief]
(Sit here [neutral positive])

Jy behoort hier te sit.
(You are supposed to sit here)

Jy kan hier sit [sagter gestel]
(You can sit here [stated mildly])

Jy sal hier sit [sterker gestel]
(You will sit here [stated strongly])

Jy moet nie hier sit nie [neutraal negatief]
(You must not sit here [neutral negative])

Jy behoort nie hier te sit nie.
(You are not supposed to sit here)

Jy kan nie hier sit nie.[sagter]
(You cannot sit here[milder])

Jy durf nie hier sit nie [sterker]
(You dare not sit here [stronger])

Neutraal: Help my!
(Neutral: Help me!

Sagter : Wil jy my nie help nie?
(Milder); (Don't you want to help me?)

Wou jy my nie help nie?
(Did you not want to help me?)

Sal jy my help?

(Will you help me?)

Sal jy my nie help nie?
(Will you not help me?)

Sou jy my nie wou help nie?
(Would you not want to help me?)

Kan jy my help?
(Can you help me?)

Kan jy my nie help nie?
(Can you not help me?)

Sou jy my nie kon help nie?
(Would you not be able to help me?)

Future reference

As modal auxiliary verbs refer to unrealized states of affairs, they by implication refer to the future. Van Schoor (1982:252) states that of all deontic modal auxiliary verbs sal and wil in certain contexts especially with non-living and or non first person subjects have so faded in meaning that they are purely used to refer to the future:

Annette sal nog haar kans kry.
(Annette will still get her opportunity)

Pasop, die kar wil gaan staan.
(Watch out, the car wants to stop)

Die gras wil-wil nou begin groei.
(The grass is about to begin growing.)

Gewoonte (habit, custom)

Piet sal / kan sommer sit en niks doen. (Van Schoor 1982:253)
(Piet will / can just sit and do nothing)

Begeerte (desire), wens (wish)

Ag. as dit maar net wil ophou reen = Ek wens dat dit sal ophou reen.
(Ah, if only it stops raining = I wish it would stop raining)

Toestemming (consent, permission)

U kan / mag maar hier bly.

(You can / may stay here)

THE “GREATER MODAL SYSTEM”

Talmy notes that the verbs make, let, have, help, like modals, take no to with the infinitive and have force-dynamic reference. They and the modals have similar syntactic and semantic properties and can thus be considered to form a single large category: the “greater modal system” whose regular-verb members all take the Antagonist as subject, while the modals take the Agonist as subject. (Talmy 1988:81)

CONCLUSION

In this chapter speech acts were discussed as a type of human action together with intentionality and how intentional states are connected to speech acts. The different kinds of speech acts and their characteristics, the conditions for their use, modality and modal auxiliary verbs were also discussed in relation to how they perform speech acts. It is important to note that conflict transformation should pay attention to the use of speech acts and modal auxiliary verbs because it shows their real intentions. In the next chapter I will look at the process of conflict transformation.

EMOTION DURING CONFLICT TRANSFORMATION

INTRODUCTION

Situations of conflict are awash with negative emotions during which the amygdala, the primary emotive centre of the human brain, dominates the frontal lobes of the neocortex, the centre for critical reasoning (see chapter 3 of this dissertation). In such situations of conflict disputants easily resort to emotive verbal and physical responses.

In unresolved conflict situations, disputive responses would reflect the use of negative constative speech acts such as accusing, blaming, denying, disagreeing and disputing (see chapter 6), usually in challenging suprasegmental tones and body language signalling impatience and rejection, containing vocatives (forms of address) that signal competitiveness or confrontation, as well as verbs, adjectives and nouns that express negative attitudes towards other disputants. Towards the end of conflict situations, when disputants see the light at the end of the tunnel their responses would reflect cooperative forms of communication such as commissive speech acts like agreeing, guaranteeing, inviting, offering, promising, swearing, volunteering, and acknowledging speech acts such as apologising, condoling, congratulating, greeting, thanking and accepting, this time in conciliatory tones of voice, and of course lexical choices that reflect goodwill towards ex opponents. Between the negative and the positive mind states lies the delicate process of conflict transformation.

CONFLICT AND THE DRIVE TO SATISFY HUMAN NEEDS

During conflict disputants have the objective of gaining the compliance of their opposition to their advantage and to the detriment of the opposition. While it is known as the winner-takes-all-approach to conflict in practice both parties turn out to be losers in the end, because solutions that are perceived to be unfair, vindictive and punitive, invariably re-erupt unless enforced.

Mersham and Skinner (1999:41) refer to a psychological theory that says that a person's behaviour is driven by his desire to satisfy one or more unsatisfied needs which may be "expectations, wishes, plans for the future, creative desires, ideals, as well as the psychological and physiological needs which may lead to communicative behaviour."

It is therefore essential that communicators try to accurately describe and isolate the specific communication need in the communication situation. If the parties involved in the communication process are not trying to satisfy the same needs there will be misunderstanding or miscommunication.

Mersham and Skinner (1994) suggest a three-step process to facilitate the search for communication needs:

- (i) Identifying the area of universal needs
- (ii) Relating the area of universal needs to general communication needs
- (iii) Identifying the specific communication need

According to Aubuchon (1997:48) identifying and interpreting needs is the most important step because it determines our success or failure in our negotiation. It must also be remembered that human behaviour is caused by human needs, therefore it is

important to understand human needs. Aubuchon (1997) sees needs and drives as “ a dynamic, interrelated, and intertwined collection of thoughts, ideas, and motivations that direct our decisions and actions.” A need will occupy a position of priority while it is fulfilled. Thereafter, when a new need arises, it changes position and the person will then focus on another need. Thus if one does not keep in touch with one’s negotiating partner’s needs, one will seldom achieve one’s goal of persuading him.

Conscious Needs

These are the needs that are freely discussed and talked about e.g. a good education, a new car, a house, etc. These needs change depending on the priority of the moment.

Basic Needs

These are innate needs that never change e.g. the need for self –esteem, love, etc. They are private and very personal; therefore they are not usually talked about. Aubuchon (1997:50) says most people are not aware of their basic needs although they respond to them. He also believes that conscious needs are a manifestation of basic needs and that they are “surface indicators of what is really happening inside the person.” Aubuchon likens them to the blossoms, leaves and stem of a flowering plant. The basic needs are like the roots of the flower, which are out of sight and seldom talked about. Therefore when a person buys an expensive, durable, comfortable car he is satisfying his self-esteem and status needs.

During negotiation or persuasion the aim is to satisfy conscious rather than basic needs. However, sometimes we do not succeed in satisfying the conscious needs because of some stumbling block or barrier. Then we have to look for the “underlying causes, find solutions, and restore progress.” (Aubuchon 1997:50) This means turning

to a person's basic needs and thus appealing to his emotions. In this way progress can again be established. An example is quoted of a man who was refusing to sell land on which a building was to be erected, until he was told that it was going to be named after him.

Maslow's hierarchy of needs

The most basic needs are physiological needs, which are about one's physical wellbeing or self-preservation and survival e.g. food, water and sleep. Higher up in the pyramid are the safety needs where people need to feel they are protected from harm or they are secure in their jobs. According to Mersham and Skinner (1999:42) personality, gender, age, culture and past experiences determine how people communicate their safety needs e.g. a child seeking physical contact with a parent or people joining political parties or cultural groups.

To Mersham and Skinner (1999:43) social needs are about "developing meaningful relationships with others." e.g. being accepted by others, having friends, belonging to a group and being loved. According to Mersham and Skinner (1999) these needs remain dominant until they have been satisfied and to communicate effectively it is important to know the different ways in which this desire is expressed and demonstrated.

Esteem needs have to do with the recognition, respect by others and reputation whether in a work or social situation. When this happens our egos are satisfied. Mersham and Skinner (1999), however, warn that these needs may be culturally based and what might be acceptable to some people might not necessarily be acceptable to others. Therefore a good communicator should be conscious of that.

Self-actualisation needs are the last and the most difficult to satisfy. This is when an individual wants to develop himself to his fullest potential by, for example, learning more about himself or herself and the world around him, excelling in the activities that he performs, becoming more satisfied with his work and being creative as is seen in artists, performers, writers, innovators, entrepreneurs, original thinkers and fanatics. The communicator can use Maslow's hierarchy of needs to identify universal needs relevant to his communication situation.

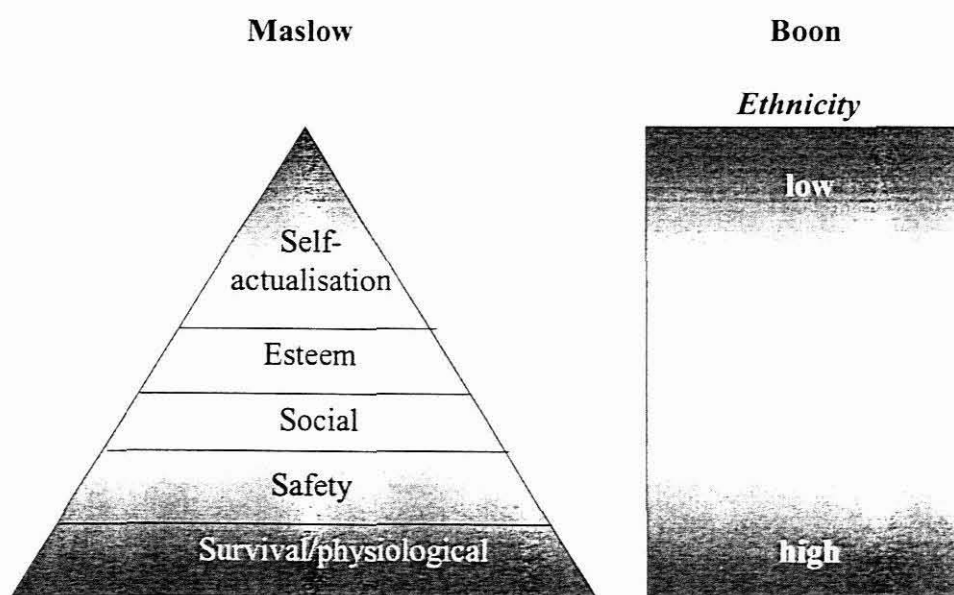


Figure 8: Maslow's hierarchy of needs and Boon's coordinates for levels of ethnicity in relation to types of needs

Finding out about another person's needs can be done through observation and putting oneself in another person's shoes i.e. by empathising. It can also be done through collecting information, researching and analysing it. Aubuchon (1997:59) suggests that if you cannot "identify and confirm your audience's needs, stop or delay your persuasion effort until you can."

Aubuchon mentions the following needs that people might have:

Economic Needs

These needs are very important to many people. Aubuchon mentions profit, salaries, savings, etc. Then there are people who are very careful about how much they are paying, thus they are prepared to do anything to get a bargain.

Hidden Needs

Sometimes it is difficult to identify other people's needs if they won't talk about them because they want them to remain confidential. This can become apparent when there is an inexplicable halt or rejection of a proposal during negotiation. When this happens it means the hidden need has become a barrier. It is therefore important to know that during negotiation hidden needs will always be there. It is also important to know that it is not easy to cope with them, so one must be patient about finding them. Sometimes people participate in negotiations because they are going to gain something from it.

Awakening Needs

Aubuchon also talks about awakening the needs of other people and making them realise that they need what is on offer. They might not readily accept what is being said at first. Only when they realise the need will they be ready to act on satisfying the need. Aubuchon quotes how people did not want to readily accept pocket calculators until they became affordable and suddenly realised the need for calculators in order to avoid making costly mistakes on calculations.

General communication needs

The fulfilment of general communication needs is not a luxury in the process of conflict transformation because disputants' self-image and sense of self-actualisation need to be addressed before disputes can be permanently transformed into cooperation

pacts. Mersham and Skinner further narrow down the field to general communication needs, which can also be classified into six categories which, however, are not ordered in a hierarchy. They are

Information needs

According to Mersham and Skinner (1999: 44) this is the need we have for factual or rational information so that we can ease our knowledge, plan ahead, function effectively within a specific society and form opinions.

Emotional needs

Mersham and Skinner (1999:45) say human beings need assurance that they are “loved, needed, appreciated and admired.” and they express this need in diversified ways, which are, to a great extent, culturally bound. In the African community showing love and affection in public has not been acceptable, but now it happens without much rising of an eyebrow.

Mersham and Skinner (1999) also mention how some people desire tension, excitement and fear that for them are not unpleasant emotions as they are for other people. Hence there are many movies and television dramas portraying the above emotions.

Patriotism, loyalty, guilt, joy, hate and contempt are also mentioned by the authors and the fact that many of them are manifest in the attitudes, opinions, beliefs, conventions and stereotypes of people. Professional communicators should be aware of them.

Entertainment needs

Entertainment helps us to relax and refresh our minds. It is provided by the mass media in the form of the radio, movies, television comedies, dramas, the press, books, soap operas, etc. Each person has his own kind of preferred entertainment and it may change, as the person grows older from the unrealistic and imaginary to the more realistic. However, old people may prefer what is usually associated with young people and they are said to be immature. If it is the other way round the young person may be said to be mature for his age.

Mersham and Skinner also mention how the entertainment value of a message is associated with the information value - hence the concept of 'infotainment'. Therefore, information that is presented in an entertaining way is likely to be more appealing.

Motivational needs

In society or in any organization a need arises to motivate or persuade people, although it is usually the communicator who feels the need first. This results in the need for motivational talks, which, according to Mersham and Skinner (1999:46) are necessary now that South Africa is moving from a hierarchical to a flat management and team-centred approach.

Aesthetic needs

These are satisfied through various art forms like music, poetry and sculptures. However, what may appeal to one person may not appeal to another.

Ideological needs

These refer to beliefs, opinions, attitudes and convictions which people hold which may be satisfied through reading newspapers, listening to a particular radio

station or going to a particular church e.g. a man who believes in polygamy but still wants to keep his christian convictions may decide to join the Nazareth Baptist Church.

Mersham and Skinner advise that the communicator should know the ideological needs before starting communication. He or she must also be aware of his or her own beliefs, attitudes, opinions and stereotypes which might unconsciously colour and hamper the success of the communication as well as differentiate between his wants and needs. It is also important to note that these categories are not satisfied individually; two or more needs may be satisfied simultaneously.

CONFLICT

When negotiation fails, opposing parties have three choices: be willing to live with the problems, resort to coercive measures like violence, ransom or blackmail to gain the compliance of opponents, or seek mediation and arbitration to resolve the root causes of the dispute.

Perceptions of Conflict

Kofi A. Annan, Secretary- General United Nations says:” Conflict is a normal part of any healthy society, but a great deal of attention has been focused in recent years on how to prevent conflict, and less on finding peaceful methods of conflict management. In particular there needs to be more attention given to the type of political choices that those negotiating an end to a period of violent conflict have to make to rebuild their country, and how they can build an enduring democracy – the only sustainable form of government – from the ashes of conflict.” (Harris and Reilly: http://www.idea.int/publications/democracy_and_deep_rooted_conflict/home.htm)

Harris and Reilly give two reasons for the coming about of conflict within a state, or intrastate conflict. The first one is the mobilisation of people according to their race, religion, culture, language, etc. Identity-based conflict is very persistent and not easily solved through negotiation. The second reason is conflict because the resources available are not equitably shared. When both these factors are present we get what is called “deep-rooted conflict.” This was the case in South Africa where the problem of unequal distribution of resources was caused by the apartheid political order, which divided the population into racial groups and treated them accordingly.

Thompson (1998) categorises negotiation into three types: pure conflict, pure coordination or mixed-motive negotiation

Pure Conflict

“In pure conflict negotiations, parties’ interests are directly opposed: whatever one person wins, the other loses.” (Thompson 1998:44) This is also called “fixed-sum situations.” If the one party’s interest is increased, the other party’s interest is decreased. Thompson (1998) makes an example of a seller who wants more money for his car while the buyer wants to pay less. He says pure conflict is not common in negotiations.

Win-win agreements

The outcomes of many negotiations are said to be win-win outcomes especially in integrative negotiations. However, Thompson (1998) believes a win-win agreement cannot be equated to an integrative agreement. A win-win agreement implies, according to Thompson (1998:48) that resources were equally distributed during negotiation, or that the participants were “happy and satisfied with the outcome”. However, it may be true that resources and money were wasted. Also when two people who are interested

in each other's welfare negotiate, there is talk of a win-win situation. However, this is no guarantee that the best solution to the problem will be found.

The problems of win-win negotiations

Win-win outcomes are the desired objective of genuine negotiations. However, they also have their own problems, some of which are mentioned below:

Irreconcilable Moral Differences

Win-win solutions are difficult to find when there are irreconcilable differences concerning moral, religious and personal values.

High-stakes Distributional Conflicts

The distribution of resources causes problems because some people are concerned genuinely about the equitable distribution of available resources. Others are individualistic or selfish. They want to exploit the resources for their own benefit, or enjoy the sole benefit of an environmental resource.

Analysing Conflict

When the before-mentioned negotiation processes break down, the result more often than not is conflict, stoked by feelings of recrimination and distrust. In order to see the extent of the conflict and to make sure that all the relevant aspects will be discussed during the negotiation, Harris and Reilly

(http://www.idea.int/publications/democracy_and_deep_rooted_conflict/home.htm)

mention that the following elements must be looked into: actors in the conflict, underlying factors, scope of the conflict, previous attempts at settlement, phases and intensity, balance of power and state of the relationship.

Scoping Conflict

Scoping is the process of identifying the parties that are likely to be involved in the conflict e.g. adversaries, allies, intermediaries, decision-makers, the media, etc. This process also helps in identifying “the goals that the parties are likely to pursue, probable points of conflict, and favoured conflict strategies.” <http://www.colorado.edu/conflict/peace/problem/scoping.htm#p1>) This makes it important to understand how the other parties frame the conflict, as well as their interests, positions and actions. The history of recent disputes also needs to be examined and how they were resolved, as well as “the context in which future disputes will be addressed.” This assessment must be as accurate as possible if it is to be useful. The stereotypes that parties have of their opponents must be transcended and to overcome the problems commonly associated with communication and fact-finding.

A number of factors must be taken into account regarding conflict e.g. conflict is a long-term process consisting of a series of dispute episodes, which may be resolved in various ways e.g. mutual agreement, or a force-based process involving political, legal, and military or other type of force. Each dispute may be a result of a number of underlying conflicts.

It must be recognised also that the level of interest and involvement of the parties varies. Some parties who may not initially have been interested may suddenly become involved in a conflict when they realise how they may be adversely affected by the actions of others. To some parties conflict may be a fight between good and evil. Others may be fighting for their individual freedom and “the right to live according to their own values” To others conflict may be a way to compete for common resources that have to be shared.

The scoping of a conflict is important since it helps to anticipate the actions of others. If it is not properly done parties may use strategies, which are not appropriate to promote the resolution of conflict.

Framing (defining what the conflict is about)

Framing is described as “the process of describing and interpreting an event” <http://www.colorado.edu/conflict/peace/treatment/frame-s.htm> p.1) Conflict framing helps the participants to understand the conflict and interpret what it is all about, so that they know” what is going on and what they should do about it.”

Framing a conflict is based on many factors other than what really happened. It is based on the person’s or group’s past experiences, their values and whether the situation is a threat or a benefit to them. The way a conflict is framed determines whether it is seen as a conflict or not. A person may make a rude comment, which may be taken as such (a conflict) or just ignored if it is taken as unimportant. If it is taken as important a decision is taken about how to handle it e.g. talk about it informally or enter into a negotiated solution. If a negotiated solution is not possible, then the option of using force may be considered.

Opponents often frame conflicts in win-lose terms i.e. they must get what they want and the other party must not get what they want. This eventually leads to confrontation. An integrative or win-win approach is always recommended.

Interest-Based Framing

Conflict can be described in two ways i.e. in terms of positions or in terms of interest. Positions are what one person or both persons want, while interests are “the underlying reasons why people hold the positions they do.” <http://www.colorado.edu/conflict/peace/treatment/intframe.htm> p.1) A further

distinction can be made between interests and needs where the needs are also underlying desires, but they are “more fundamental and less tangible than interests”. Defining conflicts in terms of underlying interests makes it possible to resolve some aspects of the conflict and can expose areas of common interest that can result in cooperation and improved relationships.”

For example, the Conservative Party in South Africa adopted the position of a separate independent state to be called Orania where they could practice their culture and use their language freely, and have the political, social and economic status they had during the days of apartheid. Therefore their interest was in maintaining the apartheid status quo. Sometimes some of the interests of parties can be made possible without giving in to the parties’ position. The point to be made here is that focusing on interests rather than on positions can lead to the solution of some problems.

There are opponents who feel that this approach cannot solve conflicts because most of them are distinctive in nature. When people want a share of a resource and some want a bigger share than the others, then if a win-win situation is the aim then this approach can never work. In fact it may be counter-productive to expose one’s interests because negotiators whose positions exceed their real needs may be the winners.

Interest-based framing also does not work when the issues at stake are non-negotiable i.e. when they have to do with “fundamental values or human needs.” (<http://www.colorado.edu/conflict/peace/treatment/intframe.htm> p.1) In fact, it may worsen the situation. It can only be applied in interest-based disputes

“Into-The-Sea” Framing And Intolerance / Win-Lose

In a conflict situation two groups will either work towards coming together and finding a common solution, or let the conflict escalate. In a work situation one group

may wish for or fight for the total disappearance of the other group, which may literally mean “to push opponents into the sea” (<http://www.colorado.edu/conflict/peace/problem/intosea.htm> p.1) by eliminating them by force. This is called a “zero-sum” or “win-lose” approach. This always results in disaster because no conflicting group would willingly want to go anywhere. This kind of situation occurred between the African National Congress and the Inkatha Freedom Party in the years prior to the 1994 elections where there were no-go areas for each of the two parties. Many lives were lost. In Rwanda this resulted in genocide. It is therefore important that opponents are discouraged from framing a conflict in this way, but rather to find strategies for co-existence.

Fairness-Based Framing

In fairness-based framing conflict is defined in terms of “justice, fairness, and rights.” (<http://www.colorado.edu/conflict/peace/treatment/fairfram.htm>)

Fairness and justice are defined according to some standard principles, which are found in different societies and cultures. These may be “a constitution, a set of laws, or a less formal set of norms and traditions that govern how people are supposed to behave and how they are to be treated.” (p.1) If a group feels it has been unfairly treated, it should compare the standards used with its own societal standards. The difference will help both parties to find a remedy. If it is felt that the standards were authoritarian or abusive, international standards of human rights can be used to achieve fairness and justice.

Incompatible Frames

A situation can be framed in various ways depending on who the people are, their personal situation, and what their hopes and fears for the future are i.e. whether

the situation is a threat or holds hope for them.

(<http://www.colorado.edu/conflict/peace/problem/incfrm.htm>) The South African apartheid government called the freedom fighters terrorists. The freedom fighters called the White people racists. Democracy for the African people meant human rights and the right to vote, while for many White people it meant being stripped of power and privileges. This made constructive conflict management very difficult as was evidenced by the failure of non-governmental organisations and church institutions to mediate.

The situation can be made more difficult when a group frames the situation in terms of values, while the other frames it in terms of needs, rights, and interests because the conflict resolution mechanism cannot be the same for both. Both groups will have to find a common understanding on the way they see the conflict so that there may be a uniform approach to the solution.

In the South African situation it became necessary to sit down in CODESA and find common grounds, which were in the interest of the country as a whole, and not of particular groups.

Actors

The actors in the conflict can be both internal and external. The following aspects need to be identified concerning the actors:

- The *identity groups* involved in the conflict and their characteristics
- The *real leaders* of these identity groups i.e. is it politicians, soldiers, religious leaders, intellectuals; the amount of pressure from their followers and opponents

- How these groups *mobilise* i.e. is it as political parties, paramilitary groups, armies, etc? Or have they formed alliances? Are they serving internal, external regional or global interests? Are they subject to any pressures?
- The *factions* within the political parties
- Any *people opposed to the negotiation* and how much of a threat they are and the resources available to deal with them.
- The existence of *single-issue groups* i.e. those who feel very strongly about one particular aspect of the negotiation e.g. the right-wing Afrikaner groupings that wanted self-determination for the Afrikaners. Other actors who are in the country but are opposed to the conflict e.g. business, religious groups, peacekeepers, etc.
- The *external actors* e.g. the governments, states, regions, etc. and the outside influences that affect the conflict. Harris and Reilly (http://www.idea.int/publications/democracy_and_deep_rooted_conflict/home.htm)

Paul Wehr also states that people become involved in conflict in different ways and for various reasons. He mentions primary parties that oppose one another in a conflict and “have a direct stake in the outcome of the conflict.” <http://www.colorado.edu/conflict/peace/treatment/cmap.htm>.) In the South African situation the ANC, PAC, etc on the one hand and the IFP and the National Party on the other can be considered as primary parties because they were having a direct stake in the outcome of the conflict by either winning or losing. The ANC wished that there should be a new political order in South Africa while the IFP and the National Party wished the status quo to remain so that the ethnic demarcations would remain. There

are also secondary parties who have an indirect stake in the conflict. They are allies or they sympathise with the primary party e.g. the South African Communist Party sympathized with the ANC. There are also third parties like mediators and peacekeeping forces.

It is important to identify and involve all actual and potential opponents in a conflict resolution process so that they feel they were part of the decision-making process. There must be adequate representation of the parties concerned by representatives acceptable to them.

These representatives must inform their constituencies of the developments and take information back to the negotiation table. This will lead to the people supporting the outcomes of the decision-making process.

If people feel they were not adequately represented they may impede the implementation of the process either by challenging it in court, or refusing to cooperate, or even by becoming violent. On the other hand it does not make good sense to include people in negotiations if their presence will cause more harm than good. Again they might be included and then persuaded to the opposite direction. Some people become satisfied when they have been given a platform to state their case and they begin to cooperate. People who are not constructively engaged may be discredited to tarnish their credibility so that they are less harmful.

Causes and Consequences

Wehr states that it is not always possible to differentiate between a cause and a consequence because what might be a consequence of one phase of the conflict might be a cause of the other phase. Among the causes and consequences he mentions

perceived goals and interests, cultural differences, language and identity.

<http://www.colorado.edu/conflict/peace/treatment/cmap.htm>

Underlying Factors

These are the underlying needs and fears of the parties and the reasons why e.g. why were the right-wing parties fighting for self-determination in South Africa? Was it because they wanted to perpetuate apartheid or did they believe self-determination is the best option for all South Africans?

Did they feel, as a minority White South Africans needs would never be catered for again in the new South Africa? (Harris and Reilly
(http://www.idea.int/publications/democracy_and_deep_rooted_conflict/home.htm))

Scope of the Conflict

This refers to the effect of the conflict on the population i.e.

- Which section of the population suffers most: is it the population inside the conflict area or outside of it?
- Are there areas of the country that have not been affected by the conflict and why?
- What effect does the conflict have regionally and globally?
- Who suffers through continued conflict and who will gain through a settlement? (Harris and Reilly
(http://www.idea.int/publications/democracy_and_deep_rooted_conflict/home.htm))

Previous Attempts At Settlement

This is about what attempts have been made in the past to try to resolve the conflict and why the attempts failed.

- Can the failure be attributed to the parties that structured the agreement, or its contents or its implementation?
- Are there patterns that can be identified on how the settlement was approached? (Harris and Reilly (http://www.idea.int/publications/democracy_and_deep_rooted_conflict/home.htm))

Phases and Intensity

Conflicts, especially intractable conflicts, go through different phases or stages and different intensity periods. In the process of negotiation it is important to know about these phases as they help in planning the approach to follow as negotiators. The following questions can be asked:

- Are there phases or stages that can be identified as to the attempts made to quell the conflict e.g. the particular structures that were put in place?
- Are there particular patterns of violence that can be identified?
- Are there any outside influences that can be detected?
- Did the violence intensify or abate as time went on? (Harris and Reilly (http://www.idea.int/publications/democracy_and_deep_rooted_conflict/home.htm))

Sometimes disputes remain unsolved because they are related to other disputes. Therefore it is important that while an attempt is being made to resolve a conflict, other related situations should be taken into account.

Related to recognizing related disputes, it must be borne in mind that some protracted conflicts have a long history of going through cycles of intensity. They may flare up for a while, de-escalate although not necessarily resolved, and at the slightest trigger flare up again. Therefore it is important to understand whether a conflict is new or whether it has historical connections. Then there are usually strong emotional connections to it. For example, people may want to retaliate for a certain past action or situation. Or they may have stereotypes about people who behaved in a certain way in the past, and expect them to behave similarly now, even though things may have changed. Therefore understanding the historical context helps to rise above the past and focus on the present.

Stages Of Conflict

Conflict rages through various stages i.e. it escalates into violence and de-escalates resulting into latent periods. It is important to know at which stage the conflict is or in which direction it is going. Harris and Reilly (http://www.idea.int/publications/democracy_and_deep_rooted_conflict/home.htm) mention four stages through which conflict moves i.e. discussion, polarisation, segregation and destruction.

The Discussion Stage

This is the beginning stage where the conflicting parties are communicating, directly debating and “still close enough to work together”, although they are disagreeing. They still have positive, mutual perceptions of and respect and trust for one another. The issues under discussion are “substantive and objective” and are expected to lead to a win-win solution. During this stage the best method would be to cooperate in order to come to a joint solution i.e. use the cooperative decision-making method.

The Polarisation Stage

This is the stage where the parties are beginning “to withdraw and turn away from each other” (Harris and Reilly (http://www.idea.int/publications/democracy_and_deep_rooted_conflict/home.htm)). The distance thus created causes communication to be more indirect and largely based on interpretation or misinterpretation. Lack of direct interaction causes misconceptions and stereotypes and lack of trust. Instead of looking at issues objectively there is a concern for relationships, and instead of an outcome where everybody wins, the outcome is that each of the parties “must compromise to win some things and lose others.” The method that is most preferable here is “competitive negotiation”.

Balance of Power

This is about how the parties perceive their own power and support, and whether the situation has changed or not with the passage of time. It is also important to see whether there is any one dominant party, which may possibly win the elections in the future, and whether they have the resources to conduct negotiations.

State of the Relationship

It is important to know how the party leaders view one another as a result of the accuracy of the information they have about one another. The source of that information and the trust between the leaders is also very important. Lastly, the channels of communication available between the negotiating groups are also important.

This tool for the analysis of conflict, though useful, should be regarded as having limitations, because the factors that have been mentioned above may change over time or new ones may come in. Therefore the situation needs to be reassessed

regularly to see which of the factors will persist in the future and which will shift focus, so that the planning can be for short-, medium – and long-term purposes.

Majority Rule Process

In a majority rule process the majority decides the position of the whole group in conflict transformation. Although this approach is able to provide a quick decision, it does not provide enough incentive for the parties to compromise because the interests of all the parties are not served. That is why once a majority decision has been taken, the parties can ignore the interests of other participants. Because of this reason requirements like 60%, 2/3 or ¾ majorities are put in place to minimize disregard for other parties. These are called “supermajorities”.
(<http://www.colorado.edu/conflict/peace/treatment/majority.htm>)

In spite of these controls the majority processes only divide the participants “into two competing coalitions commonly referred to as the right and the left or liberals and conservatives. Therefore it is important to have norms and rules in place to prevent the disregard of the minority.

CONFLICT DYNAMICS

A conflict is always dynamic i.e. it is always changing even when a stalemate has been reached. Unrestrained escalation, polarisation and perception changes diminish the chances of cooperative resolution of problems. It leads to runaway responses like stereotyping opponents and seeing them as our negative mirror image.

The conflict triangle

Harris and Reilly (http://www.idea.int/publications/democracy_and_deep_rooted_conflict/home.htm) suggest another way of looking at conflict as a triangle

with three points and three elements, any one of which can generate conflict and become mutually reinforcing i.e. conflict can begin at one of the points and quickly spread to the others. These three elements are situation, behaviour and attitudes.

Situation

The situation refers to “the objective positions that can cause conflict.” (Harris and Reilly (http://www.idea.int/publications/democracy_and_deep_rooted_conflict/home.htm)) For example, if one section of the population has all the political power at the expense of other population groups as in South Africa where political power rested in the White community only; or if all the natural resources belong to one section of the population, as the ownership of the mines which was in the hands of White South Africans only; or if a country has been divided in a way that favours one section of the population only, as the apartheid arrangement in South Africa. Such a situation eventually brings the different groups into conflict. This was the case in South Africa, which after a long struggle led to a democratic dispensation in 1994.

Behaviour

Behaviour is about “the actions of people” (where) “one group acts in an aggressive manner towards another: killing their members, or oppressing them, or discriminating against them.” (Harris and Reilly (http://www.idea.int/publications/democracy_and_deep_rooted_conflict/home.htm)).

The second group may retaliate and this may lead to war.

This is exactly what happened in South Africa with the oppression and discrimination against African people, which led to African people retaliating by

eventually engaging in the armed struggle and the government defending itself by hunting down the “terrorists”.

Attitudes

These are the perceptions or beliefs of groups about other groups. For example, one group may believe that the other group is less valuable than it, as the whites who believed they were superior to the African people; or that the other group is planning to destroy it; or that the other group’s beliefs are of a lower standard, as in South Africa where the African people had to adopt western beliefs and religions instead of their traditional ones; or that the one group is a danger to the other.

As mentioned before, negative behaviour can cause negative attitudes, which may in turn make a bad situation worse. Or bad behaviour can worsen the situation, which in turn will reinforce negative attitudes.

Harris and Reilly (http://www.idea.int/publications/democracy_and_deep_rooted_conflict/home.htm) propose the conflict triangle, which could be used in a reverse manner to show that a reduction in aggressive behaviour and negative attitudes, or improving the situation may lead to a reduction of tension.

Stereotyping

“Stereotyping is a basic way of absorbing information.” (Padilla 1998:2) It occurs when people make associations about other people based on their observations and experience.” Stereotypes can also be defined as “generalizations that are often oversimplified and wrong.” (<http://www.colorado.edu/conflict/peace/treatment/fixstereo.htm>) This is more so in conflict situations when images of opponents become hostile because they are based on “very sketchy and often erroneous information.” especially when communication is not there. This can be

corrected by increasing person-to-person contact between the opponents, thus revealing their true image. This is known as "Stereotype-Breaking Actions". (<http://www.colorado.edu/conflict/peace/treatment/stereobk.htm> p.1) Most importantly the parties themselves must be prepared to tolerate each other's differences. When these elements are combined they can contribute to the reduction of prejudices.

The negative results of stereotyping were evident in the conflict between hostel dwellers and local communities especially in the East Rand. The hostel dwellers who were mostly of Zulu descent were viewed as members of the Inkatha Freedom Party whether they actually supported the party or not. The squatter settlements around the hostels were populated mostly by isiXhosa-speaking people and were therefore seen as ANC strongholds. These perceptions worsened the conflict between hostel dwellers who were viewed as "country bumpkins" (Arnold 1994:7) and their local more sophisticated communities. This stereotyping even led to the massacre in Germiston in 1993, where gunmen stopped a taxi and separated passengers into ANC and PAC groups on one side and IsiZulu-speaking groups on the other. The IsiZulu-speaking passengers were presumed to be Inkatha Freedom Party members and then massacred. This had started as taxi rivalry in the provision of transport to commuters who were migrant labourers, where the government had failed to do so. The Goldstone Commission of Inquiry (1993) had initially denied the role of political affiliation and rivalry in taxi violence, and attributed the cause to economic and administrative problems as in the unregulated issuing of permits leading "pirate" taxis to operate without permits, overloading of the taxis, intimidation campaigns, and the accusations that the police were harassing the taxis by examining their permits and accepting bribes.

Stereotype-Breaking Action

Using different methods can break stereotypes: small-group workshops, dialogues, analytical problem-solving workshops, mediation sessions, joint projects, and training programmes. (<http://www.colorado.edu/conflict/peace/treatment/stereobk.htm>)

Analytical Problem-solving

This approach is used in deep-rooted intractable conflicts. It uses social-psychological analysis “to identify the fundamental human needs that underlie the conflicts and hence hold the key to resolution.” (<http://www.colorado.edu/conflict/peace/treatment/anps.htm> p.1) Opponents are carefully chosen from all sides to meet with a panel of conflict scholars in a week-long workshop and they are helped to work together to analyse the source of the conflict, which may be unmet human needs like identity, security or recognition. When these needs have to be identified an attempt is made to develop a common approach to meet the needs of all sides at the same time.

The workshops can either be a once-off event, or occur in a series, several months apart. These workshops are attended by private citizens “who act as unofficial representatives of each group” (p.1) instead of official representatives. The private citizens have no political ties, so they can think more creatively. These are called “track two” discussions as opposed to “track one” discussions by diplomats.(p.1) The “track two” discussions are aimed at developing new approaches to problems which formal negotiators can approve and implement. Sometimes “track one “ and “track two” discussions take place simultaneously.

Establishing Personal Relationships

Establishing personal relationships brings about a change of attitude leading to mutual understanding and trust that the problem is mutual and “can be solved by cooperating, not competing or trying to destroy the other.” (<http://www.colorado.edu/conflict/peace/treatment/personal.htm> p.1) It must, however, be emphasised that an improvement in personal relationships does not easily translate into a change in community relationships. More effort is needed for that to happen e.g. citizen exchanges, dialogues, joint projects, sporting events, which although competitive, are run according to the rules of fair play and mutual respect. (Conflict Research Consortium: 1) At the international level examples quoted are Anwar Sadat’s first trips to Jerusalem when against all expectations Sadat projected a very reasonable image. The same outcome was achieved by Mikhail Gorbachev’s first visit to the United States. These two visits broke down the stereotypes Americans had about the Russians and the Israelis had about the Arabs.

Dialogue Projects

Dialogue projects are processes used with people “engaged in a long-lasting deep-rooted conflict.” (<http://www.colorado.edu/conflict/peace/treatment/dialog2.htm> p.1) A facilitator helps these people to explore their feelings about the conflict, thus developing approaches to conflict resolution. The facilitator also helps them to explore their feelings about each other, thus developing “an improved understanding of the concerns, fears, and needs” of their opponents. This leads to improved interpersonal relationships. This kind of dialogue is called the “human relations dialogue” because it involves breaking down negative stereotypes and developing a sense of trust and understanding leading opponents to become even “friends” even though they may still differ on fundamental issues. A typical example is

that of Cyril Ramaphosa of the ANC and Roelf Meyer of the National Party who were the leading negotiators of their parties before the 1994 elections in South Africa, who ended up as friends even though their respective political parties may not have come to that stage of understanding. Therapists, religious leaders and mediators normally facilitate this kind of workshop.

As in the human relations dialogue opponents can also be brought together in an analytical problem-solving workshop. Mediators and / or conflict scholars usually facilitate these dialogues with expertise in conflict theory as well as the conflict in question. But here the opponents focus on the absence of their fundamental human needs, which usually lead to most deep-rooted conflicts. A serious attempt is then made to meet those needs, which may lead to the conflict being resolved. This is a social-psychological approach developed by Herbert Helman and John Burton based on the human needs theory of conflict

Another dialogue — the positional or adversarial dialogue—is when the opponents accuse each other for the conflict and focus on mutually incompatible bargaining. The fourth type of dialogue is activist dialogue where opposing parties get together and are seen to render certain services together. This eventually promotes mutual cooperation and assistance.

Some of the dialogues are of short duration (from a few hours to a week or more). Others may be held for short periods over several years. An attempt is always made to have the same participants as much as possible. They all help to break down stereotypes and foster mutual understanding. These processes are said to be commonly used in the United States during public policy conflicts and in international or ethnic conflicts worldwide.

Each party's perspective on the problem, its values, interests, prejudices, hopes, fears and needs are recognised. Interests are usually what people want in a conflict and they are material and usually negotiable. Needs are usually intangible things like security, identity and recognition. They are non-negotiable and are mutually supporting. Values are ideas, habits, customs and beliefs that are characteristic of particular communities. (Burton: Conflict: Resolution and Prevention: 37) from Conflict Research Consortium: 2). They are non-negotiable and determine how we view the world. If they are threatened they are fiercely defended. The usual conflict resolution focuses more on interest. However, transformation conflict resolution deals more with values and needs in the belief that they must first be understood before interests in conflict can be addressed.

Mediation

Mediation is used in conflict resolution where a third party helps the conflicting parties find a solution. The third party may act as a consultant, helping both sides to “analyze the conflict and plan an effective response” (<http://www.colorado.edu/conflict/peace/treatment/3ptyint.htm>), or act as facilitator by arranging meetings, agendas and guiding the discussions, as well as setting the ground rules for the mediator and the process itself. The third party does not, like in arbitration, make decisions about the resolution of the conflict. He / she is instrumental in bringing the opponents together to look at their interests and needs, and to see how these can be met. Different options are then worked out leading to the drafting of a workable agreement. It is up to the parties to accept or reject the agreement. The facilitator must keep a report of the discussions.

Mediation is usually successful in interpersonal disputes.... labour management, community and environmental disputes. Mediation has not been successful in international disputes because of their complexity, and the fact that they are usually past the stage where they can be said to be 'ripe' for mediation. If mediation is tried either before or after this crucial stage, then they will not succeed.

The nature of the parties, the issues, and the mediator are also important factors in mediation. The mediator must be skilled. Much mediation breaks down because the mediators do not have enough skills for the process. The mediator must also be credible and be in a position 'to reward cooperation and punish obstinacy' (<http://www.colorado.edu/conflict/peace/treatment/mediatn.htm>.1) An example is quoted of how former U.S. President Jimmy Carter in the Egypt-Israel conflict, was able to promise U.S. assistance in the case of cooperation and reduction of U.S. support in the case of resistance.

There are also different expectations for mediators. Countries like North America prefer mediators who are neutral and impartial to both parties. (<http://www.colorado.edu/conflict/peace/treatment/have3pty.htm>) Other countries / parties prefer a mediator that is partial or is an insider, but who enjoys the credibility of both sides. This is called "Insider-Partial Mediation" (<http://www.colorado.edu/conflict/peace/treatment/have3pty.htm>.1) He may be preferred because although he is connected to one of the sides, he is respected by both and he knows the situation better. He will also be available to see that the agreement is implemented. The outsider may not be available when problems develop in the implementation of the agreement.

Another kind of mediation is arbitration where, after listening to presentations and evidence from both sides, the arbitrator takes a decision that cannot be overruled about who is right and who is wrong, and how settlement should take place. If the conflicting parties are only interested in settlement and not in controlling the process or outcome, then arbitration works. But parties that want to influence both the process and the outcome may want other forms of intervention, including facilitation.

Integrative (Or Win-Win) Reframing

Many people involved in conflicts approach them from a win-lose perspective. However, through integrative (or win-win) reframing the problem can be redefined so that everyone can share the resources available. This means focusing on interests, rather than positions. However, the win-win reframing can also be based on needs instead of interests. As mentioned previously the needs are not negotiable and they are mutually supporting. (<http://www.colorado.edu/conflict/peace/treatment/wwrefram.htm>) An example is made of how two sides can acknowledge the need for security and therefore agree not to threaten each other e.g. during the conflict between the African National Congress and the Inkatha Freedom Party in KwaZulu-Natal where as part of the peace process it was agreed not to use inflammatory language to threaten the opposite sides for the sake of peace.

Joint Reframing / Assisted Reframing

Sometimes a mediator can ask the parties to state how they view the conflict. There may be a big difference in the way both parties see the conflict. The mediator can ask the two parties to reframe or redefine the problem together. If they are successful in doing this then there is a possibility of a mutually agreed acceptable solution. (<http://www.colorado.edu/conflict/peace/treatment/jtrefram.htm>)

A mediator can also help the groups to redefine the problem by restating what is being said in a less hostile way. He can also reframe what has been described in win-lose terms in a win-win way by looking for the underlying interests and needs and ensuring that each side's needs are addressed. This can be done by asking the parties leading questions; or asking direct questions and even suggesting ways of redefining the problem.

The Segregation Stage

At this stage the parties have no direct communication at all with one another. They only communicate through threats and mutual perception has really been polarised to mistrust and disrespect. The situation is now win-lose, with each party putting its own interests above those of the other party while. This is known as "defensive competition" (Harris and Reilly (http://www.idea.int/publications/democracy_and_deep_rooted_conflict/home.htm))

The Destruction Stage

At this stage the parties are now communicating through violence if not complete silence. The violence is justified by being abusive towards the other party. This stage is reached because all attempts to discuss and negotiate have failed, and it leads to great if not total destruction if it goes unchecked. This is why at the beginning of this subsection it was emphasised that it is important to know at which stage the conflict is so that it is easy to take the right step before the conflict breaks out into uncontrollable proportions.

As a conclusion it must be said that analysing conflict is not easy and it requires time because all the elements and factors of a conflict situation should be taken into account before a workable situation can be worked out.

A COMMONLY PERCEIVED DEADLOCK

In many instances the need for negotiation comes about when the conflicting parties have realised, whether “willingly or grudgingly” that it is in their interest to do so because of various reasons. One of the reasons can be that they feel they have reached a deadlock, or what Harris and Reilly (http://www.idea.int/publications/democracy_and_deep_rooted_conflict/home.htm) call a “hurting stalemate”. This may be because each of the parties realises that it will not win outright and the continuation of violence will be costly both in terms of human life and financially without victory being attained. The two sides do not have to be evenly matched militarily as is the case in most internal conflicts. The weaker side must be in a position to prevent outright victory by the stronger side. Harris and Reilly say this is the rule rather than the exception in internal conflict.

In the South African situation sustaining separate development and apartheid was proving very costly because of population shifts from rural to urban areas, and the large, inefficient homeland bureaucracies. There was also great internal and external resistance to the state and that was also proving very costly to repress.

SEIZING OPPORTUNITIES

It has been said above that the perception of a stalemate gives rise to the opportunity for seeking a solution. However, such an opportunity must be “recognised, seized and used” (Harris and Reilly (http://www.idea.int/publications/democracy_and_deep_rooted_conflict/home.htm) because a stalemate is usually regarded as providing no chance for change or progress; but, on the other hand, it can provide exactly such an opportunity depending on the factors that are operating

both internally and externally. These factors can be “a new government or leader, a shift in support from one side to the other, a unilateral ‘circuit-breaking’ initiative” etc. (Harris and Reilly (http://www.idea.int/publications/democracy_and_deep_rooted_conflict/home.htm)). This implies that a possibility, whether “originally perceived or induced”, for a negotiated solution has been identified.

In South Africa the conflict had reached the destruction stage when in 1990 President de Klerk announced that political prisoners would be released and outlawed organisations unbanned. For the ANC that was the start of conditions conducive for negotiation, which led to a process of bargaining until the negotiations were started, culminating in the democratic elections of 1994.

This is why it is important to constantly evaluate and assess the conflict to identify the areas of opportunity for negotiation. This is because the conflicting parties may not be aware of the opportunities and a third party may help in identifying and making use of them.

THE IMPORTANCE OF TRUST

Parties involved in intractable conflict are always suspicious of each other and may even be suspicious of the conflict resolution process. Therefore it is important to build trust between the participants and the process for the establishment of relationships and the lessening of conflict. Trust in the process can be built up by “explaining the process very carefully, and allowing the parties to help design it so that it meets their own needs.” (<http://www.colorado.edu/conflict/peace/treatment/trustbld.htm> p.1) This will help them to feel confidence in the process.

Trust among the opponents can be built up over a period of time by making use of the opportunities to work together and prove for themselves that they are dependable. This can sometimes be done before negotiations begin.

Although negotiations are about important issues, they also depend on the relationship between the negotiators. This means there must be a “functional working relationship” (Harris and Reilly (http://www.idea.int/publications/democracy_and_deep_rooted_conflict/home.htm) between the negotiators that will lead to negotiating in good faith. Perceptions of people as “terrorists” must be changed and small reciprocal concessions must be made to demonstrate commitment to peace and cooperation. Perceptions can also be changed by providing accurate information and presenting it convincingly.

An example can be cited of trust that was generated by the relationship between Cyril Ramaphosa of the ANC and Roelf Meyer of the National Party, who were both chief negotiators for their respective parties. At one stage the negotiations broke down because of the Boipatong massacre in June 1992. It took another 18 months for the negotiations to resume and during that period Cyril Ramaphosa and Roelf Meyer were the only channel of communication between the two negotiating parties.

STORY TELLING

Story telling is also another way of building trust between opponents. They can say how they feel and why. They reduce it into a narrative form through which they can also air their grievances in a positive setting and this can also help build trust. Story telling can take the form of a chaos narrative where people tell of the anarchy and chaos that prevailed during a conflict. Andre P. Brink is one Afrikaner writer who has written

this kind of narrative about the South African situation. There is also a restitution narrative where people say what form of restitution would help to heal the scars and wounds of the conflict that they went through. Then there is a quest narrative where a person tells of his quest for peace and freedom and the efforts that he made to achieve this goal. The "Long Walk to Freedom" by Mr. Nelson Mandela is one such example. Lastly, there is the bureaucratic narrative, which is an official document by, for example, a government that states certain procedures or agreements with the citizens. Building trust must be followed by the appropriate behaviour. However, Fisher (1999:124) is quoted as saying: "...the less an agreement depends on trust, the more likely it is to be implemented." (<http://www.colorado.edu/conflict/peace/treatment/stories.htm>.1) This means there should be some external source of enforcement or each side should write down what it wills before it gets what it wants.

Flexibility

Harris and Reilly (http://www.idea.int/publications/democracy_and_deep_rooted_conflict/home.htm) regard negotiation as a creative process whose final outcome cannot be foreseen at the beginning of the process. A negotiator may have his view about how he sees the process of negotiation, but it is only those who have the power who can insist on having what they want. This may cause problems for the negotiator because if preconditions are set they do not leave room for flexibility. Flexibility is necessary because preconditions can usually inhibit the negotiation process, especially if the negotiation takes an unexpected turn or when the goals and targets change. This will necessitate that the negotiator goes back to his constituency to ask for a fresh mandate.

It is therefore important to be flexible when designing the negotiation process to make room for what Harris and Reilly (http://www.idea.int/publications/democracy_and_deep_rooted_conflict/home.htm) call “a step-break-gesture-step pattern”. This means when the conflicting parties enter negotiations they are taking a step forward; but then the negotiations may break because of some disagreement; then a gesture may be made outside the negotiation to facilitate the resumption of the talks, which is another step towards progress. This may be followed by another break in the talks, etc. Therefore designing the negotiation process should take into account such a probability.

ROLE-PLAYING AS PREPARATION FOR NEGOTIATION

Sometimes because of inexperience or the difficulty of the negotiation, it may be useful to rehearse the negotiation process. The negotiation team can come together and work out possible questions and answers that may come up during the negotiation process. One of the team members may play the role of the adversary and the other team members may be observers who will evaluate the performance.

It must be remembered that a negotiation is a give and take process and can therefore never be precisely predicted. Therefore, a rigid game plan, according to Fuller (1992:49), may lessen the chances of successful negotiation. However, it is important to have a strategy to follow because “If you have taken the time to establish your negotiation objectives and analyse your opponent’s position, then there is little preparation left to be done.”

ASSESSING YOUR OPPONENT'S POSITION

It is not sufficient to know your objectives and tactics for negotiation. It is also important to know your opponent's objective and strategy by assessing his strengths and weaknesses; and to compare them with yours so that you are not surprised at the bargaining table. In fact, the objectives must be scrutinized to see whether they are what they appear to be on the surface.

It is also important to know whether the people you will be bargaining with do have the confidence of their superiors, or whether their decision will be overruled. Fuller (1991:39) suggests that in order to gain confidence concerning the encounter, there may be a need to rehearse what will be done.

Scrutinising one's opponent's strategy may reveal some hidden facts that may be used to advantage during bargaining. Fuller makes an example of a person who wants buy land where a highway may be built in the near future thus increasing the value of the land. However, he will not mention that because if his adversary knows, he won't proceed with the bargaining.

ASSESSING THE OTHER PARTY'S GOALS

Besides assessing your own goals, it is also very important to speculate and assess the other party's goals. If you compare the two you might find common ground, which might facilitate agreement. If there are less common interests between you then the possibility of reaching agreement may be very far. However, even when you think you have come up with your perception of your adversary's needs, it is not advisable to rush with offers to satisfy them. Only sitting down around the table will reveal whether they are real or just perceived.

Speculating about the opponent's demands may help you satisfy some unspoken demand if there is a negotiation deadlock by appealing to his emotions or making some concession. Fuller (1991:41) makes an example of somebody who refused the price offered for land on which a building was to be erected until he was told the building would be named after him.

ASSESSING THE OTHER PARTY

Assessing the party to be negotiated with is also very important in planning one's strategy. This can be done by identifying his strengths and weaknesses by speculating or finding out how important the negotiation is to him; what he stands to lose if an agreement is reached; the overall financial impact of the deal; the current and short term prospects of his business; the reputation he has and evaluating any prior experience that one has had with the adversary.

To Fuller (1991:42) this is all done "to establish the credibility of the other party" However, even when all this has been done, one can only be certain when the terms of the agreement have been carried out. That depends on both the agreement itself and the participants in the bargaining situation.

Fuller (1991:42) says this kind of the opponent's evaluation may not be necessary if the prospects for a deal are good. But still in that case it is necessary to determine why the deal is so good. Fuller warns again that in ongoing transactions there is the temptation to believe that everything will go well. But things must not be taken for granted because circumstances change, making today's best customer tomorrow's bankruptcy.

SEARCHING FOR HIDDEN MOTIVES

It has been mentioned before that some negotiators may have hidden motives and therefore not reveal their stance right from the onset. These hidden objectives may not affect you if they are only relevant to your adversary. However, they may affect you while negotiating or some time in the future. For example, someone may offer you a used car at a low price, which may be a real bargain, or may cause you sleepless nights with endless breakdowns. Someone may make an offer to close down a business before delivering anything to you e.g. the business that promises to render services to people for a small fee and then unexpectedly shut down with the people's money unrefunded.

Although it is not easy to find people's hidden motives, one can try and look for signs to that effect. Fuller (1991:43) mentions how someone may rush to conclude a deal for no apparent reason, or somebody who agrees to everything you say. Such situations need some checking. Although one does not have to be suspicious of every negotiation encounter, one must not ignore one's instincts.

ESTABLISHING ONE'S ADVERSARY'S NEGOTIATION AUTHORITY

A negotiation may begin with the understanding that one's adversary has full authority to bargain. Sometimes it may turn out after a deal has been concluded that he does not actually have the authority to take decisions; therefore it is always important to find out beforehand whether your opponent does indeed have the authority to negotiate. If he needs the approval of higher authority, Fuller suggests you also do the same, even though you do have the authority, so that he will not pressurize you to offer more on the pretext that that is the only way that his boss can agree to the proposal.

IDENTIFYING THE BEHIND-THE-SCENES DECISION-MAKERS

As previously mentioned sometimes one finds during or after negotiation that one's adversary does not have the authority to take decisions on behalf of his organization; there is a real decision-maker behind the scenes who also needs to be persuaded. If this person can be detected before the negotiations begin, it can be planned that his influence is counteracted.

Fuller (1991:45) gives reasons why some negotiators ignore their adversaries and deal directly with the real decision-maker. They may perceive you as "indecisive or as an inexperienced negotiator." They may be trying to neutralize your good negotiating skills or to play down your superiors' negotiating skills. Your adversary may be trying to hide his inexperience or trying to gain concessions by intimidating you. It may also be an attempt to pressurize your superiors to make you take a decision or to convince you to change your untenable position. Lastly, there might be a feeling that there is a deadlock that can only be resolved by superiors.

Fuller (1991:46) is of the opinion that such a situation can be resolved if the organization makes it clear that you have been empowered by them so the bargaining must happen through you. If there is no cooperation within the organization the superiors will be persuaded and conclude "lousy deals" and feel they have achieved what could not be achieved at the bargaining table. If the adversary brings a higher person it is advisable not to do the same, but to continue as if you are still dealing with the same-level people. In that way your effectiveness will not be diluted.

MOTIVATION

Motivation and emotion overlap. Emotion is about whether something is desired or not while motivation is about wishing to avoid something or wanting something. Brand and Graves (1994:173) say both emotion and motivation have to do with “impulses to act”. Our traits determine whether we shall achieve when we perform. The motivations we bring into any situation are determined by our personality.

Brand and Graves (1994:174) call motivation “the source of goal-oriented activity or performance” which means if the likelihood of attaining a goal is great, and its value is greater, this may be referred to as achievement motivation, which may be extrinsic or intrinsic. External motivation is when we “do things for external rewards, recognition or goals.” In this instance the task may be done for the sake of the reward, not because it is enjoyed. On the other hand, intrinsic motivation means doing something for the pleasure of the task and because “we identify with the goal of an activity” To Brand and Graves (1994:175) it is accompanied by positive feelings and spontaneous involvement in the activity. A negotiator, therefore, needs to be a person who is intrinsically motivated towards the task he is engaging in; then he will do justice to the whole process.

According to Andreas and Faulkner (1998:55) two things motivate people: inspiration and desperation. They quote the example of Dr Edwin Land, inventor of instant photography and the founder of the Polaroid Corporation who was inspired by his daughter's wish to see a picture of herself right away. A certain Anthony Robins who first tasted success but was later poor exemplifies motivation through desperation. Through NLP training he was able to turn his life around. Motivation helps people to achieve their goals.

Andreas and Faulkner (1999:57) say motivation works in two directions: there is motivation by what you want to move away from (which may be unpleasant experiences, threats, etc). This is called away from motivation. This is more directed towards identifying and solving problems. There is also toward motivation where one is motivated by thinking of pleasurable events that lie ahead. This is goal-directed and more beneficial. NLP calls these two elements of motivation Motivation Direction. The authors say we all use both directions to some degree, but some of us specialise in one direction of motivation more than the other in widely different situations.

Toward motivation can blind people about the problems they may run into, which Andreas and Faulkner (1998) call the "pedal-to-the-metal kind of reality" resulting in people going through the "school of hard knocks" before they realise the importance of foreseeing and avoiding difficulties. People who are away from motivated may become too terrified to try anything. However, the same people may become very successful, like Dr Martin Zweig, the very rich stock forecaster who tolerates minimum losses. However, Andreas and Faulkner caution as follows about away from motivated people. Firstly, because these people are driven to action in order to move away from discomfort, they become less motivated when the problem gets farther away from them and become remotivated as the threat resurfaces. This process then becomes cyclical. These people also concentrate so much on moving away from discomfort that they don't really take care of where they are going to end up. What matters to them is what they don't want. Andreas and Faulkner (1998:61) call this looking-over-the-shoulder behaviour "poverty consciousness"

These people also have to be triggered by a lot of stress and pain before they are motivated to act. This could affect their health so they need to learn to react while the

stress levels are still low. Andreas and Faulkner (1998:62) stress that "pain and stress and distress are optional. If you choose you can get the most motivation with the least discomfort and with a great deal of pleasure."

For the authors managers can use both away from and toward motivation. Toward motivated people can be motivated by incentives, perks and rewards. Away from motivated people only become motivated when they are threatened with dismissal. Incentives mean little to them. Caution must, however, be taken not to push people too hard to move away from pain and distress because that may lead the person concerned to move away from the whole situation physically if they can, and mentally if they can't.

Away from motivated people are excellent problem solvers, while toward motivated people are goal-directed. This can be used by managers during strategic planning sessions where a manager, after dividing his team into away from and toward motivated members, the toward motivated members can be asked to formulate possibilities and those members that begin to see problems can be asked to remain silent until the toward motivated members have finished their part. Then the away from motivated members can start to identify problems and help formulate solutions. If these two strategies are balanced, then the two groups will start to appreciate the two thinking styles and everybody's talents and resources will come out.

USING MOTIVATION DIRECTION IN COMMUNICATION

In communication it is recommended that you first state what you don't want, then what you want. If you first state what you want then what you don't want, people will remember the negative statement and focus on it more strongly. Starting with

negative feedback helps you make a clear statement as to what you don't want and what you want.

Andreas and Faulkner (1998:67) say:"Making your usual negative comment and then deliberately following it with a positive goal means you'll be ending each thought with a direction toward what you want, bringing you more into balance."

INFLUENCE OF STRONG VALUES

Again Andreas and Faulkner (1998:67) say people's values are also very important because they determine "what life means to us, what actions we will take, what we will move toward or away from." People who become disconnected to their values lose their motivation quickly and become disappointed. Therefore, persuading someone means appealing to his values. An experience is also more motivating when all or most of the sensory modalities are used i.e. the visual, auditory, kinaesthetic, smell and taste modalities. In this way the experience becomes much more real.

However, within an experience there may be, according to Andreas and Faulkner (1998:71), smaller elements or submodalities. For example, say the submodalities for the visual modality can be a flat or 3-D image, "a movie or a still picture, framed or panoramic, clear or fuzzy, etc". A sound can be either high, low, loud, soft, with differences in tempo, rhythm, location or tonality. It is therefore important to note that different people are attracted by different submodalities and make use of that during negotiation and persuasion.

Andreas and Faulkner (1998:92) mention three ways in which people become aware of their deep values. Firstly, it is when something happens that makes them uncomfortable, upset or incongruent in any way. That means one of one's values has

been violated like when one feels angry because someone has been disrespectful, which means that a particular person values respect. The second way is the opposite of the first when one feels happy because someone has been respectful to oneself. That still shows that the person values respect. Thirdly, we can become aware of our values through deep meditation and inner exploration. When one's values have been discovered, they should be connected to one's grand vision.

CONFLICT EMERGENCE

Wehr describes two kinds of conflict i.e. latent conflict before conflict emerges into the open: this is the latency period. Then there is manifest conflict when conflict has emerged out into the open. This is the manifest period.
(<http://www.colorado.edu/conflict/peace/problem/cemerge.htm>)

The Latency Period

This is the period when latency conflict exists, but has not yet come out into the open. This period may take a very long time before the conflict actors become aware of it and take the necessary steps. Sometimes the conflict may never erupt at all because of the existence of a social structure that suppresses the conflict. An example is quoted of how Karl Marx saw capitalism as alienating workers from one another and from their labour, thus suppressing conflict. This was further enhanced by the ruling class entrenching their position by political, social and economic control of the society. The differences in the powers between individuals and groups produces latent conflict. But the power of the powerful individuals is also restricted, so the lower-power individuals also do have some freedom of action.
(<http://www.colorado.edu/conflict/peace/treatment/cmap.htm>)

Manifest Conflict

When conflict emerges it causes a lot of confusion because it changes the interaction between the disputing parties. The situation becomes unpredictable, uncertain and emotional. The confusion also leads to unwise and costly decisions being taken, it is therefore important that the actors should have a full understanding of the situation. (<http://www.colorado.edu/conflict/peace/treatment/cmap.htm>)

Functions of Conflict

Wehr Says that conflict always has a function or purpose for those involved in it. Contrasting beliefs and values including the negative image one has about one's opponent are also a cause of most social conflict. To Wehr disagreement over facts is not difficult to resolve. Sometimes the conflict can be a goal in itself when people just want to fight. Sometimes a low capacity for cooperative conflict resolution can in itself be a cause for conflict. The conflict may also be to release tension or to direct aggressive impulses towards a vulnerable party. Therefore knowing the consequences of such functions may help to encourage opponents to move towards cooperative resolution. <http://www.colorado.edu/conflict/peace/treatment/cmap.htm>

Regulation Potential

For Wehr every conflict has its own conflict limiting elements. These may be internal or external. Internal limiting elements could be the parties' wish to maintain their relationship. External limiting elements could be law and higher authority. Other conflict limiting elements could be third party intervention. (<http://www.colorado.edu/conflict/peace/treatment/cmap.htm>)

Conflict Mapping

Wehr states how the emergence of conflict produces a lot of confusion and uncertainty leading to the taking of unwise and costly decisions (<http://www.colorado.edu/conflict/peace/treatment/cmap.htm> p.1) because of lack of real understanding of what is going on. Small and big conflicts can be analysed thus coming up with what he calls a conflict map, which can be used in several ways. The conflict map can be used by each party “to clarify conflict from its own perspective.” Both parties can use it to understand their respective points of view. A mediator can also help the conflicting parties by drafting the map and asking them to modify it, redrafting it, and presenting it as a first step towards joint cooperative resolution. Each of the conflict sides could also draw their own map and then ask their opponents to help put together an accurate conflict map.

Mirror Imaging

This is a technique used to showcase how one party’s approach to conflict looks to the other. It requires that both parties “put aside their prejudices and stereotypes and, at least temporarily, look at the world from the perspective of others.” (<http://www.colorado.edu/conflict/peace/treatment/mirror.htm> p.1) In this way they engage in dialogue or a similar process, or read written statements about how they view the dialogue, or discuss how they would feel “if the situation were reversed.” This strategy can help the parties “assess the potential effectiveness of alternative force exchange, and integrative strategies, as well as the risk of the backlash effect”. This is a type of introspection and can be regarded as indispensable in the building of a constructive future.

CONSENSUS RULE PROCESSES

Consensus rule processes mean that no formal decisions can be taken unless all participants agree (<http://www.colorado.edu/conflict/peace/treatment/consenpr.html>) This is the mechanism used for win-win agreements because these negotiations are based on the parties' interests and willingness to compromise, otherwise consensus fails. Consensus rule processes are used for procedural setting.

For consensus to be successful the parties concerned must implement workable strategies e.g. determining the parties to be involved in the negotiation and their concerns. This includes the scoping process. Once this has been done the consensus must be framed in such a way that everyone can pursue their interests and agree on all the decisions that are made. Different objectives must be established for the process.

Disadvantage of Consensus Rule

It must be pointed out that reaching consensus is a slow process as it involves many people and there is a high possibility for failure. Therefore this process may not work if a quick decision is sought. Again those who want to oppose change can just refuse to support and then win, thus causing consensus to fail.

For consensus building to succeed efforts must be made to stop conflict from escalation by the addition of other minor or personal issues instead of focusing on the issue for negotiation. Another effort must be made to base the negotiations on facts and to have clarity on procedural problems.

Consensus building is also said to have a chance of success if the problem-solving model of negotiations is followed e.g. principled negotiation or transformative negotiation. With the help of a mediator the parties can get to know and value one

another instead of selfishly sticking to their individual interests. The resolution of a core dispute is not always possible with consensus building, but it can be used with sub-issues, while still opening the way for the use of alternative strategies.

LOSE-LOSE AGREEMENTS

Thompson (1998:49) describes a lose-lose agreement as “a situation in which two people fail to capitalize on compatible interests.” These people want the same outcome, but they fail to realise that the opponent has exactly the same interests. Therefore they reach less desirable outcomes.

To avoid this situation Thompson (1998) suggests that negotiations should not assume differences of interest, but should try to understand accurately what the other party's interests are. They should also not make premature concessions to their opponents.

Pure Coordination

This is the opposite of pure conflict. Thompson (1998:45) says here “parties interests are perfectly compatible” i.e. what increases one party's interest also increases the other party's interest. This kind of negotiation is also very rare.

Mixed-motive Negotiation

This is the most common negotiation where there is more possibility for settlement for both parties. This is because, according to Thompson (1998:46) “parties' interests are neither completely opposed nor purely compatible” One party's gains are not equal to the other party's sacrifices. This kind of conflict has an integrative potential, which is “the joint profit available to negotiators over and above the joint profit afforded by a fixed-sum solution.”

Thompson (1998) makes an example of two parties negotiating on a joint project. The one party believes in getting cash up front rather than taking a long-term risk; the other party is prepared to take a long-term risk instead of a cash payout. Therefore, they structure their contract like that. So Thompson (1998) believes that the negotiator should strive towards maximising the integrative potential of the negotiation.

Thompson (1998:4) mentions three kinds of conflict that may be a cause for negotiation and persuasion:

(i) Intrapersonal conflict, which takes place within an individual when there are conflicting drives or wills within that one individual. It may be a situation where the individual is attracted to two or more options but may choose only one e.g. when a diligent student has to choose between furthering his studies at university or going to work for a big company. That is called approach-approach conflict. In avoidance-avoidance conflict there are two undesirable options, which the individual must avoid, but he must choose one. Approach-avoidance conflict involves considering one option that has both attractive and unpleasant aspects.

(ii) Interpersonal conflict can be subdivided into dyadic conflict i.e. conflict between two people and multiparty conflict which is between three or more people.

(iii) Intergroup conflict is "between members or different groups representing personally relevant groups, political factions, union and management or divisions within a company." (See Conflict tree Model adapted from Thompson 1998:5 Fig. 1-1):

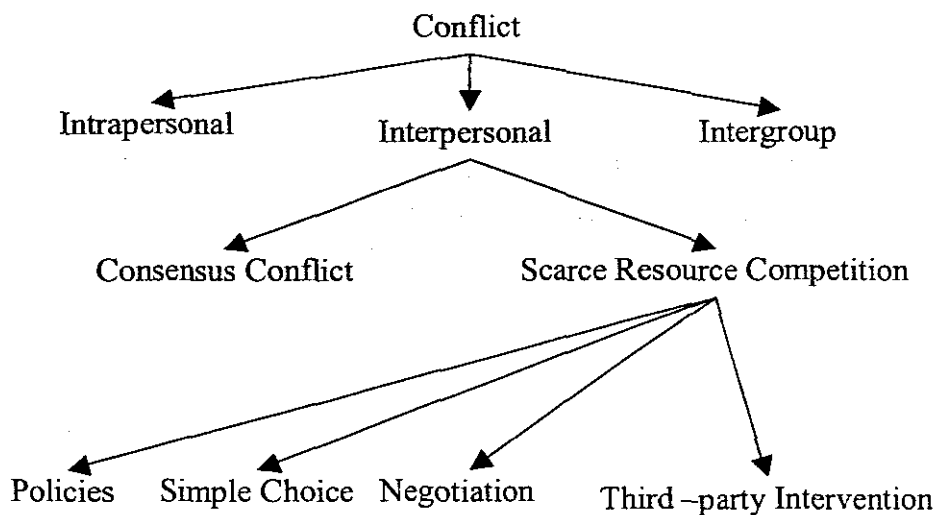


Figure 9: Conflict tree Model adapted from Thompson 1998

The dynamics between the three kinds of conflict are often similar. According to Thompson (1998:6) interpersonal conflict can be subdivided into consensus conflict where an individual's opinions, ideas and beliefs are in conflict with those of another; and scarce resource competition where two people desire the same limited resources.

Conflict may be resolved in the following ways:

Changing an existing policy or rule or allocating the resources equally, equitably or according to need

Choosing a simple strategic behaviour within each contesting party negotiation, and

Dispute resolution and third party intervention strategies like mediation or arbitration.

In the South African situation the conflict was of an intergroup nature between African and White (Caucasian) groups as well as between different political groupings both between blacks e.g. the ANC and the IFP, as well as between the National Party and the right-wing groupings e.g. the AWB, HNP, CP, etc. The ANC had at first opted for the armed struggle, but in the mid-eighties decided to negotiate with the government of the day for a negotiated handing over of power in order to recognise the political rights of all South Africans. Mr Nelson Mandela started negotiations while in his prison cell while certain concerned White South Africans, including White business people talked to the ANC abroad and then pressured the government to talk to the ANC. This has been hailed as one of the three such phenomena in three different continents, the others being Chile in South America and Poland in Europe, which characterised the end of the twentieth century.

The South African and Polish processes towards democratisation were characterised by the following:

- The inherent ideological limits on unilateral state reform
- The erosion of the dominant ideology, coupled with mass mobilisation by the opposition (the government realised that it could not continue governing and the opposition also realised that it was not to its advantage to remain in opposition: both positions were not tenable)
- The existence of powerful religious discourses offering the vision of a peaceful alternative (this did not feature prominently in the South African situation because both sides, especially the government believed that God was on their side)
- The adoption of an internationally sanctioned path to democratisation, and
- The creation of a “contractually limited but democratically selected”

government (Klug 2000:1) This happened through the agreement of a power-sharing structure, which however, collapsed with the withdrawal of the National Party from the government of national unity (GNU) before the agreed five years

CONFLICT RESOLUTION, CONFLICT MANAGEMENT, TRANSFORMATIVE APPROACH

Usually when there is a conflict taking place people either fight or try to resolve or manage the conflict through negotiation. There can be various approaches to solving conflict situations i.e. conflict resolution, conflict management and conflict transformation.

Lederach (1989:1) describes conflict as a short-term phenomenon, which is *bas* and should be ended. The assumption is that conflict can be permanently resolved “through mediation or other intervention processes.”

THE MANAGEMENT APPROACH

Lederach (1989:1) describes conflict management as a long-term process, which cannot be resolved quickly. This implies that “people can be directed or controlled like physical objects” This also creates the impression that the aim is to reduce or control the volatile situation, not to deal with the real problem.

To Glaser (1993:1) the management approach to conflict resolution is very practical in its focus. Issues are discussed for their practical purposes only. It does not concern itself with the meaning of mediation. The focus is on the allocation of resources taking into account people’s interests to the exclusion of other important

issues. Conflicts, which have little to do with resource allocation, are “ignored or delegated to the private sphere”. This narrows the scope of conflicts that it can address.

THE TRANSFORMATIVE APPROACH

Conflict transformation looks at conflict as a dialectic process i.e. conflict is created by human beings and once it starts it changes the very same people and their relationships and the patterns of communication and social organisation.

Lederach (1989:1) also describes conflict transformation as a “prescriptive concept” i.e. if conflict is not attended to it can have disastrous consequences. However, the disaster can be “modified or transformed so that the relationships and social organisation benefits from it. This can be achieved by “transforming perceptions of issues, actions, and other people or groups” instead of highlighting differences. This can also be achieved by ensuring that people with different or irreconcilable interests, values and needs are given an accurate understanding of one another.

Glaser (1993:1-2) sees the transformative approach as having the “potential to promote social justice and transformation” and encouraging individuals to “transcend narrow self-interests” and commit themselves to “common goals and to relationships with each other.” It encourages the government to be “responsive rather than directive” to the needs of the people for identity, recognition and security as well as for power and status. If there is third party mediation, there should be neutrality i.e. the mediator is expected to represent the interests of stakeholders who are not or cannot be at the table. It also addresses the issues of race and gender, which are mostly overlooked. It ensures that the process is inclusive and that there is improvement in the self-understanding of parties and that they can deal with future conflicts.

Conflict transformation also means, according to Lederach (1989:1) expressing conflict in a different way. Instead of expressing it in a competitive, aggressive or violent manner, conflict can be expressed “through nonviolent advocacy, conciliation, or attempted cooperation.” To Lederach (1989) advocacy and mediation are not in opposition to each other, but are different stages of the conflict transformation process. Activism, although nonviolent advocacy, is important in the early stages of the conflict to raise people’s awareness of issues. However, once this stage has been reached, mediation can be used to facilitate dialogue and interdependence instead of confrontation.

Lederach (1989:1) suggests that conflict transformation should take place at “both the personal and systemic level”. Like Glaser (1993:1) Lederach (1989:1) feels that at the personal level there must be “awareness, growth and commitment to change” and the outward recognition of the emotions of fear, anger, and bitterness. When these have been dealt with conflict transformation will be able to take place.

At the systemic level transformation means increasing justice and equality for all “through the elimination of oppression, improved sharing of resources, and to nonviolent resolution of conflict between groups of people.” (Lederach 1989:2) Both these processes are mutually reinforcing i.e. personal transformation reinforces systemic transformation and vice versa. However, the key concepts to both kinds of transformation are “truth, justice and mercy, as well as empowerment and interdependence.”

PEACE, JUSTICE, TRUTH AND MERCY

Peace and justice can be achieved in different ways according to different people. Some people feel justice must first be done before peace can be achieved. This view is pursued by activists and advocates who feel mediators downplay social justice for the sake of peace, while mediators feel advocates intentionally escalate conflict to win support. On the other hand, mediators believe that conflict resolution based on consensus brings peace, which in turn leads to justice being done. However, as previously mentioned, Lederach (1989:1) feels advocacy and activism help to raise the awareness of an issue, and mediation then facilitates the process of negotiation to achieve peace and justice.

Justice and mercy, just like peace and justice, are often seen as being in opposition to each other. To Lederach (1995) justice means the process of restorations to those who were harmed, openly acknowledging the wrongs of the past and rectifying them. This is often taken to mean determining the truth and punishing the guilty. However, punishment seldom achieves reconciliation or restriction.

Mercy is about forgiving the guilty and affording them an opportunity for a new start. It can be applied by giving a lenient sentence. Normally it is believed that one cannot do justice and be merciful at the same time. However, Lederach (1995) believes that the process of reconciliation means identifying and acknowledging what happened (truth), an attempt to correct what went wrong (justice) and forgiving the perpetrators of the conflict (mercy). This results in reconciliation or restitution.

The process of conflict transformation as espoused by Lederach (1995) is similar to Transformative Mediation developed by Bush and Folgers, as it calls for the

empowerment or recognition of opponents thus fostering mutuality and community i.e. mutual recognition. It is also similar in the manner that it places emphasis on the process of dealing with and deciding the issues, rather than pushing for a solution and outcome at all expense.

TRANSFORMATIVE MEDIATION

In Transformative Mediation empowerment means the parties are enabled to define the issues as they see them and to come with solutions. This is in contrast to the problem-solving mediation where the mediator controls the process as well as the content of the negotiation, focusing more on areas where consensus is likely to be reached, and less on those where consensus is less likely to be reached.

According to the Conflict Research Consortium disputants are given skills “to make better decisions for themselves.” (<http://www.colorado.edu/conflict/peace/treatment/mirror.htm>) They are given more clarity about their goals (what they want and why) and whether they are legitimate or not, what resources are available or are needed, what options are available and the costs involved, the preferences about what they want to do depending on the strengths and weaknesses of both sides’ arguments.

Here recognition means the parties understand each other’s point of view about the problem and why a solution is necessary. In this way the parties improve their own skills in conflict resolution.

EMPOWERMENT

As mentioned above, empowerment is about increasing the power of one more of the disputing parties in the negotiation situation. This is done because the negotiation goes better when the parties are at an equal level of power. Therefore the low power group is empowered to the level of the high power group; otherwise it may be co-opted or treated unfairly. This can be done by the mediator providing resources, training, and advice to the low power group. However, this goes against the principle of impartiality. To avoid this, transformative mediation is preferable, which empowers all the parties in the negotiation process.

Empowerment also refers to the bigger group, or even society as in peace building or the re-establishment of civil society. Here the disputing groups may be having their traditional dispute resolution methods, which were disregarded during the conflict. These methods may be re-applied, thus helping the parties to resolve the conflict themselves. ([http:// www.colorado.edu/ conflict/ peace/ treatment/ newleadb.htm](http://www.colorado.edu/conflict/peace/treatment/newleadb.htm).1) For example, the church has played a mediating role in many conflicts, helping the opponents to see one another as human and not as enemies. The church can be asked to play this role although some political and religious leaders do not agree with this role of the church. The extended family can also be asked to play a mediating role in the conflict.

Sometimes new methods may have to be worked out because of the change in the scenario. An example quoted is the former Soviet Union where with the fall of communism new methods of dispute resolution had to be worked out. This needs to be done very carefully to satisfy the needs of the society.

CONSTRUCTIVE CONFRONTATION

Constructive confrontation is strategy developed by Guy Burgess and Heidi Burgess <http://www.colorado.edu/conflict/transform/burgess.htm> . It is used in dealing with intractable conflicts and it assumes that although conflict cannot be avoided in all societies, its destructive nature can be transformed into a constructive one through using constructive confrontation. This means although the conflict may not be resolved, the relationship between the parties can be strengthened by using constructive strategies at the beginning of the conflict, not only when the conflict becomes untenable.

Constructive confrontation has four elements. As previously mentioned not all conflicts can be resolved. However, the disputants can be provided with the skills to confront the conflict for the benefit of all by understanding their own interests, values, and needs as well as those of the other side.

Secondly, constructive confrontation means identifying the core conflict, which is the conflicting interests, values, and needs; and the “conflict overlays” or “complicating facts” (<http://www.colorado.edu/conflict/peace/treatment/constcon.htm>), which obscure the core problem and make the solution difficult. These include “framing problems, misunderstandings, procedural problems, technical / factual problems, and escalation.” These must be limited in order to concentrate on the key issues.

The third element is called the “incremental approach” (http://www.colorado.edu/conflict/peace/incremental_approach.htm), which accepts that most conflicts cannot be resolved by a win-win approach because of their complexity. Rather the parties involved can achieve success by gradually understanding

their respective interests, needs, and values. They will do this by correcting misunderstandings and reframing conflicts, making use of correct information in order to limit escalation. In this way the destructive nature of the conflict turns into a constructive one.

The last element is the combination of the use of force or threats, with negotiation and integrative approaches. Negotiation and integrative strategies used on their own do go some way towards achieving the goals. When used with some force or threat, they achieve more than force threats used alone. This is because threats used alone tend to elicit escalation or backlash while negotiation or integrative strategies cannot have an effect on non-negotiable items. Therefore, the use of the three strategies combined leads to progress.

ALTERNATIVE DISPUTE RESOLUTION (ADR)

Alternative dispute resolution is one method that can be used in intractable conflict i.e. conflict that is not capable of resolution because of value differences which may be ethical, political, or sociological. One benefit of alternative dispute resolution (ADR) is its privacy as opposed to the public nature of intractable conflicts. Here adversaries need to publicise their requirements, interests, and positions. ADR also makes it possible to take a final decision on a matter as in arbitration. This is when a third party makes a decision, which settles the matter. The arbitrator goes home and the parties remain. Or the parties go home after the matter has been settled. If the former is the case then there is a problem.

ADR can get people talking and exchange information on their needs, wants and priorities. During times of war people dehumanise the enemy and thus justify the use of

force in resolving the conflict. Talking can help to humanize the enemy. ADR can also allow the opponents to discuss the limits and consequences of their actions. (http://www.colorado.edu/conflict/full_text_search/Conflictpapers/98-19.htm.2) An example is made of how a party can negotiate, for example, to interrupt a parade to gain public interest and sympathy and also who gets arrested and how. ADR is also said to give people the feeling of being in control over the situation that is regarded as unmanageable. In this way they take responsibility for their actions and the consequences thereof.

CONFLICT MANAGEMENT WITH SPECIAL REFERENCE TO THE SOUTH AFRICAN SITUATION

When a country is in transition there are usually high levels of militancy and to manage that short-term pacts are signed for militant, political and socio-economic reasons in order to give mutual guarantees for the process of transition. All major stakeholders are in that way involved. In South Africa such pacts helped to open the way for negotiation through the establishment of forums and institutions to regulate conflict, which was threatened by violence and breakdowns in negotiations.

To Kofi Annan many conflicts are caused by “concepts of identity, nation and nationalism” and others by “the competition for resources, recognition and power.” (Harris and Reilly (http://www.idea.int/publications/democracy_and_deep_rooted_conflict/home.htm))

Whenever these conflicts appear they are a result of needs that have not been met, and when that is being done the interests of minorities and majorities must be accommodated through democratic principles.

Sometimes people believe they are in conflict when they are not and they end up settling for less than what they wanted. Thompson calls these lose-lose outcomes. When real conflict exists between people and they perceive it as such, it is called veridical conflict. However, if it exists but people do not perceive it, it is latent conflict.

FORMULATING CONFLICT TRANSFORMATION OBJECTIVES

When planning a communication strategy objectives must be formulated which clearly state what we want to achieve. This must be done in a way that will make it easy to measure and evaluate the success of the communication. Mersham and Skinner (1999:50) define an objective as “the desired end-result of a communication that is measurable in terms of the achievement of a condition or an action which will satisfy the need or needs of the communicator.”

They define condition as including “environmental, economic, physical, physiological and mental states of affairs.” and actions as “all kinds of behaviour initiated, stimulated or influenced by a communication.”

Objectives are formulated using verbs, which state clearly what kind of behaviour the communicator wishes to concentrate on. The communicator may wish to persuade someone to change his attitude or opinion i.e. the mental state or to motivate him or her to carry out a certain action. He may want to change a negative attitude to a positive attitude but the people in question may resist change. He may want to replace something, which means first destroying what one wishes to change and offering something else in its place.

Sometimes the communicator may wish to retain, keep or conserve things as they are because he is satisfied with the state of affairs e.g. a political party wishing to

retain the majority it gained in a previous election. If the situation is already favourable for the communicator, he may want to “accelerate, intensify, strengthen, enlarge (or) improve it” (Mersham and Skinner 1999:51) to make even more favourable, especially if the conditions for the opposition are not as favourable.

If the situation is too favourable the communicator may want to retard, slow down, cool or weaken like when people are demanding a faster delivery of services than he can manage. Or a competitor may be too popular, which will make it unfavourable for the communicator.

RUMOURS

Sometimes a situation may be so undesirable that it needs to be stopped or destroyed, like when there are negative rumours or reports about an organization or individual during times of conflict. These rumours can be spread through the radio, television, newspapers and the Internet. This can be done in three ways i.e. by determining which rumours are being spread, whether they are true or false and correcting and replacing them with true information. This is not easy to correct and there must be a carefully planned counter-attack by providing factual information or using the endorsement of creditable people. A communicator can even mislead someone or tempt him or her to act in a way that is discreditable to enhance the possibility of his or her own success. However, if the communicator’s intentions become public knowledge this may cause the communicator irreparable harm.

Rumour Identification

This can be done by engaging people who are very active in the conflict and are therefore able to hear the latest rumours. They need to be trained about the negative

effects of misinformation. They must be people that are trusted by the community and have an interest in developing more constructive approaches.

Mechanism for Determining the Truthfulness of the Rumours

The rumour reporters can investigate the truthfulness of the rumours. Their activities may be hampered by the secrecy or deception of the other parties, but they will succeed in correcting false rumours. These reporters can form committees that meet regularly to discuss these rumours. These should be people with access to the information needed to conduct effective investigations.

“Widely trusted neutral intermediaries” <http://www.colorado.edu/conflict/peace/treatment/rumorc1.htm> p.1) can also contact the conflicting parties in the case of an untrue rumour circulating. It must also be known which of their investigations were not verified.

Rumour Correction

The investigators must promptly report their findings to the interested parties. They should report “what is known, what is not known and what is still being investigated.” <http://www.colorado.edu/conflict/peace/treatment/rumorc1.htm> p.2) Differing interpretations of the facts should also be reported.

If the rumour turns out to be false, then a plan must be put in place to correct it. This can only succeed if the intermediaries are credible and are able to communicate “widely and effectively.” (p.2) An example of rumour control mechanisms are the “crisis control centers” developed during the Cold War to prevent incomplete information from causing an escalation of confrontation between the United States and the Soviet Union.

CRISIS MANAGEMENT DURING CONFLICT TRANSFORMATION

During negotiation a crisis may arise which may lead to a negotiation being interrupted while negotiators get access to reliable information. For this purpose crisis information centres, as previously mentioned, may be established which can help to clear up misunderstandings and reduce the conflict. Contingency plans also need to be put in place to fall back to when plan one is failing. The authors recommend that negotiators must, however, be ready to modify their plans as the situation changes, instead of relying on the contingency plans. Plans can also be made to slow down the pace of confrontation while other options are being considered.

(http://www.colorado.edu/conflict/peace/treatment/crisis_m.htm)

Sometimes people have to be persuaded to acquire, or win certain objects e.g. awards, information, etc. or to give or contribute their possessions or talents or share them with others.

According to Fuller (1992:23) establishing negotiation objectives is the most important step in pre-negotiation. Without it you will not know how to counter your opponent's tactics. It is also important to consider the long-term effects of the agreement rather than just concentrating on achieving one's objectives for the present and regretting it in the long run. Thirdly, the choice of a negotiation team that is efficient and will not make blunders is also important, as well as knowing how to handle a negotiating party of more than one person.

Unless one is dealing with a routine business deal, Fuller (1992:24) suggests that objectives be tabulated, especially if it is a complex negotiation situation. This helps to set out clearly what is wanted and why, and what concessions can be made. In

this way the adversary can never exploit the situation. Negotiation can rarely fail; in fact it is facilitated. The impression is created from the start that you know what you are negotiating about.

The following ten points are suggested by Fuller (1992:24) in the planning of negotiation objectives:

- (i) Establishing what you will pay for what you are negotiating about.
- (ii) Identifying the minimum limit or the lowest offer you will accept as well as the best deal you will accept.
- (iii) Looking at the concessions you will make during the negotiation and prioritising them.
- (iv) Looking at what can be traded off as concessions if the other party makes concessions (although those trade-offs are not true concessions)
- (v) Time constraints for reaching agreement must be indicated.
- (vi) Potential outside influences that may affect the negotiation must be pinpointed.
- (vii) If there are phoney issues that may be raised by your opponent, prepare to solve them.
- (viii) Have creative proposals to ward off a stalemate in the negotiations, like something to enhance your offer.
- (ix) Find out who the participants will be, including advisers who will be consulted during negotiation,
- (x) Keep in mind your alternatives in case the negotiations fail.

It is advisable to be prepared for negotiation although not all negotiations require planning. Planning prevents the situation of being taken by surprise.

Analysing the destination or recipient of a communication

Reticence / Communication And Apprehension / Anxiety

Giles and Street Jr. mention research by Phillips (1968) stating that reticent speakers hesitated more in their speech and McKinney's (1982) research that reticent speakers did not participate effectively and were not likely to be leaders. Other research mentioned by Giles and Street Jr. in Knapp and Miller (1985:208), is that by McCroskey (1977) and Burgoon and Hale (1983) where high apprehensives were found to "talk and disclose less than low apprehensives" and also "displayed greater productivity, less intense language, more varied vocabulary, more complex language, and less comprehensible vocalizations." Concerning verbal behaviour Jordan and Powers" (1978) research indicated that high communication apprehensives used "shorter words, more adjectives and adverbs, and more phrase repetitions than low apprehensives" (Knapp and Miller 1985:208) in personal, informal settings whereas in social, formal settings the two groups performed similarly.

Anxiety has also been found to influence speech tempo as Siegman's (1978) research found that mild to moderate levels of anxiety result in people talking faster with fewer pauses while people who are either very low or very high in anxiety talk slower with longer pauses. Other research also found that simple and familiar tasks i.e. those that do not require too much cognitive action, are easier to perform through anxiety arousal than complex and unfamiliar tasks. Situational anxiety also led to an increase in speech disturbances like "false starts and incomplete phrases." (Knapp and Miller 1985:209) When one anticipates that the audience may disagree with what one says, one may feel "cognitive stress" or anxiety also causes people to keep a distance

from their opponents and to decrease gaze, although some researchers do not concur with these findings.

Criteria To Consider When Selecting A Negotiating Team

The following criteria should be considered when selecting a negotiating team:

- The skills needed
- The personality traits of team members
- Organisational considerations
- The overall negotiation strategy
- Team size

It is important to ensure that the team is selected in such a way that these skills are spread among the members because there may be a necessity for some team members to leave the negotiation process. If that happens the process will continue, unlike if there is only one or a few people who have these skills.

The Skills Needed

Whenever people come together to negotiate it is for a certain purpose; therefore the people to be engaged must be people with those specific skills e.g. legal people, subject matter experts, etc. Specialists must be available for consultation during meetings.

Organisational Considerations

Fuller (1991:31) suggests that when selecting a negotiating team, especially in large organizations, care should be taken to consult those divisions with a direct interest and which may be affected by the outcomes of the negotiations. Other groups may also have to be included in the negotiations although they do not have a real interest, but in order to make them feel they have not been excluded from the negotiations. This might

augment your team and to avoid this, the majority of the people may be involved during the planning phase and can only be added to the team if it is unavoidable.

The Overall Negotiation Strategy

The overall negotiation strategy is determined by what you are negotiating about and with whom you are negotiating. Fuller (1991:31) says some people are easier to negotiate with on a one-to-one or small group basis or when the nature of the negotiation requires secrecy. This means the negotiating team can be smaller here. Sometimes it is better to put together a large team to demonstrate power to your adversaries. This, however, may lead the other group to increase its numbers, and big numbers are not always conducive to successful negotiation. Fuller, however, advises that one should follow one's feelings as to the size of the negotiation team if one is comfortable with it.

Team size

Fuller (1991:32) says it is common that negotiating parties agree before the negotiation on the number of participants that will take part in the process. This makes it possible for the members also to know who will be participating. This in turn helps each party to select their own team members. The venue and facilities where the negotiation will take place also determines the size of the team. The distance to the negotiating site also determines how many people can be cost effectively sent to the negotiations.

Qualities To Look For In A Negotiation Team Leader

Fuller (1991:32-33) suggests the qualities that are needed in someone who will lead a negotiation. Besides possessing leadership qualities, the leader must also have the following qualities:

An ability to make sound decisions under extreme pressure

- The tact to mould divergent viewpoints into a consensus
- An even-handed temperament
- The flexibility to adjust to changing conditions
- A talent for projecting trust and confidence
- A knack for sorting fact from fiction

The negotiation leader should also enjoy the confidence of his superiors, so that they will not at some stage circumvent him and deal directly with the opponents. This leads to “haphazard agreements”. Again, the other party may realize this and also bypass the team leader, which leads to a weakening of the negotiator’s position.

The negotiation team leader should also have the will to see the negotiation succeed, unless the aim of the negotiation is to see interaction not succeeding, as is the case in some diplomatic negotiations. The person should also have the personality that will make it easy to interact with the other party and not someone, as mentioned previously, who has a score to settle with some people. It may, however, be difficult to find someone who has all the qualities mentioned here.

Lasswell (1995:18) writes of propaganda or persuasion as a task to “intensify attitudes favourable to the propagandist’s purpose, to reverse obstructive attitudes, to win the indifferent or at least to prevent them from becoming antagonistic.” The communicator must work at achieving the desired result on his audience. Thus his goals must be clear, whether they are definite (e.g. securing a majority of votes) or not clearly defined (e.g. creating a favourable climate for a certain ideology). He must also be aware of “existing facilitating and retarding factors.” If he cannot change them he must adapt to them e.g. the communication systems in a war situation. He must also identify

the factors that modify the general level of reactivity in the people he wants to persuade. Lasswell mentions here “public anxiety, nervousness, irritability, unrest, discontent or strain.” He says if the reactivity level is high, then little instigation can lead to a flare up. Persuasion also involves influencing the emotions of people, and in this case the culture of the people concerned must be taken into account when choosing the appropriate representation or symbols. The “patterns of morality” as well as the correct vocabulary must be used. Jackall (1995:19) says, for example, in a society where wife beating is taken as a sign of virility, a cartoon of an officer beating his wife will not make the population angry.

Lasswell (1995:57) recommends that a successful communicator should have an introspective personality, expose his mind to and maintain contact with how the community reacts to different situations. He must be an interpretive expert who “performs the procedures of negotiating, communicating, translating, and making comprehensible the mysteries of substantive knowledge to the distant and lay public.”

Skilled negotiators would also be able to create future scenarios that would lead their negotiation counterparts to foresee both parties in conflict in new, non-confrontational and non-competitive roles. The process that I have outlined above is propagandastic in nature because it guides negotiation counterparts to focus on positive future possibilities to the exclusion of negative ones, enabling them to take an optimistic view of future events.

Horses For Courses: The Best Negotiator For A Particular Agreement

Sometimes the best tactics do not lead to success in negotiations. It may be that success can only be achieved by building rapport with the other party. Therefore selection must be made of a person who can achieve that rapport. To Fuller (1991:34) it

is not always money that makes people succumb to persuasion; it is winning their confidence especially if they do not really need the item or if they do not wish make concessions. *Appealing to their emotions will certainly win their confidence.*

A negotiator may also be best suited for particular circumstances because he has successfully interacted with that adversary previously. However, this situation may lead the negotiator to be as assertive as before. Therefore, in repetitive negotiations it is recommended that negotiators should be alternated. However, Fuller (1991) feels that, as in the case of the overall negotiation strategy, one should follow one's feelings in selecting a negotiator because he will take decisions on your behalf; therefore you must be comfortable with him as well.

When political parties were unbanned in February 1990 it opened the way for the start of negotiations. Exiled figures from the ANC had to return to the country to form a joint working committee to work on indemnity. However, the ANC was suspicious that it was being lured to enter the country and then be arrested, while the government thought this would provide an opportunity for the ANC to infiltrate its cadres and start an onslaught on the government.

During the time of the negotiation for a new democratic South Africa former National Party Leader F.W. de Klerk felt he had a contribution to make because of his experience and expertise. He felt that the Convention for a Democratic South Africa (CODESA) could help form a common vision and identify the causes of the lack of confidence through a process of negotiation, which included all major role players. However, he himself realised that he would not be regarded "as the ideal facilitator for such a meeting, because, they said he carried baggage from his past." (Dispatch Online

Tuesday, September 30, 1997) However, he conceded that a team effort was needed for such an exercise.

The ANC did not trust Mr. de Klerk because he insisted on preserving minority rights, which was interpreted as meaning the perpetuation of White rule. Another reason for his mistrust was that the Harmse commission had “found evidence—but not ‘proof’—that clandestine death squads had operated within the security services.

THE NEGOTIATION PROCESS

There are different kinds of negotiation over a wide spectrum of situations. Thompson (1998:11) mentions negotiations among managers in organisations, among colleagues and among friends, spouses, etc. However, the basic principle among them is the same.

Negotiation is a science; therefore a negotiator needs to use certain principles and informed analysis during this process.

Barry and Oliver (1996:127) define negotiation as: “the process by which parties with non-identical preferences allocate reserves through interpersonal activity and joint decision making.”

Barry and Oliver (1996:130) also describe negotiation as a process of social interaction and exchange or as “an ordered series of cognitive and behavioural stages in which progress from an initial decision to enter a negotiation through the processes of formulating expectations, implementing strategies, evaluating outcomes, and ultimately implementing a settlement, should one be reached.” This involves a process of persuasion, which, like propaganda, “is the product of intellectual work that is itself highly organised; it aims at persuading large masses of people about the virtues of some

organisation, cause, or person. Jackall (1995:2) feel its success or failure depends on how well it captures, expresses, and then rechannels specific existing sentiments." Barry and Friedman (1998:348-349) also view negotiation as "more than simply a context for social interaction: the negotiation encounter creates the conditions for effortful analysis and complex problem solving." They also describe negotiation as "an information-processing task that combines information acquisition and analysis with decision making."

Thomson (1998:2) sees negotiation as "a decision-making process by which two or more people agree how to allocate scarce resources." He sees this definition as having three main elements of negotiation: judgment, because negotiators must use logic and reasoning to make key judgments; interdependence, because negotiators need to know how to interact, persuade and communicate with others because what one person does affects others; and cooperation, because negotiation is not about having only one winner and the other person losing.

Proper planning or design of a negotiation is critical for the settlement to be durable. A negotiation has a process and an outcome. The process is the actual negotiation and dialogue. It has to do with how the dialogue should be structured and if the parties in dialogue do not reach settlement, should there be third-party intervention? Who should actually be part of the talks? In other words, should all parties that have an interest be involved to make the outcome legitimate? How much time will be needed for the negotiation? Should the process be private or public? What issues need to be addressed during the negotiation?

The outcome is about the political structures and democratic institutions that will result from the negotiation. The past successes and failures of these structures will

be scrutinised as well as the role of outside agents in implementing these structures. It is important to note that both process and outcome are intertwined. A bad process can never guarantee a good outcome. Likewise if the outcome is poorly designed a good process will never work.

Thomson (1998:3) also clarifies that good negotiators are not born but are developed through practice and study. Experience also improves negotiation partially, but it needs feedback. And because we tend to select to remember our successes and not our failures, this does not improve our skills. Only our confidence is improved and this may lead us into taking unwise risks, whereas a good negotiator needs to know “how to evaluate a decision situation and make an optimal choice given the information that is available to them.”

Good negotiators also do not rely on intuition but they are self-aware and proactive through thorough preparation.

Preparation For Negotiation Or Pre-Negotiation Planning

Harris and Reilly regard pre-negotiation as “talks about talks”. It is about setting up the framework or the process for the negotiation i.e. the procedures, structures, roles and agendas of the negotiation itself. Pre-negotiation can be a result of “a voluntary desire among conflicting parties, or it can be imposed from outside by a powerful third party who enters the conflict and sets the terms for the agreement.” (http://www.idea.int/publications/democracy_and_deep_rooted_conflict/home.htm) A small delegation or individual representatives in a face-to-face situation can take care of this stage or a third party can help to facilitate it. The importance of pre-negotiation planning is that if the process has been well planned it can lead to a good outcome and help to build a good working relationship, especially if it is held away from publicity.

According to Fuller (1991:34) pre-negotiation meetings are necessary to discuss the issues to be negotiated, the roles to be played and the strategy to be followed. Other matters that can be discussed are that a spokesperson should be appointed, who is usually the team leader, who will be the only person to make or respond to offers. Each team member should be assigned responsibilities. Before negotiations take place there should be a process where all the information relevant to the negotiation is reviewed e.g. financial, administrative and technical information. This may take weeks or months. Comments that may unnecessarily raise hopes must not be made. It must be agreed what rules and procedures must be followed during the negotiation process or when negotiations have to be interrupted if a caucus is needed and what strategies will be resorted to if negotiations fail. Somebody must be assigned to take notes of the proceedings.

It must be clear who will attend all the negotiation meetings, who will attend only when certain topics are discussed, and who will be on-call if necessary. The negotiation strategy must be planned i.e. the objectives and tactics to be used to achieve it. The goals and strategy of the adversary must also be assessed.

Participants must not discuss the issues being negotiated with the adversary in private in order not to advantage them; unless one is purposely leaking information to obtain some advantage. Even if people belong to your side, if they have no reason to know there should be no discussion with them.

Negotiation limits must be clear i.e. how much you are willing to give up to get what you want, otherwise you may refuse an offer to your own disadvantage, or accept an offer hastily leading to an unwise agreement. According to Harris and Reilly ([http://www.idea.int/publications/ democracy and deep rooted conflict/home.htm](http://www.idea.int/publications/democracy_and_deep_rooted_conflict/home.htm)) if

pre-negotiation is handled well it can replace negotiation; conversely, negotiation may have to be temporarily stalled in favour of good pre-negotiation.

Other facts that need to be considered during preparation are:

- How best to write a proposal,
- How to handle non-negotiable items,
- When it is best not to negotiate at all,
- Dealing with preconditions for negotiation and barriers to dialogue,
- Creating a level playing-field for the parties,
- Resourcing the negotiations
- The form of negotiations,
- Venue and location,
- Communication and information exchange
- Discussing and agreeing on some broad principles with regard to outcomes

Harris and Reilly (http://www.idea.int/publications/democracy_and_deep_rooted_conflict/home.htm) give an example of how pre-negotiation in South Africa helped to clarify how the different parties perceived the existing deadlock and “to develop a common mental map” through the issuing of the Grootte Schuur Minute, the Pretoria Minute and the Record of Understanding.

Goals And Interests

Wehr (http://www.colorado.edu/conflict/peace/treatment_goalclar.htm p.2) differentiates between goals and interests. He calls goals “the more or less

acknowledged objectives of the conflict”.¹ They are the positions or “specific demands made by one party to another” e.g. if you want us to take part in the negotiations, you must do this. Wehr calls interests “what really motivates the parties, what they really want to achieve. They are shaped by our needs for security, recognition, respect, justice, and so on.” <http://www.colorado.edu/conflict/peace/treatment/goalclar.htm> He suggests that conflicting parties should be helped to distinguish their goals or positions from their true interests or needs and bring them as close as possible to one another.

Goal Clarification

Wehr states that when parties are in conflict they normally have two types of goals: “first, a preferred future- conditions, relationships, needs met – and then, what they would like their opponents to do to bring that future about.” (<http://www.colorado.edu/conflict/peace/treatment/goalclar.htm>, p.1) He maintains the importance of sketching out that well right at the outset of the conflict. During the course of the conflict that future may change, as well as the two parties’ goals.

Ambiguous Goals

As mentioned above it is important for conflicting parties to clarify their goals. Absence of clear goals leads to escalation of conflict because of the confusion it causes. This makes the resolution of the conflict more difficult.

Goal ambiguity is caused by the fact that goals change as the conflict progresses. They can either “get clearer and more narrowly defined” (<http://www.colorado.edu/conflict/peace/problem/ambgoals.htm>, p.1) or broader. When goals are aimed at damaging the opponent then the conflict escalates.

¹ Although the Conflict Research Consortium documents have been downloaded off the Internet, they actually are paginated in contrast with most web pages that are not.

Third parties or intermediaries also need to understand why they are getting involved in the conflict, and what is expected of them to do, and whether it will be possible to do it. If they realise that their goal to help will not be realised, then they should withdraw from the conflict before more harm is caused.

Values

Wehr calls values “those standards of goodness, righteousness and preference that one believes in.” <http://www.colorado.edu/conflict/peace/treatment/goalclar.htm> p.1). Our values are related to our needs and interests and are shaped by our beliefs. The values and interests determine the preferred futures and goals of conflicting parties. Each party must clarify its interests with the help of the other party so that both parties know what they are expected to do in order to bring about the preferred future. According to Wehr values are more difficult to clarify than interests because they are less visible but they are at the core of most conflict. It is easier to know what a party wants than why they want what they want. Values are at the base of our interests and they are important to clarify the preferred future conditions we need.

The Nuances Of Negotiation Meetings

Fuller (1992:122) feels that a negotiation meeting needs to be run in a proper manner so that one can achieve one’s goals or objectives. In a negotiation meeting there is no room for error because the consequences thereof can be very serious. Other factors that can lead to success are where and when you hold your negotiation i.e. whether it is at home or away from home; how well you have planned and executed your agenda, as well as who has been invited to the meeting. A suitable venue is especially effective when negotiations are going to be about “complex matters” or

when you have previously negotiated with that party. These factors are now going to be discussed.

The Venue

It is advisable to choose a location that is conducive to discussion and concentration e.g. a place that is comfortable and not noisy. Depending on the situation it may be beneficial to hold a meeting in your home area, which may be your office or conference room. This may have both psychological and practical advantages. However, the disadvantage may be that you cannot practically see what you are negotiating about (which may be property located at your opponent's home), so it may be better to go to your opponent's place. Sometimes a neutral venue may be the best choice. However, in ongoing negotiations all the above details may not be necessary because the process may be conducted by telephone, mail or fax. Therefore, Fuller (1992:122) recommends that the matter of the selection of the site should be seriously considered during the planning for the negotiation.

The negotiations between the South African Government and the African National Congress, which were regarded as the negotiated revolution, started after political organisations had been unbanned. This opened the way for preparatory meetings where the ANC insisted that the government fulfil the requirements of the *Harare Declaration*, which was internationally recognised, which demanded that the apartheid regime release all political prisoners, unban all political organisations, remove military personnel from African townships, cease political executions, end the state of emergency, and repeal all legislation designed to circumscribe political activity. These meetings were called "talks about talks", according to Klug (2000:4). During the start to the negotiations on the political freedom of South Africa CODESA's first discussions were held in Cape Town in May 1990 at Groote Schuur between

representatives of the government and the ANC to start planning for constitutional negotiations. This happened during unrest and tension caused by clandestine forces and hostel-dwellers. However, there was a risk involved because the government needed to grant immunity to the exiled or banned representatives before they could take part in the discussions. By December 1990 the ANC was able to hold its first legal consultative conference.

The Advantages of a Home Site

Holding a meeting in your home ground can, as previously said, hold advantages for you. You determine what the meeting room, seating arrangements and venue for meals will be. And at the end of a long day of bargaining, you do not have to travel long stressful distances back home.

Being in home ground also makes it easy for you to access any backup support personnel or information. It is also an opportunity to demonstrate to your opponent your strengths or efficiency practically. But you must ensure that everything works well before showing your opponent around. However, before all this can happen, you must convince your adversary about the advantages of holding the negotiations in your home turf. This can be done by offering to provide accommodation and transport for them, or employing any other means. If your negotiating partner insists on holding the negotiation at his preferred venue, then one can use many excuses like personal or family problems. However, be careful not to make the opponent suspicious, otherwise the negotiations may start on a shaky foundation.

Negotiating on the Enemy's Ground

Although negotiating on familiar ground is an advantage, negotiating on your opponent's turf can also be advantageous. Fuller (1992:124) cites an example of the

possibility to see a demonstration of equipment that you might be interested to buy, or a tour of facilities where a certain product is produced. If possible such a tour should be arranged well in advance.

Negotiating at your enemy's home turf also makes it possible to get the information you need, without being told that it is not available. If you have to suspend the negotiations, it is more dramatic to leave than when you are at your place. The tactic of leaving can be emphasised by pretending to have return travel arrangements already made, so that negotiations have to be concluded. However, one has to be careful that the opponent does not use this situation to force one to make last minute concessions in order to avoid extending one's stay.

Fuller (1992:125) also advises that travel arrangements should be such that one arrives fresh at the negotiation table. One should also bring along one's personal necessities to avoid the frustration of looking for places where one can buy them. One should have one's own transport available. Relying on the opponent's transport may compromise your negotiating position.

Negotiating on Neutral Ground

Sometimes negotiations are better held at a neutral venue e.g. labour and international negotiations. Business negotiations can also be held on neutral ground depending on the specifics of the negotiation. Fuller (1992:125) gives the following reasons for holding negotiations at a neutral venue:

- One or both parties may refuse to hold negotiations at the other party's venue
- Circumstances, like the convenience for both parties, to negotiate away from their respective locations.

- If the surroundings at the neutral venue are pleasant that will make the atmosphere “more conducive to reaching agreement”. This implies mixing business and pleasure.
- Sometimes a third party that has a vested interest in the deal may want that negotiations be held at his location.

However, if the venue is neutral Fuller (1992:125) suggests that you familiarise yourself with it and feel comfortable so that you concentrate during negotiation.

Changing the Negotiation Venues

Sometimes negotiations start and do not progress satisfactorily because of a stalemate. One way to break the stalemate would be to, according to Fuller (1992:125), change the venue. Although this does not guarantee that the crisis will be resolved, it will create a situation in which the participants will take a fresh look at the issues in question. It can also avert a break-off in negotiations.

The venue may also be changed if the facts, documents and personnel needed for the negotiation process are at the other venue, or if one of the parties needs to view the facilities. On the other hand, it may be necessary to switch to your venue if you are both resident locally. . However, it may not be easy to convince your opponent about that, so you may initially settle with his location until you can justify why the negotiation should move to your home turf. But it should be made clear that it is to his benefit.

Using The Condition Of The Venue

The condition of the venue can be used to contribute to the success or failure of the negotiation. If the seating is comfortable and the lighting is good, then the participants can concentrate and the contribution can be positive. If the conditions of

the venue are not conducive then the bargaining may not go the way one expects. In fact, it may make the other participants doubt the kind of deal they will strike, and make them purposely difficult.

Seating arrangements are also important. For example, Fuller (1992:127) suggests sitting in a “commanding location (like) at the head of the table, or at a central position” near your advisors, so that you can pass messages around, or whispers without causing a disturbance. Your team’s seating arrangements will need to be reshuffled as the topics change so that the person most relevant to the discussion is nearest to you.

To make sure that you are sitting according to plan, Fuller suggests using name cards on the table, otherwise your opponents will take the most strategic seats. Your team members should also be the first to sit in the negotiation room to ensure the preferred seating. This may, however, not be possible if you are at your adversary’s location. But if the opportunity presents itself, Fuller (1992:128) suggests going for the commanding position. If that is no more available, you should use “the opposite end of the table to give yourself equal status.”

Fuller warns against making the negotiation venue purposely unconducive in order to prevent the negotiations from dragging because this may be more risky than rewarding.

The Size Of Your Team And Other Negotiation Needs

When negotiating away from your location, it is important to consider the size of your team and what you need them for. Care should be taken not leave valuable people behind because of financial implications. On the other hand, a big team is unmanageable, and if your opponents also have a big team, then reaching agreement

will take longer. Therefore Fuller (1992:129) suggests that there should be an agreement beforehand on the number of people to participate in the negotiation. However, you should try to match the expertise of your opponents, whether technical or otherwise, so that you do not find yourself unable even to notice claims that cannot be verified.

When negotiating away from home, you should also bear in mind that the negotiation process may take unexpected turns and you find you have to consult someone away at home. It is important to ensure that the resource person can be contacted when needed, otherwise you may be compelled to continue the process without that valuable input, or being compelled to consult someone else.

Fuller (1992) also recommends that all the negotiation papers should be brought along as well as equipment like laptops or faxes (unless the negotiation takes place in an environment with all these facilities). When you have all that you need, you won't be taken by surprise by anything that crops up.

Usually the size of the team is agreed upon before the negotiation starts and this helps to know who will be present in the negotiation team. However, the size of the venue and the distance to be travelled for the negotiation will also have an influence on the size of the team. During negotiations the size of the team may change because of new factors coming in which need expert advice. That is why experts should be involved during the planning stage and be on-call when needed.

For the CODESA negotiations it was decided, after lengthy discussions, which were sometimes negative, that nineteen governmental and political organisations for the transitional government and a representative parliament should participate. Five working groups of thirty-eight delegates and thirty advisers were formed for this

purpose. Each working group was made up of representatives of the twenty-seven political parties taking part in the CODESA discussions. These working groups met over months between CODESA 1 and the breakdown in the talks of CODESA 2. During these talks the foundations of the transition were laid.

Setting an Agenda for the Meeting

Fuller (1992:129) recommends that before any negotiations can be started it is important to draw up a “detailed agenda of topics to be covered” in consultation with your team members and the other negotiators. This means thinking of possible questions the other side might ask and possible responses to those questions, even if the two sides are familiar with one another. This will prevent giving contradictory answers. It also helps to have ready answers to project credibility. The length of the agenda is determined by how complex the negotiations are, as well as the negotiation experience of your team members.

Fuller (1992:130) suggests the negotiation agenda should include the following items:

- Date, time and allocation of the negotiation meeting
- The names and job responsibilities of the other side’s attendees. (The other negotiator should be consulted beforehand for this)
- The names and negotiation responsibility of each of your team members. Be specific about who is responsible for what.
- Your negotiation objective
- Questions the other side may raise and how they will be handled
- Questions you want answered about the other side’s proposal
- Concessions that can be made if necessary to reach agreement

The agenda for the CODESA negotiations was:

- Creating a climate for free political activity
- Determining basic constitutional principles
- Establishing transitional procedures for the nominally independent homelands of Bophuthatswana, Ciskei, Transkei, and Venda
- Setting and overseeing timetables for the transition
- Dealing with new problems that would arise during the transition itself

The participants were divided into five working groups.

Working Group 1

The main task of Working Group 1 was the creation of a climate conducive to free political activity. It focussed on:

- Resolving the status of political prisoners and exiles. This was identified as a priority area for reconciliation and was a matter to be resolved by the ANC and the government.
- Reforming Emergency and Security legislation. It was agreed that special measures need to be in place in the case of peace and order being threatened during the transition period. However this had to be controlled. The Security Forces were to be placed under one of the sub-councils of the Transitional Executive Authority.
- Regulating broadcast media and the state-controlled South African Broadcasting Corporation in particular
- Implementing the National Peace Accord
- The funding of political parties
- The control over security forces over the period of transition

Working Group 2

Working Group 2 was working on constitutional transformation i.e. how to establish a set of constitutional principles that would be binding on a future elected constitution-making body, and the method of drafting and adopting a new constitution. There was a difference of opinion here, with the government and its allies wanting “a broad definition of ‘constitutional principles’, as Klug (2000:6) puts it, so that most negotiation on the future constitution could take place within CODESA. They also wanted the establishment of an interim constitution to be accepted by a 75% majority. The ANC and its allies wanted the future constitution to be decided by the elected constitution-making body, which the ANC considered as the only legitimate body to perform that function and to be passed by a 70% majority. The Bill of Rights was to be passed by a 75% majority. It was agreed that individual rights and democratic political processes should be guaranteed. The difference of opinion was on how the government should be composed and how the powers of the state should be distributed.

The IFP feared that after the elections it would be marginalized so it wanted CODESA to agree on federalism before the election. All these factors led to a deadlock and a breakdown in CODESA 2.

Working Group 3

Working Group 3 looked at how the country would be governed during transition to democracy. This process would be done in two stages. First a multiparty Transitional Executive Authority would be established “to operate in conjunction with the existing legislative and executive structures excluding the tricameral structure. An Independent Electoral Commission would be established to oversee free and fair

elections. After the elections the elected body would act as an ordinary legislature and a constitution-making body. There was great consensus on this item.

Working Group 4

Working Group 4 looked at the future of the reincorporation of these so-called TBVC states i.e. Transkei, Bophuthatswana, Ciskei and Venda. It was agreed that the Transitional Executive Authority should control these administrations as the beginning of a move towards a united South Africa. However, the ANC was against the populations of these states deciding whether they want the reincorporation, as they surely would not. The government was also interpreting the commitment to a united South Africa as meaning a perpetuation of South Africa's 1910 borders, as was its insistence on federalism as a government system. This was also seen as a perpetuation of the White minority's economic and social advantage. It was these factors that led to the collapse of CODESA 2.

Working Group 5

Working Group 5 was mandated to monitor the deadlines of all the previous working groups to see to it that the processes were adhered to in order to keep to the agenda for the democratic transition of South Africa.

Evaluating Your Negotiation Skills

Negotiation preparation also involves evaluating your negotiation skills. Negotiators are commonly perceived as self-confident, pushy and aggressive people, which sometimes lands them in unexpected difficulties. Fuller (1991:15) suggests the following characteristics as the building blocks of negotiation success:

Logic

Always argue using facts. Contradictory statements or exaggeration will make you lose credibility.

Reasonableness

Avoid being argumentative because the other party will stop being reasonable and behave likewise making it difficult to reach agreement.

Persistence

Be persistent in your arguments so that your opponent does not easily get you off course.

Patience

Do not rush or get easily discouraged when you are not achieving your aims because you might get into the trap of making unwise concessions. Fuller, however, warns that even if you may have those characteristics you may, for certain reasons, have to hand over the negotiation to someone else, like if you encounter problems with a certain negotiating party, or if you have certain characteristics that might disadvantage the negotiation.

Multiparty Negotiations

Sometimes negotiations are held with more than one party competing against one another either for the best deal (e.g. by agents of athletes or entertainers or the lowest price in business and government tenders). Multiparty negotiation is more formal than negotiating with one party, although the formality itself varies “from relatively rigid procedures used by government agencies, to the less formal techniques commonly employed by agents.” Fuller (1991:36) says in this kind of negotiation it is possible to get a better deal than in two-party negotiation.

The disadvantage is that some offers might be unrealistically low. In this case Fuller feels it is important to monitor the bidder's performance to make sure that quality has not been compromised. Many resources have to be employed to review the proposals and this may also be time-consuming. Sometimes no-one will bid from among the many would-be bidders, and if you start negotiating with one party then it may be difficult to get the price or reaction you want because they may state that after all nobody was interested in your proposal. To Fuller (1991:36) it is best to use multiparty negotiations when you want to buy a commodity-type item from many suppliers or when as a seller you have a unique product or service to offer.

Fuller (1991:37) feels that the important point to make here is that during multiparty negotiations all participants should be given the same guidelines and the same opportunity "to revise their offers." No preferential treatment should be given to certain people.

Researching your opponent

It is very important to do research about the party you are going to negotiate with. This helps you to be better prepared for any problem that may arise during negotiation. The type of information you need, will depend on the kind of negotiation you will be engaged in and it may be time-consuming. Fuller (1992:46-47) mentions the following categories of information you may want to acquire:

- "Company-specific information on the organisation you are dealing with"
- Industry-wide information on business trends in the company's area of business

- Localised data on business conditions in the geographic area where the company is located
- Financial information on the company, organisation, or individual i.e. whether the party is on a sound financial basis or almost bankrupt
- Knowledge about your adversaries' prior dealings with others
- Opinions on the personal traits of the people you will negotiate with e.g. whether they are short-tempered or not

This information may be obtained from what Fuller (1992:47) calls “public sources” or “contacts that know both you and your adversary”. The other sources mentioned by Fuller (1992) are your own organisation and your adversary. The organisation you are negotiating with may be negotiating with another party in addition to yourself and you may not be aware that you are competing for the same resources. This may lead to you not getting valuable information. Secondly, it is not out of step to seek information from your adversary either prior to or during negotiations as some inexperienced negotiators might think. The information may help you to evaluate what you are negotiating about. “Disclosure is part and parcel of the negotiation process.” It is not abnormal that an adversary is not willing to disclose certain information. But if that happens, caution must be exercised because it may mean he fears that if you acquire that information you may change your mind. Therefore all possible means must be used to get information relevant to the deal.

Evaluating the Overall Negotiating Climate

Before embarking on negotiations it is important to evaluate the overall negotiation climate or the attitudes of the negotiating parties. “To move straight from

struggle into dialogue leaving negative attitudes intact, will almost guarantee failure.”

(Harris and Reilly (http://www.idea.int/publications/democracy_and_deep_rooted_conflict/home.htm)) According to the authors this is still war in different terms. Negotiation is, however, a process of moving attitudes and positions and not a matter of just convincing your adversary that your standpoint is right. There needs to be some form of cooperation in order to reach a new position.

To reach this new position it is advisable to try and understand one another by analysing the conflict at hand. The conflict may take three forms: it may be adversarial i.e. you blame everything on the opposition therefore either you win or nothing happens; it may be reflective i.e. you look at the role you have played in the conflict and the pain and hurt you have inflicted on others; or it may be integrative i.e. both sides look at themselves and the need to understand the interests of the other side. This means moving from “positional-based” negotiation to “interest-based” negotiation (Harris and Reilly (http://www.idea.int/publications/democracy_and_deep_rooted_conflict/home.htm)) thus learning to cooperate with one’s former enemy if one is truly committed to negotiation and analysing the factors that led to the conflict.

In the South African situation President de Klerk and the moderates in his party had begun to realise the need to involve African people in the political process. Secret talks had been held with the ANC President Mr Nelson Mandela who was released on February 2, 1990. Subsequently the ANC, Pan Africanist Congress and the South African Communist Party were unbanned and restrictions were lifted on the United Democratic Party and other legal political organisations that were then invited to join the talks to prepare for democracy. A four-year-old media restriction was lifted and the

neighbouring states were encouraged to increase their trade with South Africa. In the meantime the conservative party was criticising De Klerk's mandate for all the changes.

On his release on February 2, 1990 Mr Mandela assured the White people that he wanted to work for reconciliation and that he had not been released because of a secret deal with the government. However, he called for the nationalisation of the economy and refused to renounce the armed struggle, the lifting of international sanctions and the government proposed interim power sharing.

During the talks to hold a Convention for a Democratic South Africa (CODESA) the former President of South Africa, F.W. de Klerk, decided to hold a referendum to give him a mandate "on whether to negotiate an end to White minority rule through talks with the black majority." (Facts On File News Services; March 19, 1992) 68,6% of the 1,924,186 million White voters voted for the referendum as against 31,2% that voted "no". The results were released on 18 March 1992. To F.W. de Klerk that was an indication that the National Party had finally closed the chapter of apartheid. He even mentioned that the then constitution was imperfect. The African National Congress was encouraged by these results as to them they benefited the negotiation process, not F.W. de Klerk. However, the Conservative Party resisted the advent of African rule.

During the negotiation for the new constitution the ANC wanted only those representatives that it regarded as legitimate to participate while the government wanted all political parties to participate because the ANC preference would make it a small player. The ANC regarded many of the other parties as illegitimate. The compromise that was struck was that an all-party convention would negotiate the formation of a

constituent assembly and an interim constitution, which would result in national elections, and a final constitution.

An unfavourable negotiating climate can also be prevented by not engaging a person as a negotiator who has crossed paths in the past with your adversary. It is recommended that even a person with lesser negotiating skills substitute such a person if he is not going to cause animosity to flare up.

It is also important not to let outside influences affect your negotiations e.g. the media or government attention. Once negotiations go public one of the negotiating parties may be pressurised into accepting an unsatisfactory settlement. In the long term this may become a disaster. Therefore it is recommended that negotiations should, as far as possible, be settled at the negotiating table.

DISTRIBUTIVE AND INTEGRATIVE NEGOTIATION

Negotiation can start between two people, but as the parties to the negotiation increase, the skills become more complex. Negotiation also involves building and maintaining relationships and making good use of feedback and experience. Barry and Friedman (1998) mention two kinds of negotiation: distributive and integrative negotiation.

Distributive Negotiation

In distributive negotiation resources are divided or distributed among the negotiators and what is important is how much a negotiator gets for himself. Each party tries to get the best deal for himself. According to Thompson (1998) in any negotiation no matter who is our opponent and no matter how considerate we may be, we want the best deal for ourselves. This is also referred to as the “fixed-pie perception “ (or) “the

fixed-sum situation". (Thompson 1998:47) To achieve this we need to prepare ourselves thoroughly.

Integrative Negotiation

Integrative negotiation is about how resources are going to be divided among the negotiators. Thompson (1998) feels that most negotiations can be integrative if people did not have "fixed-pie perceptions " or "fixed-sum situations". This results in agreements not being reached.

A PYRAMID MODEL

According to Thompson (1998:47) integrative negotiation refers to "both a process and an outcome". Parties may engage in negotiation, but they may not reach an integrative outcome. To Thompson (1998:47) an integrative agreement is a negotiated outcome that leaves no resources unutilised."

There are three levels of integrative agreement, which can be represented by a pyramid model beginning with level 1 at the base and ending up with level 3 at the top. Each level builds on the properties of the level below it. The ideal situation would be for negotiators to reach level 3.

In level 1 the participants are past the level of no-agreement. Thompson (1998:47) calls it a "positive bargaining zone" where, for example, a buyer is prepared to buy goods at a 15% discount while company wants to sell at a 20% educational discount. In a situation like this negotiation can take place.

At level 2 integrative agreement is at a level better than level 1. For example, if a decision is taken to give goods to A for a trial period in exchange for making contacts instead of selling them at a 20% educational discount.

A level 3 agreement is one that cannot be further improved. In other words, it is at the “pareto-optimal frontier” (Thompson 1998:48)

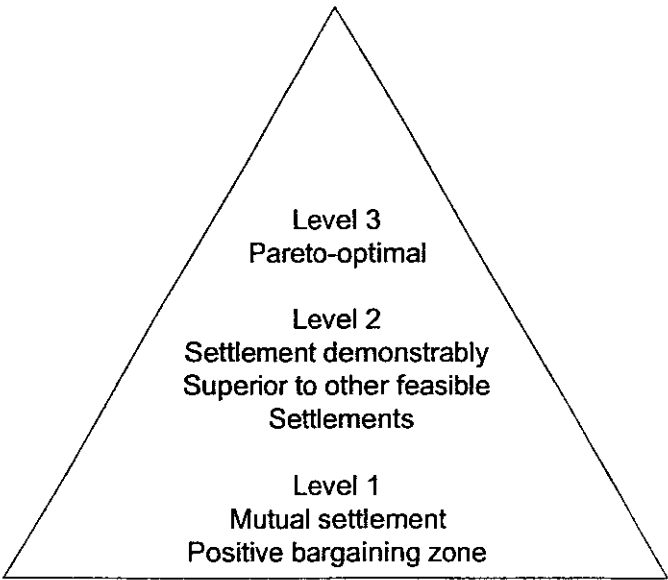


Figure 10: The three levels of integrative agreement

THE PERSONALITIES OF TEAM MEMBERS

Fuller (1991:30) states that people’s personalities are often overlooked in favour of their expertise, forgetting that “negotiation is a people-oriented endeavour”; therefore choosing a person with an unpleasant personality, or a person who does not know the right moment to talk or to listen i.e. a person with a big ego, or a person who will use the opportunity to get at other people, will destroy the chances of successful negotiations. Fuller suggests that if such a person as described above has much needed expertise, he can be consulted before, after and even during breaks.

Barry and Friedman (1998) also discuss how individual differences determine the success or failure of the negotiation process. However, research to prove this point has not been conclusive and has mostly been contradictory, to such an extent that many researchers have questioned whether personal characteristics are indeed important in the study of negotiation behaviour, especially since the role of the situation has been underemphasized.

However, Barry and Friedman (1998:346) still feel individual differences are important if we want to study how individuals manage conflict, but they approach their research by looking at personality from a broad perspective known as the Five – Factor Model of Personality as well as the role of cognitive ability in negotiation in the context of distributive (win-lose) and integrative (potential win-win) negotiation.

THE FIVE-FACTOR MODEL OF PERSONALITY AND ITS RELEVANCE IN NEGOTIATION

According to Barry and Friedman (1998:346) the following five factors make up the Five-Factor Model. Each one of them is a dispositional trait with various specific traits under it.

Extraversion

This means being sociable, assertive, talkative and active.

Agreeableness

This means being courteous, flexible, trusting, cooperative and tolerant.

Conscientiousness

This means being careful, responsible and organised.

Emotional Stability

This can be conversely associated with being anxious, depressed, worried and insecure.

Openness to experience

A person with this dispositional trait is imaginative, curious, original, and broad-minded.

According to Barry and Friedman (1998:346) the above characteristics have to do with affective, experiential, motivational and interpersonal states and have been used in predicting job performance, especially conscientiousness and extraversion, where social and group interaction are concerned. With regard to bargaining processes and outcomes Barry and Friedman (1998) feel Extraversion, Conscientiousness and Agreeableness are the most relevant depending on whether the negotiation is distributive or integrative.

PERSONALITY EFFECTS IN DISTRIBUTIVE OR HARD BARGAINING

Distributive bargaining takes place when there are “resources (that are) to be allocated among negotiating parties. The one party puts his interests above those of the other party as in the case of a seller who wants the best price for his used car, for example, while the buyer wants to pay the lowest price. The negotiator always has a bottom line or resistance point beyond which he will not go. This is a very competitive situation and the other participant is seen as an adversary. According to Fisher, Ury and Patton (1981) in their book *Getting to Yes* the gains are one-sided and tricks and pressure are applied in order to come out the winner. The negotiator can also insist on negotiating on his home ground and try to have more negotiators than the other side.

Here the focus is on positions rather than on interests. A hard-bargainer always wins when negotiating with a soft opponent. When both opponents are hard-bargainers no agreement is reached.

EFFECTS OF EXTRAVERSION AND AGREEABLENESS ON NEGOTIATION

Barry and Friedman (1998:347) quote research, which indicated that agreeableness makes people prosocial, which leads to less focus on individual interest and in a bargaining situation where strategy is important such people make less demands and more concessions. They hypothesised that this would be a liability.

In distributive bargaining it is not about information-sharing and mutual gain; it is about pursuing self-interest. In their own study where they used an unstructured role-play simulation of a single -issue business negotiation, they examined how offers, counter-offers and settlements were influenced by the personal characteristics of the negotiation actors through the different stages in the negotiation process. Indeed extraversion did seem to have a negative effect in the early stages of negotiation where there was an inclination to anchor the first offer.

Secondly, although preparation and analysis are taken to contribute to the success of negotiation, conscientiousness or cognitive ability did not seem to play a role perhaps because the basic information for the negotiation process had been provided. To Barry and Friedman (1998:354) this is similar to a real-world situation where bargaining is the primary activity.

The study also revealed the interaction between personality and aspiration. When aspiration is low a negotiator's personality traits may also be a liability to him, as seen in the discussion of extraversion and agreeableness.

THE EFFECT OF MEMBER PERSONALITY FACTORS IN GROUP NEGOTIATION

Barry and Stewart (1997) undertook a study to see the effect of member personality factors in group processes or negotiation. There are two mechanisms through which individuals contribute to group outcomes:

- i. Task inputs where responsibilities are fulfilled, goals accomplished and production made;
- ii. Socio-economic inputs where interactions are facilitated, the group's emotional needs are satisfied and people's concerns are acknowledged.

Barry and Stewart (1997:63) investigated the impact of an individual member's personality on the group's performance with special reference to conscientiousness and extraversion.

CONSCIENTIOUSNESS AT INDIVIDUAL LEVEL

Barry and Stewart (1997) mention research that found that in individuals, performance was related to the level of conscientiousness. In groups individuals who are highly motivated to achieve contribute to the success of the group irrespective of their role in the group. In other words, they are "more task-oriented than socio-emotionally motivated." (Barry and Stewart 1997:63) However, Barry and Stewart's (1997) research revealed that conscientiousness played no direct role in individual or group performance possibly because in teamwork individuals can compensate for the lack of conscientiousness.

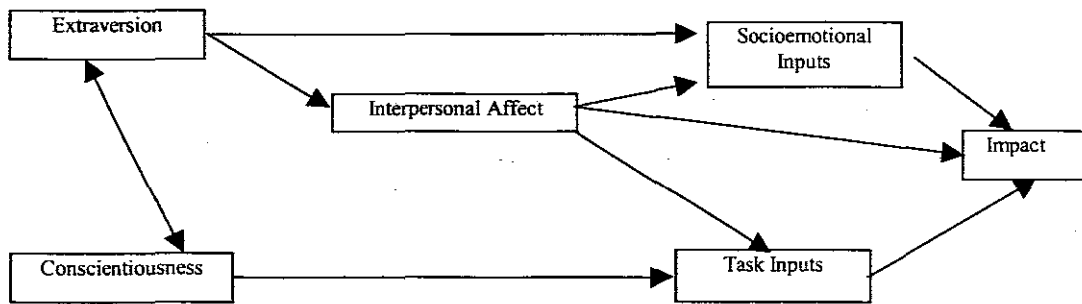


Figure 11: Proposed model illustrating the role of task and socioemotional inputs as mediators of the relationship between personality and perceived impact. (Modified from Barry and Stewart 1997:65)

EXTRAVERSION AT GROUP LEVEL

Extraversion was the main personality factor with which the individual made an impact on the group. Extraversion is also very important where social interaction is not present. In group work extraversion is superseded by group performance. The point to note is that in putting together a negotiation team, extraversion must not be overemphasised. However, the personality composition of the team must be kept in mind.

ANALYSIS OF COGNITIVE ABILITY

Research done in this regard indicated that an integrative settlement could be enhanced through the cognitive ability of one party. The second party can further enhance it.

COGNITIVE ABILITY AND ITS RELATIONSHIP TO NEGOTIATION

Although this study is mainly about the role of emotion in negotiation, it seems worthwhile to investigate the role of cognitive ability in negotiation.

Barry and Friedman (1998:348) define general cognitive ability (or intelligence,) as “a stable tendency for individuals to be able to perform information-processing tasks.” They regard cognitive ability as beneficial for job performance and career success especially regarding information acquisition, which is relevant for problem solving.

Since, according to Barry and Friedman (1988), negotiation is basically an information-processing task, cognitive ability can predict negotiation behaviour. And since negotiation involves analysing alternatives, high cognitive ability means analyses may be performed with more accuracy and sophistication.

To Aubuchon (1997: 20) the power of persuasion goes together with the skill or “ability to think creatively.” It is about collecting information and assembling it “into ideas that match opportunity.” Therefore, a better understanding of the thinking process will help one’s persuasive skills. Aubuchon (1997) mentions four important characteristics of the thinking process: objective, input, processing and output.

Output

Aubuchon (1997:21) calls the output “the arrival of an idea” when one suddenly consciously realises that an idea has come to mind, proving that the unconscious mind collects information and processes it resulting in a sudden idea. In other words, there is a remarkable working relationship between our two minds i.e. the unconscious and conscious mind, which we are not aware of.

Objective

The possibility of achieving your goal is, according to Aubuchon (1997:21) enhanced “if you have a clear objective before you start your own creative process.”

The objective helps you to direct all your thinking processes; otherwise your success depends on “chance, luck, and serendipity.” (Aubuchon 1997:23)

Input

The input of data in your mind influences your output. The input relates to your observation, investigation, listening, discussion, reading, or doing. This is where ideas come from. Limited data gathering may result in output that is not complete. Aubuchon (1997:24) also makes the point that your objective also influences “what you notice, absorb, and connect.”

Processing

When information has been collected, the output does not often come soon. Sometimes one has to get time to relax first after a hard day’s work. This is when the unconscious starts to work and at a certain time comes up with an idea e.g. at night or in the morning, or under certain circumstances e.g. after one has been relaxing. This is because the unconscious has passed the idea to the conscious mind. When this happens one works at the idea as intensively as one did the previous time. Aubuchon (1997) suggests one notes one’s creative cycles.

Therefore, to be able to control the creative process one first needs to have an objective and then collect as much information as possible. After that one needs to let processing take place before output can follow. If the input is not sufficient then the likelihood of an idea coming up is less; so the input stage must be repeated. According to Aubuchon (1997) such an exercise will dramatically improve one’s power of persuasion.

Two routes to persuasion have been suggested by Chaiken (1980) and Petty and Cacioppo (1986) in Schank and Langer (1994:359). They are the “systematic or central

route” and the “heuristic or peripheral route”. The systematic or central route means that when an individual is motivated and is able to process persuasive communication because of no distraction, then he can carefully think about it and be influenced by strong arguments and undergo an attitude change. However, if there is a “positive or peripheral cue” e.g. a trustworthy vs. an untrustworthy source, then persuasion does not occur. If weak arguments are presented, they are unfavourably received and little persuasion takes place. Schank and Langer (1994:359) say sometimes there may be a “boomerang effect.” If the individual is not motivated and unable to process the persuasive communication, he cannot carefully think about the relevant information and the arguments presented are not persuasive at all while the positive or negative peripheral cues do not play any role in the whole persuasive situation.

From these findings it can be said that systematic processing of information leads to persuasion that persists because cognition takes place when the information is “accessed, rehearsed and manipulated more times” This is according to Schank and Langer (1994:360), and in this way it becomes internalised and enduring. Other research by Boninger, Brock, Cook, Gruder and Power (1990) showed that persuasive communication received by people who are expected to transmit it to others persists because it has to be organised for transmission and be made more coherent.

As the chapter is about emotional expression and negotiation, which may be dyadic i.e. between individuals or between groups as in organisational communication, we need to look at emotion or affect as a very important factor in negotiation. This falls under the social psychology of negotiation.

According to Barry (1999:94) a lot of research has been done on negotiator cognition i.e. “the structure of decision problems that comprise the context of a

negotiation encounter, cognitive activities of bargaining participants that determine whether and how they attend to these problems, communication behaviours through which bargainers interact with opponents, and the effects of cognition and behaviour on economic and perceptual outcomes."

However Barry (1994:94) is of the opinion that emotion is an impetus for and by-product of social conflict and therefore it is potentially central to understanding how individuals think about, behave within and respond to bargaining situations. He also feels that emotion can be used strategically "as a tactical gambit." Therefore skilful negotiators apply both cognitive and emotional tactics to influence each other. Cognitive tactics or bargaining tactics involve efforts to discover information, attempts to manipulate information already in one's possession, and arrangements of settlement proposals.

THE NEED OR AIM FOR NEGOTIATION AND PERSUASION

The need for negotiation arises when there is a perceived or real conflict. Conflict is not inherently bad because when the differences of interest are resolved through persuasion, a change of attitude may be effected that may improve the welfare of the parties involved and lead to corresponding behaviour change. According to Schank and Langer (1994:347) Alan Wicker (1969) and Leon Festinger (1964) and Tom Cook and Brain Flay (1978) challenged that perception. They believed that even if an individual did undergo an attitude change, it was unlikely to persist. In fact, it was believed that after persuasion individuals return to their old opinion because they still experience the same things in the same world. However, experiments conducted by Ross, McFarland and Fletcher (1981) and Bern and McConnell (1970) did prove the influence of persuasion. Certain variables have been identified that moderate the

persistence of persuasion e.g. “increasing message repetition” (Johnson and Watkins 1971) and “constructing one’s own persuasive message as opposed to passively reading a persuasive message” (Watts 1967)

STAGES OF NEGOTIATION

Barry and Friedman (1998) divide the negotiation stages into prenegotiation orientation, the process of negotiation itself, outcome realisation and implementation or future behaviour.

CONDITIONS OF NEGOTIATION

Non-negotiable Items

As part of negotiation preparation it may sometimes be necessary to identify non-negotiable items, which may cause you to concede important issues. Fuller (1992:16) feels it is important to realise that as negotiations proceed some non-negotiable items become negotiable. A really non-negotiable item is an item that your adversary may use as a weapon against you and produce their own non-negotiables, which may not actually be non-negotiable, but an instrument for bargaining. Again what may be termed non-negotiable may indeed be negotiable because negotiation is about agreeing on a deal not an individual item. Therefore it is advisable not to explicitly say that something is non-negotiable, but use any excuse to move the party away from the issue.

It is therefore essential to identify the non-negotiable items based on values and needs and defer discussion on them and concentrate on the negotiable items, which are manifested as interests. This will save much-needed time to attend later to much more difficult issues.

Defending Non-negotiable Items

As previously discussed non-negotiable items should be identified during preparation for negotiation. It must also be noted that what may have been a non-negotiable item may end up as a bargaining tool. Therefore you must be in a position to defend it if your opponents have realised it. This can be done in the following ways:

Once you have detected that some items are non-negotiable, you can use them as a bargaining chip

- If your opponent wants you to make more concessions, emphasise clearly that you have already made considerable concessions during the negotiations.
- Make your non-negotiable items negotiable, but the trade-off should be so unattainable that it won't be acceptable.

One of the non-negotiable items during the negotiations for a new democratic South Africa between the African National Congress and the National Party was the handing over of arms by Umkhonto Wesizwe (the military arm of the ANC) to the South African Government. Mr Nelson Mandela made it absolutely clear in his speech at the opening of the first session of CODESA (the Convention for a Democratic South Africa) at Kempton Park that the ANC would not hand over their weapons to Mr De Klerk because there were a lot of people who were being killed and the government was doing nothing to stop the violence. Therefore the weapons could not be handed over to someone who was regarded by the people as responsible for the killings. The perception was that some elements in the Security Forces were involved in the killings. Instead of handing over the weapons the people were demanding to be armed. In fact, Mr Mandela reiterated that the ANC had suspended the armed struggle in spite of the

fact that the people were being killed; for the sake of contributing to the creation of the atmosphere to facilitate dialogue.

To support this point again Mr Mandela quoted an incident, which happened at the burial of Mr Sam Ntuli, a prominent activist who was gunned down by the government hit squads. When the mourners were dispersing eight people were killed in broad daylight. The Police were in the vicinity but did nothing about that, which confirmed that they knew the killers. Therefore, before Mr de Klerk put an end to the violence, restrained the security forces, cleaned the country of hit squads, there could be no talk of handing over the weapons.

Klug (2000:2) says the government's bottom line for negotiation was also 'a constitutionally inscribed system of ethnically-based power-sharing with veto rights being retained by the minority groups, including whites" while the ANC wanted a handover of power to an interim government which would oversee the elections for a democratically elected body, which would have the right to a new constitution for a democratic South Africa. By the time the negotiations ended it was clear that the interim arrangement reached was that there should be majority rule.

THE OPTION NOT TO NEGOTIATE

Fuller (1992:21) says sometimes it is wise not to get into negotiation at all because "sometimes the best deal is no deal at all." Starting a negotiation but failing to reach an agreement is a waste of time and resources.

Among the reasons that may cause one not to want to negotiate are that your opponent may, because of being in an advantaged position, dictate the terms of the agreement. One may, therefore at least temporarily, put the negotiations off. However,

even if the situation is like that, one may enter into negotiations to see what happens because as Fuller (1992:21) says” your negotiation skills – or your opponent’s lack of them” may change the situation and you find that you were being unduly pessimistic.

Secondly, the timing may not be right for negotiation. Fuller (1992:21) quotes the situation of buying goods from a dealer who has backlogs, which may lead to his failure to meet delivery dates but cause him to charge excessive prices. Thirdly, it is important to establish whether your opponent does have the authority to negotiate and reach agreement so that you may time. However, some negotiators pretend not to have authority to reach agreement in order to extract more concessions from you. Fourthly, a longstanding business relationship may make it unwise to force better terms on your business companion. Therefore, before negotiating new terms with an existing supplier, it is important to test, among others, how reliable and responsive your supplier is, as well the quality of the service to be rendered because your opponent may use the opportunity to modify the existing or previous agreement to his advantage.

THE NEGOTIATION PROCESS

Aubuchon mentions three methods that can be used to get action from people i.e. command, negotiate and persuade. Command is used as a last resort when negotiation and persuasion have failed and when one is sure of one’s power and authority. However, it only makes people comply reluctantly.

Negotiation, according to Aubuchon (1997:2), is used “only when absolutely necessary”, but even then it only works when one party is prepared to give something in order to get what it wants; therefore it has limitations. Mediation and arbitration are also part of it. Aubuchon regards persuasion as the best method to have others do what

you want them to do and feel comfortable. It approaches people from a positive point of view.

The negotiation process, also known as the negotiation dance, is the events and interaction that occur between parties before the outcome, including all the verbal and nonverbal interchange, bargaining strategies, external or situational events affecting the negotiators, the degree and level of concessions, the use of threats and promises and the medium of communication. Thompson (1998:10) also suggests three ways to control the process of negotiation. The first one is to plan the opening statement or offer, though sometimes it is preferable to let the opponent make the first offer. Next, the medium of communication should be selected among those already mentioned. Lastly, although it is not possible to predict how the process will take place, it is advisable to have an idea of how the process will unfold and the pace it will take. Sometimes we should guard against wanting to solve the problem immediately because of the pressure.

STANDARD NEGOTIATION STRATEGIES

Every negotiation is done with the aim of achieving a certain goal or goals. For this reason there are various strategies that are used to achieve this goal at the bargaining table. However, they should all be preceded by good preparation. Good strategies can facilitate your success while the wrong ones will make negotiation difficult. Therefore it is important to know the strategies because they may be used against you.

The Win / Win Strategy

Fuller (1991:86) says, "General negotiation strategy is usually classified as being a win/win joint problem-solving approach or a strict adversarial proceeding." The

win/win strategy means that both parties will only succeed by working together to identify and solve problems that stifle progress. In the adversarial strategy each party serves its own interests.

However, there are hindrances to a win/win situation. Firstly, both parties need to be “open and honest “ about their negotiation (Fuller 1991:87) otherwise if only one of the parties is open, then negotiation is hampered because the other party’s tactics are known early in the process of negotiation.

The other problem is that agreement must be reached as in any negotiation process, on the deal to be closed. However, this may not be easy because of the absence of a criterion on which the right terms suitable for both parties can be based. It must also be remembered that in most negotiations the self-interests of both parties are served. That leads to mutual benefit where each of the parties gets the best deal. If such a situation prevails then we have a win/win situation.

It is important to clarify that adversarial negotiations are not necessarily about hostilities as may be portrayed in labour disputes. According to Fuller (1991:88) many such negotiations are conducted “in a business-like manner without animosity or anger entering into the picture” with the aim of overcoming any obstacles that might hinder progress. However, it should not be forgotten that people enter into negotiation primarily to protect their own interests. And if during the process it is possible to gain the cooperation of the other party, then that opportunity must be used fruitfully.

The Good Samaritan Approach

This approach is used to make you realise that you are being done a favour; therefore you must accept your opponent’s terms and conditions. The “Good

Samaritan” (Fuller 1991:91) will never criticise or disagree with you, but will also not accept anything you offer.

Fuller (1991:91) suggests that the way to handle this person is to make him “focus on the facts” no matter how long it may take instead of falling prey to his assurances of the best deal for you. In short, it is not advisable to accept favours at the bargaining table, because that may backfire on you.

The take-it-or-leave-it approach

This is the approach where your opponent wants you to accept his offer or forget about negotiating. Fuller (1991:91) suggests three ways to circumvent this. The first one is to ignore this pressure and keep on talking. If your adversary is serious then he will desist from further persuasion. You can also suggest that the negotiations be called off if your alternatives are better and let him contact you when he wants to resume negotiations. If he does then you are already at an advantage. Another ploy would be to invent a competitor who will give you a better deal. This will show how serious your opponent is about his ultimatum. This will also show that you can take a stand and stick to it.

Mr Nelson Mandela made a surprise speech at the first session of CODESA at the World Trade Centre in Kempton Park, South Africa on 20 December 1991 in reaction to the speech by the then State President of South Africa, Mr F.W. De Klerk. He was reacting to Mr De Klerk’s surprise attack on the ANC after he had requested and had been allowed to speak last on that occasion. According to Mr Mandela they had been discussing the night before until about 20h20, but Mr De Klerk had not hinted that he would attack the ANC. That to Mr Mandela showed a lack of moral standards

and playing a double game, which was why the Conservative Party was making such inroads into the National Party.

Mr Mandela then told of how the futile it was for both the National Party and the ANC to undermine each other, or for the National Party to look at things from their point of view and that of the White minority. He also said that the ANC had initiated these negotiations with the help of the pressure from the people inside South Africa and the international community. He reminded the audience of the Declaration of Intent which was found to have loopholes, but which the ANC committee had accepted in order that the peace process should succeed. The armed struggle had been suspended, but the weapons would not be handed over to the government. He would still hold discussions with Mr de Klerk if he wanted, but Mr De Klerk would never impose any conditions on the ANC.

SPLITTING THE DIFFERENCE

In some negotiation situations a negotiator will suggest splitting the difference, whether it is wide or small in order to reach a midpoint. To Fuller (1991) this can be ignored, but there can also be demerits attached to it. Fuller (1991) makes an example of a situation where you as a buyer are prepared to pay a maximum of \$1,3m. You have offered up to \$1m. The asking price is \$1,8m. The suggestion is to split the difference of \$800, which, although it would be less for the other negotiator, it would be \$100,000 more than your walk away price.

Fuller (1991) says skilled negotiators use this tactic if they cannot support the merits of their position. Inexperienced negotiators use it when they are not certain of their act, and end up suggesting splitting the difference. The point being made here is

that splitting the difference should not be accepted as a solution if it is not going to be more than what one is prepared to pay, or when your offer is more reasonable than that of your adversary, especially if you made the offer first.

It is also wise to be wary of being persuaded to accept round figures because in that way one can still be disadvantaged. Fuller (1991) makes an example of a round figure of \$2 400 000. You could suggest a price of \$2 379 500 which would be to your advantage as this would cut off \$21 500.

The Item by Item Agreement Proposal

In this approach agreement is reached on an item before proceeding to the following one. This approach helps in eliminating areas of disagreement, but it can hamper later bargaining if there is an item on which there is disagreement.

Fuller (1991:94-95) makes an example of two negotiators who negotiate the costs for computer maintenance personnel services. They agree on the labour costs, but differ on travel costs because A wants the personnel to stay on location over the weekend, while B's company policy prohibits that. They also disagree on the rates to be paid per day. This situation will add \$250 000 more to A's budget, so A wants the negotiation on the labour costs to be re-opened. B is very disapproving of that. The suggestion is that items be agreed upon tentatively to be able to revisit the negotiations if need be, because the negotiation is actually a package.

Valid Reasons for Negotiating Ambiguous Conditions

Usually when negotiations are conducted there is always the care taken to ensure that there are no loopholes that may be created by misunderstandings. However, there may be a need to "leave some subjects open-ended in an agreement" (Fuller

1991:96) if there is a feeling that flexibility is needed on a particular issue, or when the negotiating parties do not want to be pinned down on a certain issue.

In such a situation it is advisable to take extreme care because such an agreement may in the long run lead to problems especially if only one of the parties wants to leave a certain issue open-ended. Rather than being pinned own on an issue you do not agree with, it is preferable to pull out of the deal if you have better alternatives.

If you cannot pull out of the deal, you need to consider how great the risk is and demand greater benefits or concessions in other aspects of your agreement. This is known as the “risk/reward ratio”.

Selecting your Proper Strategic Approach

The approach you will follow when you are at the negotiating table is very important during the preparation. It depends partly on your previous knowledge of your opponent. However, if you have had no dealings with him before, then you have to be very cautious in your approach.

Fuller (1991:98) proposes that you first work at setting the right tone of “trust and credibility”. This will facilitate the negotiation process. Mutual trust can be destroyed by entering into negotiations with preconceived ideas about your opponent, which may be based on how reliable your source is, or whether he is biased or not. Sometimes you may judge a person by what you experienced with another person. A “personality clash” or “complex negotiation” can also diminish trust between people. Therefore negotiations must be entered into cautiously so that you get an idea about how your opponent intends to negotiate and make adjustments to your approach where necessary.

The occurrence of violence before and during the negotiation talks caused lack of trust between the ANC and the National Party, in particular Mr De Klerk. Mr Mandela felt that as head of government Mr. De Klerk had the power to stop the violence, which he did not. The perception that some elements of the Security Forces were responsible for the violence caused Mr De Klerk not to be trusted. He had given statistics on the number of policemen that had been employed and the courts that had been built. However, according to Mr Mandela, the government was funding certain organisations to the tune of R7 million through the Police and Mr De Klerk was denying knowledge thereof. He also did not tell the public that the negotiations were the ANC's initiative. Mr De Klerk was a product of apartheid; therefore he had no good idea about what democracy meant. That made him an untrustworthy negotiator.

In the homelands that were seen by many as symbols of apartheid and were funded by Pretoria there was also a lot of uncertainty. Many homeland inhabitants were urging for reincorporation into South Africa. The Zulus of the KwaZulu homeland feared the overwhelming support of the ANC. In January 1991 Mr Mandela met the Zulu leader Chief Buthelezi, the leader of the Inkatha Freedom Party (IFP), to allay those fears. However, this did not reduce the violence between ANC and IFP supporters. There was also the belief that the government of the day was supporting the IFP, as they did not seem to be doing enough to stop that violence.

The Need for Flexibility During Negotiation

No matter how well prepared a negotiation is, the outcome is usually different from the original plan because of the adjustments that may have to be made during the process. The opponent may also change his tactics to derail the process. It is therefore important to stick to your objectives.

In spite of that it may be important also to be flexible and make some adjustments to your approach. However, enough time should be given to such a thought, especially if it is a point that was not originally meant for discussion. That would be negotiating in good faith.

Before the start of negotiations for democracy in South Africa the government had been vilifying the ANC as communists and terrorists. But for the sake of the negotiations they had to change their stance and accept them as legitimate role-players in the process.

PROJECTING A STRONG NEGOTIATING POSITION

In a negotiation situation it is always advisable to project a strong negotiating position without using bullying tactics or being pushy because if you are not what you are projecting, then your opponents can easily see through that. However, if you are negotiating from a weak position you may be forced to accept unreasonable offers. In such a situation it may be better not to enter into negotiation at all. A situation may arise when one goes into negotiation with an opponent that has a distinct advantage e.g. going to seek a loan from a bank or negotiating with a big organisation. Even in such a case, if you do not show confidence in yourself and what you to do, you do not stand a big chance to have your request granted. However, self-confidence alone without good negotiation skills and a well-planned strategy will not take you far.

Projecting a strong bargaining position is about projecting power. Fuller (1992:27) mentions two kinds of power: real power and perceived power. An example of a person with real power is a CEO of a company who has the power to hire and fire employees. His secretary does not have real power, but by virtue of being close to the

person with real power, she is also perceived as having power and may actually be influential in the boss's decisions. In negotiation, therefore, one does not need to possess real power; as long as one is well prepared and displays confidence, one will be perceived as having power.

Another method mentioned by Fuller (1992:27) of turning a weak-negotiating position into a strong one is by negotiating only when it is opportune for you and less opportune or unfavourable for your opponent. This is especially true when you are under pressure to agree to a deal, which might be less acceptable to you. Fuller feels in repetitive negotiations as when continuous purchases must be made, good timing can be of great help.

A weak position can also be turned into a strong one by keeping one's opponent on the defensive through ignoring what is being said, talking about your strengths and criticising your opponent's weaknesses. One can also propose alternative solutions and create an impression that will cause doubt in their minds about their position and make them succumb to yours. Be sure, however, that you have alternatives if your proposal is challenged.

Keeping one's adversary on the defensive is one way of making him concede more and more by listening to what they are saying. Once you discover their priorities you can capitalise on them. However, this might not be easy, as you might have also to make concessions in the long run. For every concession you make, you must insist on a similar type of action from your adversary. Making concessions means conceding as little as possible to your adversary. This means, according to Fuller (1992:28), "being patient and persistent" and not being thrown off course.

COMMON NEGOTIATION TECHNIQUES

Fuller (1991:102) says during negotiation many techniques can be employed in order to strike a deal. As a negotiator one has to learn to cope with the techniques as well as to learn how to convert weakness into strength, break deadlocks, propose trade-offs, use options, handle surprise, and avoid “getting trapped in an ego contest.”

How to counteract “the good cop/bad cop caper”

The good cop/bad cop ploy is, according to Fuller (1991:102), a common technique that is used in negotiations. In it, among your opponents, one person plays the role of a “hard-nosed negotiator who won’t yield on anything.”(Fuller 1991:103) Then another individual enters the scene by portraying the image of a good guy who is prepared to listen to your side of the story, but at the same time explaining that they can only accept what they are proposing. That is to gain your confidence so that you can show understanding and sympathy for them. If you do not fall for the persuasion, then you may be tempted with some concessions.

Sometimes you may be faced with a very unsympathetic opponent for a long time, causing you to fall prey to Mr Nice Guy’s presentation. Fuller (1992) suggests two ways to deal with this situation. One is to surprise the negotiators by being uncompromising yourself. This may lead your opponents to change their strategy and let Mr Nice Guy play his part to test your resolve. In this situation do not change your hard line attitude so that they realise you mean what you are doing.

Now you can bring your conspirator into the picture that can take the negotiations further on your terms. Or if you are not into playing these games, you can strongly indicate to your opponent that since you realise that he is not prepared to listen

to reason, then you will rather negotiate with somebody else. If the opponent does not give in to that, then you can suggest that the negotiation be discontinued until the other party is prepared to their minds. That might lead to a re-think on their part in a short while. This is preferable to your initiating the resumption of negotiations. Breaking off negotiations does not mean that the talks have failed. This is a normal process in negotiations.

Adding or Deleting Options During Negotiations

In certain negotiations like those for continuously needed supplies and services options can be used to guarantee a steady supply and stable price of the needed item. Otherwise it may take a long time and a high price to secure a sorely needed item because the second supplier knows the demand is only temporary. These must be options that the opponents feel may lead to an agreement, including those that they might not ordinarily use, but which might be useful in this situation.

Providing an option can also cause problems especially if it concerns price. That is why the costs and benefits of implementing each option must be carefully weighed up. The ability to implement the option as well as the reactions and responses of the opponents and decision-makers must also be evaluated. Extremely negative or antagonistic responses might raise the cost of implementing the option.

An option may turn out to be too high or too low according to the market conditions. To obviate this the price may be either pre-agreed or the option may be unpriced, with the provision to price the item later, and also the provision about what happens if agreement cannot be reached.

An option can also be used to bargain if agreement cannot be reached on the delivery of items over a long period, as a long period involves more financial

expenditure. In such a situation an unpriced option can be the solution for later deliveries. Sometimes both parties may agree to make provision for options in an agreement. If agreement is not reached on certain parts of the agreement, then one can bargain by threatening to delete the option provision. It is important to remember that short-term victories may not be ideal if they will increase the chance of a future dispute.

It is therefore important to ensure that option provisions are made separately from the written proposal so that they are not a hindrance when one wants to reconsider the proposal. A revised proposal may take valuable time to reformulate. Therefore option proposals should be in separate sections of proposals.

Surprise as a Negotiation Tool

Surprise can also be used as a negotiation tool if it is used properly and when it is really needed. Fuller (1991:106) mentions the following ways of using surprise as a negotiating tool:

- Introducing a new element into the negotiation (The college will be closed in two days' time if the students do not want to negotiate with the administration)
- Adding competition (I am leaving for company X if I am not given a salary raise)
- To undermine the other side's position (Mr F.W. De Klerk as the last speaker employed surprise at the first session of CODESA at the World Trade Centre in Kempton Park on 20 December 1991. He attacked the ANC for refusing to hand over their weapons to the government as a condition for negotiation and as proof of their willingness for the peace process. His request had not been thought

to be for that purpose. He had also thought that as the last speaker there would be no reply to his speech, and that would be an ideal situation to make his point and gain support.)

- Bringing in an expert to contradict the other side's position. (The person should be a real expert to support your arguments) Mr Mandela replied immediately to prove how dishonest Mr F.W. De Klerk was by using the opportunity that had been afforded to him for "petty political gains" (Response by Nelson Mandela: 2) He also mentioned how the ANC had proved its willingness to engage in peace talks by suspending the armed struggle, and by signing the Declaration of Intent. On the other hand the government was unwilling to stop the violence that was killing many people and this showed a lack of sincerity on Mr de Klerk's part.
- To signal a shift in your thinking (By tabling an alternative attractive offer)
- To escalate the level of negotiations (Threatening to involve both your seniors if the agreement is not reached)
- To create a sense of urgency (Saying if the deal is not concluded shortly, another commitment will stall the whole process)

It must, however, be stressed that surprise should only be used when there is no prospect for further progress. You must also be in a position to support your surprise assertion otherwise you will lose credibility. In this case it would appear that Mr De Klerk had not calculated his action well because he was proved wrong by Mr Mandela's statement.

Avoiding Getting Locked in an Ego Contest

Sometimes two people with strong personalities get into negotiation and will end up in a contest about who the best negotiator is, with neither willing to reach mutual agreement. This proves that both parties are unsuccessful as negotiators.

Fuller (1991:109) suggests that it is better in this case to concentrate on the issue at table and not on the person. If you really want the deal concluded, you will have to make emotional concessions, which may yield substantial dividends later.

It may also be necessary to halt the proceedings temporarily for a tea or lunch break, for the day or even to discontinue the negotiations. This offers time for a mental break and also an opportunity to negotiators, even superiors, to tone down their hard-willed companion. This can be better done by bringing in either party's superiors to find out what is causing the delay in reaching agreement. Sometimes it may be necessary to change one or both clashing parties, although this should be avoided at all costs because it means starting from scratch updating the new negotiator.

Dealing With Threats

Sometimes when people negotiate they may even go to the extent of threatening their opponents either to genuinely conclude a deal, or just to satisfy their egos. If the aim is to conclude the best deal one should resist even the biggest threats.

However, to directly repudiate the threat is not wise. It is better to get time to analyse the threat maybe by asking for a break and asking yourself what you will lose if the negotiation does not succeed. To Fuller this is the time to refer to your pre-negotiation preparation about your alternatives.

You should also ask yourself if the opponent's threat is real and what it will take for them to implement it. Also ask yourself whether the risk to be endured will be greater or less than the reward when the threat is executed. Ask yourself whether there are any hidden factors that might lessen the danger from the threat.

Until you are satisfied about the reality or otherwise of the threat, do not challenge the threat because you might drive the other party to action. Ignore the threat and continue the discussion. If it is not carried out after some time, then the probability is that it won't be carried out. If the other party wants to negotiate after issuing the threat, then the advantage is yours because it means they are no more threatening not to negotiate and they may begin to rethink and reach agreement.

The threat to the South African negotiations was the greater violence if the negotiations failed. According to Klug (2000:3) the violence was from many angles: "the near civil war in KwaZulu/Natal between ANC and Inkatha Freedom Party (IFP) supporters; clandestine state-instigated efforts to disrupt ANC organising and demobilise ANC supporters in many other parts of the country; a series of massacres and assassinations of ANC supporters, organisers and leaders; and finally, an ill-fated rebellion by neo-fascist whites who attempted in the weeks before the election to instigate the breakaway of the Bophuthatswana Bantustan as part of their effort to halt the transition." The South African Defence Force quelled this uprising. However, the result of this violence was to make the activists and politicians understand even more firmly that the only way forward that could help stop the violence was to press on with the transition. On the government negotiators' side it became clear that the economic and social ravages of the violence did not justify an indefinite transition period.

The Freedom Alliance began to disentangle with the White conservatives demanding a separate whites-only homeland. The Ciskei government was prepared to allow its inhabitants to take part in the elections while Lucas Mangope was removed from power as president of Bophuthatswana after the failed uprising. On April 19, a team of international mediators led by former British foreign secretary Lord Carrington and Henry Kissinger, former United States secretary of state, tried fruitlessly to convince Chief M.G. Buthelezi to take part in the elections. On April 19, Chief Buthelezi finally agreed under pressure from local and international representatives to be part of the election process.

Klug (2000:5) says the ANC did not let the violence stall the peace process: it came up with its own framework for the transition to democracy by “the calling of an all-party conference; demanding the establishment of an interim government; the holding of elections for a constituent assembly to draw up a new constitution; and, finally the election of a democratic government under a newly adopted constitution.” This resulted in the meeting of the Convention for a Democratic South Africa, which led to a breakdown in the negotiations. This was followed by the Multi-Party Negotiating Forum where the interim constitution and the transitional arrangements were negotiated leading to the first democratic elections in South Africa.

The Importance of the Right Physical and Mental Condition

Negotiations need to be well prepared for. This may take a long time and a lot of energy, resulting in fatigue. To avoid this one needs to be mentally and physically fresh by having a good rest before the negotiation.

Fuller (1992) further suggests that the negotiation meeting should be started with a positive remark as an icebreaker to ease tensions. When the opponent makes an

unacceptable offer, do not be bluntly critical of it because it may only be an opening offer, which you may have to negotiate about first. Therefore, starting on a positive note may set the tone for the rest of the meeting, and help to keep hostility levels low.

How To Keep The Negotiation Session Successful

According to Fuller (1992:132) it is important to ensure that the negotiation session is steered towards success. Keeping the meeting on track can do this. One way to do this is to ask a question once the discussion goes off track. It is also important to listen attentively while the other side presents its case. Interrupting them will make them do likewise when you are talking and what is being said will not be understood.

Another suggestion is to summarise what has been agreed upon in each negotiation session and agree on the agenda for the next session. When the negotiations have been concluded it must be agreed who will write the negotiation document. If you can do the write-up, you will be in a position to control what it says, which is very important.

How to Dominate Meetings Without Anyone Realising It

It is always to one's advantage to maintain control of the discussion during negotiation because it presents an opportunity to drive the negotiation towards one's plan. However, this must not be done overtly because it might lead to resistance from the opposition.

Dominance can be established by stating how you can help solve opponent's problems in a business-like manner. Such a stance will make the opposition willing to cooperate, and create credibility for you. Fuller (1992:133) suggests you even state your willingness while standing. Your dominance can also be stamped by suggesting when you should take breaks, when you have a strategic reason for doing so.

When the other side state their case, ask questions that are not easy to respond to. Once the opposition becomes defensive, and then you have an opportunity to “reassert your authority (and) take over the discussion”. Fuller (1992:133) further suggests that the lead negotiator or a team member chosen by him should answer unexpected questions to avoid confusion. Unexpected questions can be answered by promising to reply in the future after looking into the matter.

Documentation To Support Your Position

It is very important for a negotiator to be able to defend what he is offering by documentation. This gives him credibility and more chance to succeed in his negotiation. Sometimes the documentary support is available, but it is not be produced at the right time because of poor planning and not being able to anticipate that it may be needed. Producing the necessary documentation, besides creating credibility, also helps to deal with more pressing matters speedily, thus preventing stalemates.

Mr Nelson Mandela and Mr De Klerk went on a televised debate about what they had each planned for South Africa. Mr Mandela had with him a document on the Reconstruction and Development Programme. No document was forthcoming from Mr De Klerk.

Changing Your Negotiation Position

Sometimes it becomes necessary to change your negotiation position when you get new information that you did not anticipate. Or when you get a different perception of your opponent. Therefore, when negotiating one must be flexible for such eventualities, otherwise negotiations can deadlock if the negotiators are not prepared to change their planned positions. Change should, however, happen after careful analysis

and evaluation of the offer. Changing just because there is a deadlock is also not advisable.

Guarding Against Making Concessions Early

People come to negotiation because of disagreement or different needs which need to be brought together. Some of the needs may not be obvious at the beginning; therefore one needs to be very careful and patient so that one does not make early concessions before discovering the real needs.

Fuller (1992:176) suggests that it is better to ask for more concessions while conceding little. It is also to be noted that conceding what seems of minor importance to you, may turn out to be of great value to your opponent. Therefore when planning, look at the negotiation process from the opponent's point of view. Only after determining this will you be certain of what you will need to concede.

All the above factors can be determined, however, only after negotiation has started, because it is only then that you can be certain of what is of paramount importance to your opponent. That is why it is not wise to give concessions early in the process, even though it may have been part of the planning. Even when you have to make concessions that must be done in return for something. Harris and Reilly (http://www.idea.int/publications/democracy_and_deep_rooted_conflict/home.htm)

suggest that the time available should be used to get a sustainable and durable result. They suggest a "slow-fast approach" where the process of negotiation happens as slowly as possible so that the result can be "comprehensive and detailed". In this way the implementation phase will be fast. According to the authors many negotiations are done through the fast-slow approach because of pressure to reach results. The outcome is usually not satisfactory and the implementation is thus made difficult. It is thus

recommended that a balance be struck between both approaches. This means balancing the need to achieve results against a stable and sustainable outcome.

The South African constitutional negotiations are a good example of a slow-fast approach to negotiation. This was because there were many participating groups, which made the process as inclusive as possible, and the issues for discussion were complex. This made the process slow, but when the implementation phase arrived i.e. the outcome, there were no breakdowns because some constituencies had not been consulted. The ANC and the government could have easily negotiated among themselves with the exclusion of other interested parties.

Alternatives to these approaches would be a slow-slow approach where every stage of the process and outcome are afforded as much time as possible. However, there is not always enough time for that available. Another approach would be a fast-fast approach in which there is no sufficient time to attend to all the issues. The consequences of this approach are an unsatisfactory outcome. Therefore the recommended approach is the slow-fast one.

New Leader Briefings

In protracted negotiations team members may change for various reasons, for example, in order to de-escalate the conflict, and new people enter the negotiation or become leaders of the group. In government this can be done by electing a new leader who may not be identified as “resistant or unreasonable as his or her predecessor.” (<http://www.colorado.edu/conflict/peace/treatment/newleadb.htm>) In a negotiation situation an ineffective negotiator may also have to be changed. These people may bring in new ways to approach the problem and even build new relationships with their opponents.

These people, therefore, need to be fully briefed about how the conflict started and the conflict resolution processes that have taken place up to that point. This helps to make them enter the negotiation with a good understanding so that little or no disruption takes place. This also prevents relationships or the process itself being harmed.

STANDARD NEGOTIATION PLOYS

In the previous section I have discussed how to give less concessions while getting more from your opponent. This demands a lot of skill from the negotiator who has to stand firm on his proposal and maybe take a position that might put the negotiation in danger. The negotiator should also know how to apply what Fuller (1992:177) calls “standard negotiation ploys”, and how to react when they are applied on him. The ploys are now going to be discussed but they must, however, be used with great care.

Bluffing

A bluff can either be made or called. It can succeed if you are brave enough to carry it out, or if the other party cannot “separate fact from fiction” (Fuller 1992:179) i.e. if they do not know whether you are going to carry out what you are threatening or not. Therefore, making a bluff is taking a risk, which can lead to great embarrassment if the other party discovers it is only a bluff.

Fuller (1992:178), however, says bluffs “can and do work” if the other party needs a deal badly and they are not willing to jeopardise their chances of success. Then the chance of them believing your bluff is great, although it cannot always be guaranteed. Fuller warns against relying on bluffs.

Besides applying bluffs on people, one must be ready to handle them when they are applied on oneself. In such a situation Fuller (1992:179) suggests that you “either immediately challenge them and see what happens, or simply ignore them and force the other side to retreat.” If the other side does not react, then it was a real bluff.

However, before one tests whether it is a real bluff or not, one must verify whether the opponent would experience problems if the deal does not succeed, or whether they have alternatives. Then you must observe the “personal make-up of the other negotiator” If he appears irritable and emotional then he might carry out the threat. The mere fact that the opponent came to negotiate means he wants to strike a deal. So if he makes an unreasonable threat, you can ignore it. But if the threat turns out to be real and the negotiation does not succeed, it is still to your advantage.

Making concessions “piece by piece” / Incrementalism

The constructive approach to intractable conflicts says it is important to separate negotiable from non-negotiable issues and to resolve as many of the negotiable issues as possible. This helps to improve the situation even if the whole conflict has not been resolved. This is also called incrementalism. So agreement can be reached by negotiating a package at one go, or by conceding little by little. Both these approaches have their advantages and disadvantages. In June 1990 when De Klerk released 48 prisoners prior to his departure for Europe he was expecting Mr Mandela to make some concessions and renounce the armed struggle. At the same time the release of political prisoners was used by the government to secure concessions from the ANC. Savage (2000:3) says the release of the 48 prisoners referred to in the previous paragraph was described by the government “as a gesture of sincerity” and “good faith” The reality was, however, that the National Party was trying to gain the credibility of its

constituency by not agreeing to the release of political prisoners unconditionally as the ANC was requesting.

Incrementalism also includes force-based and integrative strategies and the reduction of communication and procedural or fact-finding problems and even escalation. This improves the situation even though conflict itself continues,

ADVANTAGES OF “PIECE BY PIECE” NEGOTIATION

To Fuller (1992:180) “piece by piece “ negotiation ensures that you “get maximum value for the concessions you make.” You are also certain that you are not going to unnecessarily give up something during the negotiation.

In the case of the release of political prisoners during the negotiations for political rights in South Africa Mr Mandela refused to renounce the armed struggle until all political prisoners had been released unconditionally and apartheid had been dismantled. This happened when the Pretoria Minute was signed in August 1990 when a satisfactory definition of a political prisoner and a timetable for the releases had been given. This was to get some reassurance before the ANC could make concessions.

THE DISADVANTAGES OF “PIECE BY PIECE” NEGOTIATION

This is a time-consuming process while you wait for the offers and counter-offers of the negotiators. It can also lead to frustration and hostility and a breakdown in the negotiations, especially when you have nothing left to concede while your opponent doesn't believe it. This does not happen when you are negotiating a total package deal.

The release of political prisoners was indeed a time-consuming process because the ANC wanted them unconditionally released while the government wanted to release

them on condition that they renounce violence. This condition was also applied to Mr Mandela who rejected it. This offer was generally rejected and as a result by 1987 only 25 political prisoners had accepted it and had been subsequently released. In October 1989 another seven prisoners serving long sentences were released and in the following two months 50 prisoners were released. This led to 343 Robben Island prisoners to go on strike because they believed the process that was being followed was not according to the Harare Declaration of unconditional release. The process was also delayed by the uncertain number of political prisoners still held because of the government's definition of a political offence as a criminal offence.

The government's stand that the release of the political prisoners must be negotiated delayed the start of serious negotiations. It was only after the agreement on what a political offence was, that the Indemnity Act was instituted in May 1990. The president could then indemnify or grant temporary immunity to certain individuals thus making it difficult for exiles to return not knowing whether they would be arrested once they entered the country.

By 23 March 1991, amnesty had been granted to 4805 people but only 270 prisoners had been released. By 30 April 1991, 933 prisoners had been released. It was only after the release of the last political prisoner from Robben Island in November 1991 that formal negotiations in the form of CODESA were started, although Robert McBride and Barend Strydom were still held at Pretoria Central Prison.

HOW TO DECIDE WHICH APPROACH TO FOLLOW

Fuller (1992:180) says what happens at the beginning of the negotiation will determine which approach you will follow. If your opponent makes a reasonable initial

your adversary may persuade you to concede a rand for every rand he concedes. But if he is not prepared to drop the price you are prepared to pay, he might pretend to be making another concession by suggesting that you split the difference between the price that he is asking and the price that you are prepared to pay. If the seller's asking price is R300 000, and your price is R150 000 (the maximum you are prepared to is R200 000) the difference will be R150 000. If you split it you will end up paying R225 000, which is not a concession for you in actual terms. Therefore, Fuller suggests that instead of negotiating for a "quid-pro-quo" exchange; rather negotiate for a whole package.

- ii. Lastly, it is suggested that if a concession has been made and accepted a part of the agreement, it must be recorded what will actually take place to ensure commitment to carry it out. Otherwise it may end up not being carried out.

PERFORMANCE INCENTIVES

When concessions and promises have been made, the negotiator can be persuaded to carry out his commitment through incentives because the execution of a project cannot be based on past performances of other projects. There are three kinds of incentives:

Technical Incentives

These are incentives that are used, according Fuller (1992:182) "to encourage technical performance that meets or exceeds the agreed upon specifications" For

example, because of the high price of fuel, car designers may be asked by a government to design a car that is fuel efficient without sacrificing speed and durability within a specified period of time. If the requirements are met, the manufacturer may be rewarded with special tax concessions by the government. If there is an improvement of the specifications, the company will get more rebates. If there are definite specifications, “target goals” can be established. If the target goals are not met, provision can be made for little or no incentives. The incentives are designed according to the purchase and the performance characteristics desired by the buyer.

Delivery Incentive

This is an incentive paid when a delivery of the ordered item is made on or before the agreed upon date.

Cost Incentive

This incentive is paid where part of the agreement is that if a project is finished at less than the target cost an additional fee or profit will be paid. Fuller reminds us that one or all of these incentives can be part of the agreement. Also there can be a clause that less profit will be paid if the performance level is below contract expectations.

WHAT TO CONSIDER WHEN USING INCENTIVES

The number and structure of incentives is important. If there is more than one incentive in an agreement emphasis must be clearly put on the most important of them, otherwise the negotiator may concentrate on the less important one. Or if certain criteria are not met, then it should be clear that no incentives would be paid.

If the criteria for determining the payment of incentives are “wrong or too lenient” then the incentive may be paid wrongfully. If the criteria are unattainable the adversary may be demotivated.

The language used in the contract should clearly and comprehensively or unambiguously state how the performance will be measured before incentives can be paid. The language should also be easy to interpret in order to avoid confusion

Fuller (1992:184) also adds that incentives can also be used during negotiation as a tactic to get concessions in other areas of the negotiation, or “in exchange for dropping your performance incentive demands.” But you must ensure that your incentives can be used to achieve what you want, otherwise you will lose credibility.

In South Africa the ANC had called for international sanctions against the apartheid regime. They would be lifted once progress towards democracy had been witnessed. When Mr Nelson Mandela had been released from prison in February 1990, some countries, like the United States, were under pressure to lift the sanctions. It was as if the release of political prisoners would act as an incentive for the lifting of sanctions. In the United States the Comprehensive Antiapartheid Act of 1986 stipulated five conditions that would first have to be met before sanctions could be lifted. By late 1990 only three of them had been met i.e. “the government had entered into multiracial negotiations, had removed bans on multiracial political organisations, and had lifted the state of emergency in Natal.” (History of South Africa 1990-1994:2) Therefore that was not sufficient as an incentive. However, in July 1991, the remaining sanctions were lifted, except for the laws restricting commercial ties with South Africa.

Several African countries visited by Mr Mandela shortly after his release from prison waited for a signal from him to lift the sanctions. It was in 1992 that many

African countries, because of pressure from their business communities, lifted sanctions and re-established diplomatic ties with South Africa. Those countries that were visited by Mr De Klerk in May 1990 lifted their sanctions on travel to and investment in South Africa. That caused some South African sportsmen to demand readmission into international competitions, while some countries still adhered to international sanctions. Late in 1990 Mr Mandela travelled to India, Japan and other Asian countries to seek political and financial support, while Mr de Klerk went to the United States, Britain and the Netherlands Mr De Klerk was seeking international approval for the legislative and political changes that had already started, while Mr Mandela wanted things to go at a faster pace and there were obviously still many hurdles to be overcome. In January 1992 the European Community lifted most trade and investment sanctions and three months later the remaining restrictions on sporting, scientific and cultural links with South Africa. On April 6, 1992, the European Community lifted the oil embargo. Late in 1993 the United Nations General Assembly lifted the remaining sanctions

On June 5, 1991, the Land Act of 1913 (and 1936) and the Group Areas Act of 1950 were repealed. This legislation guaranteed equal rights to all races to own property anywhere in the country; the conversion of 99-year leases by about 300,000 African households into full ownership, the setting of (racially non-discriminatory) residency standards for their neighbourhoods by suburban residents of all races, the authorisation of the establishment of new townships and the extension of services to their residents, and the development of farmlands and rural communities. However, the repayment of blacks who had previously been displaced from their lands was not authorised; there would be a special court or commission established for that purpose. On June 17, 1991, the Population Registration Act of 1950 was repealed to high acclaims, although there was still no equal treatment on voting, pensions, social

services and other areas of public life. Most sanctions were lifted after the repeal of these acts.

WHY YOU MUST NOT PUSH TO REACH CONCLUSION

Sometimes negotiations do not reach finality because the other party is indecisive or purposely delaying the proceedings to your disadvantage. You may feel tempted to force the negotiation to a conclusion.

In such a situation it may be necessary to think of the various possible causes for such behaviour, like the thought that the opponent may, by doing so, strike a better deal; or the other party may not really be having an interest in the negotiation, thus not really willing to reach a conclusion. The opponent may simultaneously be negotiating with another party and may be using you as a tactic to forge a better deal from his opponent. He may also be failing to take a final decision.

In this case Fuller (1992:184) suggests you must be “firm and matter-of-fact”, and not destroy any chances of a last minute deal. Rather suggest that if the other party has not made up its mind yet, you suspend the negotiation and resume it when he is ready to proceed.

If the opponent shows willingness to continue with the negotiation, try and get some commitment from him to avoid a fruitless wait by asking him to make a direct offer or making the offer yourself, and setting the deadline to conclude the agreement. You could also ask for direct reasons why there is no progress. If that does not work, then your superiors can be involved in the finalisation of the process.

DELIBERATION REQUIREMENTS

Another suggestion to avoid rushed decisions is to “build formal deliberation requirements into the dispute resolution process.” (p.1) This may mean specifying the steps to be followed and the minimum time to be spent by the parties for each step. Potentially affected parties may have to be notified by mail or newspaper advertisement before any decision is taken. A review of impact statements may also have to be made.

Fuller (1992:186) acknowledges that taking such a step is accompanied by a fear of failure of negotiations especially if you stand to lose from the deadlock. The other party may capitalise on this and drag the negotiations. If the negotiations do not succeed, there may be other opportunities for fruitful negotiation. The opponent may also indicate willingness to talk. Therefore an effort must always be made to keep the relationship amicable.

Outcome-based Evaluation of Negotiation

Kesner and Shapiro (1991) do not agree that negotiations are successful only if they end in agreement being reached. This is an outcome-based evaluation of negotiation, which has undesirable consequences. It is also based on negotiation reward where negotiators are offered more incentive to reach an agreement or even paid a percentage of the final settlement if agreement is reached. If negotiations do not produce agreement lower fees are paid. The focus is on the quality of agreements, and the results of non-agreement are disregarded as data.

To Kesner and Shapiro (1991) this state of affairs is undesirable because it forces the negotiators to close deals, even if they are bad deals, because A BAD DEAL IS BETTER THAN NO DEAL AT ALL. Critical issues, which might create difficulties

after the deal is reached, are overlooked for the sake of the deal. Thirdly, the pressure to produce agreement leads negotiators to commit more resources to a certain course of action to justify the rationality of their action. The competitive win / lose atmosphere also accentuates this course of action. Lastly, the wish to reach agreement leads to a distorted or short- term view of costs, or viewing the negotiation costs “as investments rather than sunk costs.” Agreement needs to be reached to justify the financial investment. If agreement is not reached it means the investment has been forfeited.

Process-based Evaluation

According to Kesner and Shapiro (1991:2) “negotiation processes which reveal irreconcilable differences should be counted as successful”. This is the process-based evaluation of negotiation, which reveals how the negotiations were handled and the issues that were attended to. Kesner and Shapiro suggest several criteria for evaluating successful negotiation:

- Has the negotiation identified critical differences between parties?
- Have implementation issues been addressed within the negotiation
- Have negotiations addressed more than just financial issues? i.e. managerial, cultural and strategic issues in the case of a merger?

Therefore, a negotiation is successful if it is based on a successful process i.e. a process that is thorough, informed and accurate (Kesner and Shapiro: 2). Negotiators’ fees should also be determined according to this process-oriented evaluation.

Suggestions for Improved Negotiation Practice

Kesner and Shapiro suggest the following practices to improve the negotiation process:

- The negotiators should have a clear understanding of their client's goals, both financial and otherwise
- Negotiators should have a good understanding of their clients
- The maximum price should be set prior to negotiations to prevent escalation
- Negotiators should address implementation issues within the negotiation process in order to reveal differences of opinion, which might be irreconcilable
- Clients should be educated about the importance of the negotiation process so that they realise the importance of any particular outcome, regardless of whether an agreement has been reached or not

HOW TO STONEWALL YOURSELF

Besides knowing how to deal with stonewalling from other people, it helps to know how to stonewall yourself without being explicit about it. It is more effective if you can firmly defend your position so that your opponent does not find any loopholes. At the same time pile on the pressure by attacking his weaknesses until he succumbs and starts making concessions.

However, Fuller (1992:187) warns that stonewalling may cause the adversary to think negotiating with you is a futile exercise, and decide to pull out of the process completely, with little prospects of resuming the talks. Therefore, this tactic should not be employed if other options are not available.

LOSING CONTROL OF ONE'S EMOTIONS

It is always recommended that during negotiations one should control one's emotions even under provocation, for negotiation to succeed. Sometimes it is proper to

display one's frustration and emotions when negotiating with an intransigent person who causes the process to delay unnecessarily. This kind of behaviour usually "enhances communication and personal growth." (Amodeo and Wentworth 1995) This should be done while maintaining one's emotions to register dissatisfaction i.e. emotion should be expressed in a healthy way in order not to provoke retaliation, escalation or the withdrawal of the other party. This happens if emotion is expressed in an indirect way or aggressively. Otherwise both negotiations will cause an uncontrollable situation.

The aim here may not be real anger, but to show that bullying tactics do not always work with everybody. However, a hostile attitude may be because some people are hostile by nature, and if that is the case, your attempt to force the process to move forward by threatening to break off the negotiations may be taken without fear by the opposition, thus causing you harm. On the other hand, if you threaten to discontinue with the negotiations the difficult opponent may be brought to his senses and be prepared to negotiate further.

Fuller (1992:189) says bad behaviour stops when challenged, especially if it was used as a negotiation ploy. If the challenge only makes things worse, it is recommended that the negotiations be temporarily halted and when people have calmed down it must be made known that negotiations cannot continue if they are not conducted in a dignified manner. If that still does not help, call the process off and inform your opponent's superiors about the stalemate. Silence is also recommended when someone loses control of his emotions and makes mistakes, which may be to your advantage.

USING UNREALISTIC DEMANDS

When people are negotiating, offers and counter-offers are made. Some offers are so unrealistic that they cause a breakdown in the negotiations sometimes right from the start. Other offers make the adversary table his unreasonable offers as well, thus making an agreement impossible. Fuller (1992:190), however, mentions a few situations where making unreasonable demands may be justified.

Firstly, this may be done when your opponent makes an unreasonable first offer. Fuller suggests that you can react by either refusing to negotiate until a reasonable offer has been made; making a reasonable offer to force the opponent to change his stance; or making an equally unreasonable offer. Refusing to negotiate can lead to a breakdown of the process, while a reasonable counter-offer may cause the opponent to still want you to make further concessions while he is conceding little. However, if you made your counter-offer just as a negotiation ploy, this should not be a problem. But it appears that this is better than refusing to negotiate or making a reasonable counter-offer.

An unreasonable counter-offer can also be made when you are not certain of the value of the item you are negotiating about, or if the topic that is being negotiated upon is “intangible”. (Fuller 1992:190) In this case Fuller (1992) suggests starting with a “ridiculously low offer” and modifying it as the negotiation continues.

When the adversary does not know the real value of the item being negotiated about or does not have the real information, while you know that the real value is much more than what appears, then you can make an unreasonable offer.

Sometimes when your opponent is desperately in need of what you are offering, or when he desperately wants to sell a certain item, then you can ask for a price that

suits you. It must be noted that during negotiation it may not always be advantageous to stick to demands at the bargaining table, because they may cause you problems during the performance period. Therefore, if the final agreement is satisfactory, then there should be no need for uncertainty about the progress of the agreement.

LOWERING YOUR DEMANDS

The long-term goal of a negotiation is, according to Fuller (1992:190) “to get the best deal you possibly can.” However, sometimes it may help to lower your short-term demands in order to gain in the long run. Fuller (1992) makes an example that as a new supplier you may want to gain a share of sales of a certain product by introducing it at a price near or lower the cost price, and then raising it marginally at a future time. This may be caused by the presence of competitors, or maybe price plays a major role in the negotiation.

Fuller (1992) advises that offering a low price may not necessarily contribute to persuading your opponent. In fact, it may make him not believe that the offer is genuine, and make him ask for more concessions. It may also make him believe that there is a catch in the low price; maybe the performance or quality is below expectations. Therefore, before offering a low price one should consider how much of a risk it is because the competitor may just want a low offer and nothing more to offer himself.

You may be making a low offer in order to outdo competition in multiparty negotiations. However, you must consider whether it is to your benefit or not. Fuller (1992) warns that competitive negotiations can also lead to the buyer paying more, as in the modelling industry or sport where the most sought after person may be acquired

through paying more money. So the consideration should be made about whether making a low starting offer will be beneficial in the long run.

During the negotiations for a democratic South Africa the ANC was originally for the idea of the transfer of power to the majority of South Africans. However, it lowered its demands by gradually accepting the notion of a coalition government although it wanted to determine the rules for forming the coalition. This resulted in the Government of National Unity (GNU), which would govern for five years, where the decision-making process depended on sufficient consensus being reached i.e. if the National Party and the ANC agreed. The National Party withdrew from the GNU before the expiry of the five years. This caused an awkward situation for the ANC because the White bureaucracy whose jobs had been guaranteed would carry out its policies. The ANC also did not have bureaucratic capacity. The IFP was not part of the decision-making process. There was a big debate on how the multiracial government should be formed and over the allocation of powers between the regional and national administrations.

In February 1991 Mr Mandela and Mr De Klerk reached a compromise on the reduction of violence, the smuggling of arms into South Africa and the release of political prisoners. The repatriation of exiles was finally achieved through the intervention of the UN High Commissioner for Refugees especially because some of them were returning from countries that did not have diplomatic ties with South Africa, but their skills were sorely needed in the negotiation process.

TAKING ADVANTAGE OF DIVISIONS IN THE OPPOSITION

Sometimes during negotiations, as Fuller (1992:193) says, divisions or differences of opinion can be detected in the opposition, especially if the opposition team leader is not in control of his team. "A frown, raised eyebrows, or sullen silence" can indicate them. The members may even openly call one another to order. At other times these differences may be hard to detect because any negotiating team presents "a united front." Other differences may be detected in pre-negotiation meetings of your employees "with customers, clients, suppliers or any other party with potential for future negotiations" Your employees need training in order to detect them.

When you have detected those differences you should single out those people who are likely to support your case and argue your case in line with them. By so doing you are minimising the chances of them criticising you. In fact, if they have any influence in their organisation they may openly support you, thus giving you much needed support.

Fuller (1992) also suggests that in such a situation you should involve the negotiator's boss in the negotiation. Then you become amenable to him while being tough to the negotiator. The negotiator may realise that and then let the boss be the decision maker.

HOW TO GIVE UP LITTLE AND GET A GOOD DEAL

Getting a good deal means giving up little or nothing but gaining in return. This may sound impossible but Fuller (1992:194) says some people do concede, "more than is necessary to achieve agreement" especially if they do not realise of how much value the item is to the opposition. Therefore one should look at the concession one makes

from the other side's point of view, especially if they insist that you make a concession on it.

Fuller (1992) says sometimes negotiators can insist on a concession on a certain item just for emotional reasons. So if you can attach emotional value to something then you can bargain for a better deal. Sometimes a useless concession can be traded for a very valuable one. Fuller (1992) makes an example of a negotiator who wants to buy 1000 electric motors from B, but if a cheaper component is substituted the unit price can be reduced by 1 dollar. B favours using the more expensive component because the cheaper component would need more sampling and inspection. However, B knows that the cheaper component is of equal quality although he does not admit it. A then offers to share the savings 50/50 if the cheaper component is used. B then finally agrees and in the process makes a \$500 profit without conceding anything.

Fuller (1992) also remarks how our egos can also lead to us not making the best bargains. Attaching value to something can lead a person with a big ego to feel he has clinched the best concession from you, especially if you sell the idea that you are not prepared to make a trade-off. In that way the other person's pride turns into your profit.

HOW TO DEAL WITH NEGATIVE NEGOTIATION TACTICS

As has been previously discussed in this chapter negotiation is preceded by preparation so that one is not taken by surprise during the process. However, some negotiators do not come to negotiation thoroughly prepared. They intend to win the negotiation by using tricks and at the end of the process they are happy that their tricks have borne fruit. But if they are negotiating with someone who has been properly prepared they may not realise that they have been taken for a ride. Therefore, Fuller

(1992:196) recommends that one should not depend only on one's confidence, but also on one's negotiation expertise. In this section I shall be discussing the different tactics used on how to counter these tricks. They are the following:

Evasiveness

It may become apparent during negotiations that some of the negotiators are evasive either on the whole negotiation context, or on some particular aspects of the negotiation. Fuller (1992:197) mentions, among others, the following signs of evasiveness:

- Failing to produce documentary support when needed
- Not having ready answers for your questions or pretending not to be knowledgeable about the subject matter of the negotiation
- Not making definite commitments, but instead making false alarms about what they can and cannot do
- Making vague promises and reversing their position on issues
- Responding to questions with generalities, rather than specifics

Fuller (1992:197) cautions that the presence of one of the above instances does not necessarily mean the negotiator is evasive; what you must look for is a "general pattern of evasive conduct" This should be probed by "asking questions for which you already have the answer." If an incorrect or misleading answer is given, do not hastily make them aware of that; do it tactfully, otherwise your opponent might be unwilling to continue with the negotiation.

However, follow-up questions still have to be asked to make sure that both you and your adversary were not misunderstood or "misinterpreted" This is according to Fuller (1992:198) But once you establish that your opponent is deliberately being

untruthful, you should bring it to his attention directly at an appropriate time, but in a diplomatic manner with the aim of getting satisfactory answers. The answers will tell you whether the person is just misguided or whether it is a deliberate cover-up. Fuller (1992) suggests that if you decide to go ahead with the negotiation even after realising that a cover-up is taking place, then you should safeguard yourself by putting down in writing any protective measures.

“Moving Target Offers”

According to Fuller (1992:198) some negotiators do not stick to one offer, but they keep on “revising existing offers” on the pretext that the conditions under which you are negotiating have changed; therefore rather than withdraw the offer or end negotiations they will change the offer. However, what they are really trying to achieve is to get more concessions from you.

As part of the negotiations for a political solution after the release of political prisoners, the Further Indemnity Act of November 1992 provided for the granting of indemnity to the most controversial cases. The Act also established National Council on Indemnity through which the State President needed to consult before releasing a prisoner serving a long-term sentence or life imprisonment for an offence committed before 12h00 on 8 October 1990. This was done to protect ANC political prisoners and other offenders who had not timeously applied for amnesty, who had committed offences prior to the starting date for negotiations. It also protected awaiting trial prisoners and recently sentenced prisoners for acts committed before 8 October 1990. Members of other political organisations who had committed offences before 6 December 1994 were not protected by this Act. The Multi-Party Negotiating Process agreed to the formation of a Truth Commission to look into the granting of amnesty to

prisoners and other individuals. Therefore the interim constitution was amended to include 6 December 1993 as the cut-off date for amnesty. However, right-wing organisations also wanted amnesty for their members who had committed offences before the 1994 elections. The cut-off date was again amended to 11 May 1994. This was done to make sure that the process of reconciliation was inclusive and to gain right-wing support.

Robert McBride and Barend Strydom who had committed crimes that caused the whole country to feel outraged were also released in an attempt to reach a political settlement. Robert McBride had exploded a bomb outside two bars in Durban killing three civilians and injuring 69 people. He was granted indemnity early in 1993 on the grounds that his act was politically motivated. White South Africans in particular did not approve of his release.

Barend Strydom had shot dead an African woman and injured another. He was also released early in 1993 on the grounds that his act was politically motivated as he claimed commitment to the Herstigte Nasionale Party (HNP), and the Afrikaanse Weerstandsbeweging (AWB)

The moving target offer is also used because the superiors will supposedly not support the decision taken. However, there are also those negotiators who do not even feel the need to make an excuse for revising offers. They can be stopped from changing their offers by insisting on the original offer otherwise the negotiation stalls, or by making a less desirable offer following the opposition's revision of their offer. This, according to Fuller (1992), makes this tactic ineffective.

Interruptions

Interruptions during negotiations, whether intended or unplanned, can cause a distraction which may interfere with the effectiveness of your negotiation. This can be counteracted during pre-planning by agreeing to limit the number of people taking part and holding meetings at neutral venues.

However, some interruptions occur during negotiation like a negotiator who talks incessantly without giving a chance to other people; and then interjects while other people are talking, or forces you to be his audience. In such a case Fuller (1992) advises that you make him aware that you want to talk and finish what you want to say. If he does not respond you may have to pause and request to be given an opportunity to finish. A point to bear in mind is that such people are usually not good negotiators because they are poor in two-way negotiation. You need to make it known that you are willing to give them an opportunity when they talk, therefore you also need to be given that opportunity as well. Fuller (1992) says such interruptions may be a strategy to defend weak negotiating positions.

Sometimes a superior from the opponent's side may come to boost the strength of your opponent and to weaken you so that you make some concession. It is a way to insinuate that your superior may be called if you do not move fast enough. At the same time the importance of the opponent's offer is reiterated. Again here Fuller (1992:202) suggests you stand firm on your offer. You can also emphasise the amount of time you have before departure, after which negotiations can resume at your home turf. This will then give you more advantage.

Bullying Tactics

It was discussed earlier how some negotiators use “bullying tactics” and “outright hostility” during negotiation. This may be met by pretending to be angry, and threatening to stop negotiating.

However, bullying may be purposely done at certain intervals to have an edge in the negotiation. The best approach here is to look for the reasons for it before taking appropriate action. Fuller (1992) cites four reasons for using bullying tactics. Firstly, this may happen when you have exposed a weak spot that the other side does not want to be revealed, so that instead of getting a reply for your question you might get an angry or sarcastic outburst. Fuller (1992) suggests you ignore this and repeat your question, emphasising that you need an honest reply before continuing with the discussion.

Your opponent may use bullying tactics at the beginning of the negotiation to test whether you will withstand the attack. If you submit then you will be bullied right through the negotiation. Therefore, Fuller (1992) suggests that you make it clear right from the beginning that you won't be intimidated.

Sometimes bullying may be used to push you to a situation where you break the negotiations and then you are blamed. Fuller (1992) makes an example of labour negotiations where neither party wants to be blamed for the failure of the negotiations. In this case you will need to continue negotiating although it may not be pleasant.

When negotiations are nearing the end bullying may take place in order to extract some last minute concessions from you because people think you are tired or frustrated by the process and the behaviour of the adversary. The advice here is to stay

alert until the final agreement is reached, lest you give away some hard bargained for concessions.

Intimidating Behaviour

Like bullying, intimidation can also be used during negotiation and, as in the case of bullying you can ignore it, but only after determining whether the threat will indeed be carried out, and what its effects will be on you. Fuller (1992) discusses some forms of intimidation and how they can be dealt with.

One way of intimidating is using deadlines before which a final agreement should be made, especially if there is a deadlock. The idea is that you should make a final decision. This pressure should be resisted by making it clear that if there is an ultimatum, then you are not very keen to negotiate under those conditions. A genuine ultimatum should be known by the time the negotiations begin. This will force your opponent to consider your offer, which you are not willing to change.

Another intimidation tactic is to threaten to go and negotiate with a competitor or to do the work in-house. However, if the opposition had these options, they would not waste their time and money negotiating with you. In this situation Fuller (1992) advises that you do not express any concern about that, otherwise you may be pressurised into an agreement.

You may also be intimidated by being told that some people in your adversary's side are opposing this negotiation. However, it is unlikely that the negotiation stage can be reached when there are people opposing the whole process. This should not derail you from your decision.

Fuller (1992:206) mentions other types of intimidation, which are used in specialised negotiation situations, like threats to strike in labour negotiations, and “sabre-rattling” in international negotiations. There are actually no limits to negotiation intimidation. However, the final step to take is not to succumb to intimidation.

NEGOTIATION LOOPBACKS

In the previous paragraph it has been said that threats can be used to get the parties to agree to a settlement. Sometimes parties do this if they think they can get a better deal by making a threat than by negotiating. This is called the best alternative to a negotiated settlement – BATNA. (<http://www.colorado.edu/conflict/peace/treatment/ngloops.htm>.1) This is usually done by parties that feel they have more power than their opponents. The power may be military, political, legal or nonviolent action. The powerful party threatens to take action if the other party does not succumb. However, it does not have to carry out the threat once it becomes clear who has more power. At this point the opponents may agree to go back to negotiation. This is called the negotiation loopback. It enables the parties to reach a settlement. It also indicates that the conflict is ripe for negotiation. This is how many “out of court” settlements are reached.

TESTING THE VALIDITY OF THE BATNA

It has been mentioned that during negotiation one party may resist negotiation because it thinks it has a better alternative to a negotiated settlement (BATNA). However, this may turn out to be an illusion; therefore it is recommended that the BATNA be tested before the disputing parties drift apart. Ury in his book *Getting Past No*, is mentioned as saying the mediator can perform this task by talking to each of

them independently so that the costs and benefits of the BATNA can be estimated. Further legal advice can also be sought to help the parties. (<http://www.colorado.edu/conflict/peace/treatment/realtest.html>)

IDENTIFYING “RIPE” TIMES FOR NEGOTIATIONS

As mentioned above negotiations can only take place successfully when the time is ripe for that i.e. it must not be too early or too late. If one of the parties feels it is stronger than the other it can drag the conflict with little financial loss, until it feels it can get a better deal through negotiation. This would mean the time is ripe for negotiation. This is called a “power-based approach” (http://www.idea.int/publications/democracy_and_deep_rooted_conflict/home.htm)

A conflict also becomes ripe when both parties have reached a stalemate, because the conflict is costing a lot while nothing is gained. They may have to reach a settlement even though they were not originally willing to do so.

When new negotiators come into the process they bring in new ideas without the “negative stereotypes and emotions” of their predecessors.(p.1) This may cause the party that was having a problem to change their minds and be ready to negotiate and arrive at a settlement.

In order to assess whether the situation is ripe for negotiation the following questions may be asked:

- Are all of the parties interested in negotiating?
- If not, why is one of the parties reluctant?
- Can anything be done to make negotiation more attractive to them?

- Do the parties all know their alternatives to a negotiated settlement?
- Do they feel those alternatives are good?
- Do the parties have a legitimate leader or representative who could effectively negotiate for them?
- Is a forum available for negotiation?
- Is a credible mediator available to assist in the negotiations?
- Do the parties agree on the credibility of this mediator?

HUMANISATION

Deep-rooted conflicts are usually characterized by opposing parties dehumanizing each other i.e. viewing one's opponent as less than human and therefore not deserving humane treatment. This may be necessary if the aim is to fight the opponent or violate human rights. The enemy is seen as evil and contrasting with the good self. This is followed by the process of projection- where one projects one's own faults onto one's opponents e.g. selfishness, aggressiveness. This escalates conflict and leads to situations like the genocide in Rwanda, Cambodia and Yugoslavia. It is important in what is known as conflict transformation to humanize our opponents and project them as human, with the same values, emotions and feelings as us. This will make it difficult to act violently against them. <http://www.colorado.edu/conflict/peace/treatment/humanism.htm>

How To Cut Short Intimidation Tactics

Intimidation tactics need to be cut short at an early stage, otherwise they will not be easy to halt. However, you need to clearly identify whether what is being said is

indeed intimidation, or just the negotiation style of your opponent or a reflection of his personality. If it is the latter then there may be no change to the approach no matter how you object to it. Therefore it may make no sense to continue with the process.

Another aspect to this may be that if you continue to say that a certain tactic is unacceptable, your opponent may stop it, but employ other negative tactics like objecting to everything you say, using subtle tactics or accusing you of using them, being vague or unwilling to answer questions, or just being difficult to negotiate with.

The bottom line is, according to Fuller (1992) that you must express your dissatisfaction with the tactics used, but try to reach your negotiation objectives and not be deterred by your dissatisfaction.

“Turning Threats To Your Advantage”

According to Fuller (1992:207) threats may be made, but they are not “always as intimidating as they seem.” Therefore, the possibility of them being carried out e.g. the ending of the negotiations, may mean loss to both parties, unless one of the parties did not have anything to lose in the first place. Fuller further feels that the possibility of the failure of negotiations should be part of the negotiation pre-planning, with provision being made for alternatives.

As previously stated threats should not be taken with great concern since they involve greater risk if carried out. When the opponent backs down it will be to your advantage. Fuller (1992) mentions three ways of dealing with threats.

IGNORING THEM AND CONTINUING WITH DISCUSSIONS

When a threat is made you can ignore it and continue talking, thus forcing your adversary to choose whether to repeat the threat or not, showing that the threat does not bother you, even if the negotiations fail.

ACKNOWLEDGING THE THREAT AS A PREROGATIVE

When a threat is made you can react to it by acknowledging that the other negotiator has a right to make threats, but that they won't force you to accept unreasonable terms. This will force the adversary to either end the negotiation or continue with it, thus revealing whether they meant what they said or not.

REPLYING WITH YOUR OWN THREAT

Making your own threat can be another way of responding to your opponent's threat. This will be determined by the cause of the negotiation. Fuller (1992:209) suggests that you make your own demands in line with your opponent's reasons to walk out.

Persistence

Persistence with your demands and standing your ground can also let your opponent realise that you are resolute and thus make concessions or propose alternatives. However, Fuller (1992) advises that this resoluteness must be selective; otherwise your opponent may think that you are unnecessarily difficult. Your responses must not indicate some uncertainty. When you have used all your facts you can repeat the key points even from different angles. The important thing is not to appear stubborn.

Dealing With Extremists

During times of negotiations there may be individuals who are willing to negotiate and reach agreement, or be prepared to compromise for the sake of a good settlement. However, there may be extremists who may only be ready to accept an outright win, and are not prepared to change their positions or ideas. Rather they advocate confrontation and this leads to escalation and polarisation.

The best course of action to take is to limit their influence, but this is not always easy. One way that is recommended by the authors is to marginalize them by not giving them media attention (although the media is attracted to sensational stories), and not giving them leadership positions in the groups or organisation. When they engage in acts that promote escalation of confrontation, for example, terrorist activities, the actions should be condemned by the moderates of the group rather than defending them or keeping quiet.

It is always a problem whether to include such people in negotiations or not. In most cases they refuse to take part in the negotiations because of their unchanging positions. What can be done is to include them in the process later when their influence is not going to have an effect. Even then they may still choose to derail the process rather than be part of the solution.

A typical example in the South African situation was the Afrikaner Resistance Movement (Afrikaner Weerstandsbeweging), which refused to be part of the CODESA negotiations in Kempton Park, South Africa, for a new democratic order. They crashed into the negotiation venue with heavy vehicles and preached war, while trying to win to their side some of the homeland leaders and their followers. The negotiations continued without them until a settlement was reached. Their leader, Eugene Terreblanche, ended

up in jail for human rights violations and later seemed to have changed his extremist attitude.

Another view is that extremists should be included in the negotiations and be given a platform to state their case, which may be a denial of their group identity, security and recognition. (<http://www.colorado.edu/conflict/peace/treatment/disownex.htm>) The idea is that if the extremists are promised that attention will be given to their cause, they may become moderates and hopefully win some of their groupings over to cooperate in the peace process. This is what the democratic government of South Africa promised the Afrikaners of the Freedom Front and other related parties that if they become part of the government and state their case, a solution might be found. The most important point to remember is that extremists need to be treated with respect.

Socialising Before Negotiation

Socialising either by having a meal or a drink together can help to sort out points that could not be sorted out in the formal negotiation situation. However, one must also not try to discuss matters with a drunken opponent who may not remember the discussion at all.

Fuller (1992) also suggests that negotiators should have good rest one or two days before the negotiation so that they resist some tactics of being purposely worn down in order to achieve certain objectives.

INTERNATIONAL NEGOTIATION

According to Fuller (1992:222) international negotiation is not easy because of cultural differences and differences in bargaining styles, but with good preparation it

becomes possible. Fuller, therefore, suggests that the following aspects should be taken care of when negotiating at an international level:

- It is advisable to visit the negotiation venue beforehand to familiarise oneself with it.
- There must be an interpreter for the adversary's language even if he speaks English
- Know the other country's customs so that you do not offend anyone.
- Know what cultural differences are important for negotiation purposes. Here Fuller (1992:223) mentions "the degree of formality/informality at meetings, the authority of the negotiator, and the extent of socialising from culture to culture."
- It is important to research the company you are negotiating with to ascertain that country's ethics, because the legal route may not be easy to make use of.
- If possible the agreements must be interpreted in your own country's laws
- Courtesy and accepting local business protocol are important. Business should not be discussed during moments of socialising unless your host starts the discussion.

Fuller (1992) also suggests negotiating in your adversary's language if he is non-English speaking. This may appear as a stumbling block to you, but it will help to build trust so that there are no allegations of misunderstanding at a later stage. Also it provides an opportunity to think while your statement is being translated.

HOW TO KEEP NEGOTIATIONS FROM STALLING

It is common that negotiations stall just when the closing of the deal seems imminent. According to Fuller (1992:232) this happens because all the possible

concessions have been made. However, talks can be kept going either by coming up with a creative tactic or sticking to your decision. This can be done in the following ways:

Coming Up With New Options

When negotiations stall because a stalemate has been reached, it is advisable to look for alternatives to solve the problems. Both parties should engage in this exercise unless the other party is no more willing to do this. Then you should come up with an alternative. Such a problem is caused by the fact that during the planning stage it is not easy to foresee and plan for such a situation.

In the case of a difference of opinion because of price, Fuller (1992) suggests that delivery dates should be stretched out and product and packaging specifications relaxed. The quantities of items bought should be decreased or increased and provision made for additional quantities. Performance, cost and delivery incentives should be increased as well as more favourable items. Sometimes it may be necessary to restructure the negotiation so that the final agreement is quite different from the original plan. It may also be necessary to agree to what may be important to another party, although it may not mean much to you. Fuller (1992) makes an example of a seller who agrees to sell his property but keeps remembering how he enjoyed owning the property. The buyer then agrees to make him a manager of the property if he sells it. In this way a deal is struck.

During the negotiations towards democracy in South Africa a similar situation developed where options had to be modified. After the March 17,1992 referendum where Mr De Klerk obtained majority support to continue negotiating with the ANC, he presented to CODESA a proposal for a two-phase transition where CODESA would

appoint transitional councils to manage the first phase. In the second phase a multiperson presidency would lead an elected transitional government and a bicameral legislature. The ANC wanted a single-stage transition, "with a committee elected by proportional representation to draft the constitution, with a two-thirds majority needed to pass constitutional provisions." (History of South Africa, Dismantling Apartheid: 4) Because both sides needed to go back to the drawing board negotiations were suspended.

Meanwhile violence in the country escalated resulting in the Boipatong massacre of ANC sympathisers by IFP supporters on June 17, 1992. The ANC threatened to withdraw completely from negotiations unless the government showed a willingness to stop the violence and IFP support. White conservatives as well as homeland leaders formed COSAG (Concerned South Africans Group) and passed for federalism with the aim of preserving ethnic minority rights, especially the Zulus and the whites.

The ANC and its allies called for a two-day general strike, which led to the government making concessions like accepting international observers and expanding the Peace Accord structures. The government also called for a general amnesty for politically motivated crimes, which the ANC rejected. It had also been discovered that the government was still holding more than 300 prisoners against what had been agreed upon, and that the carrying of lethal weapons, including traditional weapons by the IFP, was not being curbed.

On March 5, 1993, negotiations resumed but a month later Chris Hani, the General-Secretary of the South African Communist Party, was murdered. The ANC cooperated with the government to stop retaliation for the murder and several White

extremists were arrested. That made the reaching of an agreement more urgent, leading to the setting of the election date at 24 April 1994.

On July 26, 1993 a draft constitution was published which contained the following concessions to all sides:

- A federal system of regional legislatures
- Equal voting rights regardless of race
- A bicameral legislature

In spite of protests the negotiators formed the Transitional Executive Authority (TEC), a multiracial structure that would share its executive mandate with Mr de Klerk before the elections. COSAG reacted by forming the Freedom Alliance calling for equal status with the ANC. This right-wing tension was addressed, but the preparations for the elections went on.

The negotiators endorsed the draft constitution in November 1993, and the tricameral parliament in December 1993. With the date of the elections fixed the ANC called for the lifting of all remaining international sanctions in spite of the ongoing violence which was contained by military and police presence during the elections. The TEC was installed and other countries and international organisations began canvassing support for the South African elections.

As was apparent in this discussion new options and the preparedness of the two main negotiators to make concessions helped to prevent a stalemate and encouraged the process to go on.

Last Minute Concessions

Last minute concessions may be made where the deal appears to be close, but the opponent still refuses to accept the deal. A last minute concession can only be possible if you did not give away all your concessions. You can make this concession just as the talks seem to be stalling, or after the negotiations have failed, thus forcing your opponent to accept your last offer. Fuller (1992), however, warns that one should not wait too long before doing this because the opponent may already have made up his mind about your offer and decided to look for other alternatives elsewhere. It is also important, according to Fuller (1992:234), to appeal to your opponent's ego or emotions when making this last minute concession and make an attempt to rescue the talks. This may lead to an agreement being reached.

Using The Situation To Determine What Action To Take

Negotiations sometimes stall because of disagreement on a certain point. Here Fuller (1992) suggests ironing out other aspects of the deal first. When that has happened the sore point may also be solved. Sometimes members of the opposing team may criticise each and every point you make. In this case Fuller (1992:236) suggests selecting the critical issues to be discussed with the opposition leader first. It may also be necessary to bring down the numbers of the participants to facilitate discussion. If a particular individual seems to be stalling the progress unnecessarily, it is advisable to "diplomatically inquire" after the reason.

Among the reasons Fuller (1992) cites may be the inability of the negotiator to decide, or the knowledge that the proposal made is against his superiors' wishes. Here the negotiator's boss must be contacted. To sum up, when there is unnecessary stalling

in negotiations, it helps to shift focus to areas which are easy to agree on in order to keep the discussion going.

Withdrawal of an Offer

Sometimes it happens that an offer that an opponent has made and has been accepted may be withdrawn at the last minute because the superiors did not approve. Fuller (1992) advises that one should not be very angry about this situation because even though it may not have been explicitly said, agreements need to be approved or reviewed legally or administratively. He again reminds that the authority of the negotiator needs to be determined as well as the behind-the-scenes decision makers. He also stresses the point that the reasons for the refusal of the offer should be investigated. This may lead the negotiator to involve the objecting party to withdraw the offer made, to accept your offer, or to break off the negotiations.

Sometimes it may not be wise to insist on the presence of the superiors at the negotiation because of their high level. Or you may not want to push the negotiations too far because you may have other alternatives. Whatever the case may be Fuller (1992) suggests that you insist that the other side makes a counteroffer for the negotiations to continue. Insist as well that the counteroffer will have to be approved by your superiors just as theirs was.

How To Involve The Real Decision Maker

Negotiations sometimes do not go smoothly because the negotiator is slowing down things, or is just indecisive. This needs the involvement of the real decision maker. This can be done in some of the following ways:

- By suggesting that the slow pace of the negotiation necessitates the involvement of someone at a higher level. If the individual is really indecisive

he will welcome the decision. Fuller (1992) says this must be done after a full briefing of one's superiors.

- If the negotiator hides by saying his boss won't accept your offer, suggest that the boss be brought personally to the negotiation
- Ask your superior to contact the other negotiator's boss as if to inform him informally of the progress
- Influence your superiors that the delay can be eliminated if a relevant person is involved. Your superiors may send the message to your opponents who may make the negotiator take a quick decision or send someone who can.
- Talk directly to the negotiator's superior in such a way that it does not seem deliberate. You can use any excuse to achieve this.

How To Control the Use Of Experts by The Other Side

Your opposition may decide to make use of experts to strengthen their position. This has the effect of prolonging the negotiation because you must also get your own experts to counter them.

One way of controlling them is to agree during preparations to limit the use of experts during negotiations. However, if you foresee using experts yourself, do not propose this because it will also limit your use of experts. If the other side is deciding to use experts, you must object strongly because you are not using them. However, your success, according to Fuller (1992:240), will depend on whether your opponent would rather go ahead and use the expert in spite of your objections.

You should avoid using experts yourself unless you wish your opponents to do the same. Do not accept their credibility and the relevance of their expertise. Ignore

what they are saying during discussion. You can even bring your own expert to the negotiation if you anticipate an area where your adversaries may bring in their experts.

Fuller (1992) says in some negotiations the negotiation process is influenced by third parties by bringing pressure to bear through media exposure on one party that it is unwilling to reach agreement. Fuller (1992) advises that if such a situation is experienced you must not respond in a similar manner. Keep negotiation matters in the negotiation room.

Imposing Deadlines

One way of avoiding the stalling of negotiation is by imposing a deadline for the agreement to be reached. It must be remembered that if a deadline is not heeded, then your credibility suffers. Fuller (1992) feels if you make a threat you should carry it out as promised, or at a later date. Even if you do not carry out one or two threats and your opposition thinks you are no more going to do it, when you eventually carry out another threat your opposition will realise your seriousness. However, the threat should be made in such a way that your opposition is able to make contact with you when they are ready to resume negotiation.

Making a threat goes together with the possibility that your opponent may ignore it, thus damaging the prospects of a deal. However, Fuller (1992:242) says that possibility is not always real. In fact a threat may be just what a negotiator needs to proceed with the process. It must also be remembered that when alternatives exist that are as good as the presently negotiated settlement, then the threat is not a risk. But if the deadline is real then Fuller (1992) suggests taking another route right from the start, otherwise your opponent will try to squeeze more concessions out of you. If your opposition know that you have a deadline to meet, give them rather an earlier date so

that when the deadline passes and you do not react, the opposition may think they must act quickly otherwise they won't get the deal.

Using The Deadline As Pressure

Negotiations sometimes have to be finished within a certain deadline and if you know your opponent's deadline you can use it to your advantage. However, before taking advantage of the deadline you need to ascertain that your opponent has no alternatives in case the negotiation fails. You must also not make unreasonable demands, which he may not accept and lastly, make sure that the deadline is not just a tactic to reach an agreement or to stop you from asking too many questions. Fuller (1992) says you can detect this if the adversary informs you of the deadline right from the start.

In this case do not reveal that the deadline is of any significance to you. If you have prior knowledge of the deadline do not make it known because it might be used against you to get concessions. In fact, just negotiate seriously until the time of the deadline arrives, then you let the opponent make the last offer, in a leisurely way, which you must consider, and then reject it in favour of your counter-offer. If the counter-offer is rejected, continue negotiating until as Fuller (1992:197) puts it, the opponent "finally concede(s), makes another counter-offer or breaks off the negotiations." You will use your judgement as to whether the deal is reached by threatening to break off the negotiations. Remember that there may be a real deadline behind the obvious one, so the opponent may continue to negotiate even after it. That is why it is important not to rush matters when the deadline has come.

Involving Higher Level Participation

In many cases indecisive negotiators slow the pace of communication down, the matter under discussion or differences in personalities. This may necessitate the involvement of higher-level people to encourage the negotiator to finalise the discussions. Sometimes government officials or the media may be used. A classic example is the intervention of ex-President Nelson Mandela of South Africa in the controversy where AIDS activists were mobilising for the distribution of the AIDS drug among AIDS sufferers while the South African government was against that idea. However, after the intervention of ex-President Mandela the government bowed to the pressure.

Fuller (1992:243) suggests that this course of action must be taken for a very good reason, otherwise it may be seen for what it really is and it may backfire, as in the case of directly contacting your opponent's superior in order to get a "hasty and ill-conceived agreement."

TECHNIQUES FOR CLOSING NEGOTIATIONS

Just as the skill of how to handle a negotiation is very important, so also is the skill of knowing how to close the negotiation at the right time without prolonging it unnecessarily, while keeping the way open for future negotiation through the acceptance of certain conditions. Therefore it is important to know how to end the negotiation satisfactorily.

Ending The Negotiation While In a Position of Strength

Sometimes you may be negotiating from a position of perceived or real strength, or your opponent may not be a skilled negotiator. In such a situation there is a

temptation to exploit this state of affairs. To Fuller (1992) this may cause the negotiator to leave the negotiation, or force him to accept a bad deal rather than lose everything. A bad deal may compromise quality and have many other defects; and also lead to a situation where people are failing to deliver because the deal should not have been concluded in the first place. Therefore Fuller (1992) feels it is in the long term not advisable to force your opponent to accept unreasonable terms just because you are in a position of power.

Negotiating For The Future

Sometimes negotiations do not end in an agreement because one of the items under discussion is very important to the one party while to the other it is not at all important. In this case Fuller (1992) suggests that a way be found to make the objectionable point acceptable. If this fails a reassessment of the process can be made to see whether it would not be better to look at the long-term advantages rather than stop negotiating.

The issue of granting amnesty to political prisoners in South Africa before serious negotiations could be started was done for the sake of the future of the country. It is true that the government of the day had committed a crime against humanity through apartheid and it had to be punished. The National Party admitted this in a submission to the TRC on 23 March 1997 and took responsibility for actions only when perpetrators acted on its mandate. But people outside government had committed other crimes e.g. the ANC and the former UDF, the IFP in collusion with the government, the PAC and the White right wing groupings, so a compromise had to be reached before democracy and reconciliation could be established. The aim was not vengeance, but to tell the truth, but in the process South Africa did not comply with customary

international law during the compromises made. Amnesty was also necessary to avoid civil war and to unify the nation.

The interim constitution and the new constitution of 1993 made provisions for the granting of amnesty which included the right of everyone to have his or her case tried by a tribunal; allowing ordinary courts to try and sentence people guilty of crimes before or after democracy; establishing truth and reconciliation commissions to hear confessions about past human rights abuses in return for amnesty; or establishing modified truth and reconciliation commissions to try the most serious offenders who might lose office or even be prosecuted. South Africa chose to establish a truth and reconciliation commission.

On July 19, 1995 the South African government passed the Promotion of National Unity and Reconciliation Act. This Act established the Truth and Reconciliation Commission, which would investigate “the nature, causes and extent of gross violations of human rights... emanating from the past” *(Clipper 2000:5)

However, Section 20(7) was severely criticised by the victims and their families because people who had received amnesty would be immune from civil and criminal prosecution. The State would also be immune from civil prosecution. This was taken as contrary to Section 22 of the Interim Constitution, which entrenched the right of every person to have his disputes settled in a court of law.

However, the Constitutional Court defended the position that South Africa had breached international law through its amnesty procedures. International law demands that people be punished for crimes committed and that justice be given to the victims of the crimes. The Constitutional Court mentioned other countries where a route similar to South Africa's had been taken. Amnesty was not only to absolve people from criminal

liability; it was also to let the truth be told without fear of punishment and to indemnify perpetrators against civil claims for payments of damages. Both the victim and culprit were to be involved in the process. The choice for this course of action was for understanding and reparation above vengeance and retaliation. The welfare of the state was also more important than personal and organisational welfare.

Justice Goldstone of the Constitutional Court motivated that although the victims of human rights abuses would be denied full justice and see the perpetrators walking away without punishment, the benefits of the Truth and Reconciliation Commission would far outweigh the pain. Without the Truth and Reconciliation Commission there would be no peaceful transition to democracy. The criminal justice system of the country was also inadequate to handle the process of dealing with the sins of apartheid. Another motivation was that a new and fragile democracy like South Africa would not be able to stand highly charged political trials. The cost of such trials would also be enormous; therefore the route taken by South Africa was the correct one.

Going Over the Limits

During the negotiation concessions may be made but still an agreement may not be reached even when amendments have been made to your bargaining position. You may have to take a course of action, which had not been anticipated just to get a deal. You may also have to pay more money than you had budgeted for. This sometimes works as in the case of paying a lot of money to buy a neighbouring business so that you eliminate competition. This should, however, not be made a habit.

Solving Your Adversary's problem

Negotiations can sometimes stall even though you have made reasonable concessions. Your adversary may not be willing to reach agreement and to tell you

what his problem is. If you succeeded in establishing rapport then he might tell you, otherwise you may have to try and find out yourself and even ask him questions. Fuller (1992) mentions a few problems that the opponent may be experiencing and how they can be solved. For example, the negotiator may be failing to close the deal because of his boss's attitude. Letting your boss into the process can solve this. If a person is unwilling to sell his business because he has been emotionally attached to it, you can promise to let him manage it after the sale. A person may be willing to buy, but be having a financial problem. You can suggest helping him find the finance. As Fuller (1992) says it is not always easy to determine your adversary's problems, but it always helps to try and solve them so that agreement can be reached.

The Importance of Timing

Timing is important both for starting the negotiations as well as ending them. Fuller (1992:249) suggests that you plan for this as the negotiations proceed by reserving the finalisation of a particular issue for last. And when all has been agreed upon except this issue then you can bring it up and offer a solution immediately. This will bring relief concerning the unresolved matter and may help to break a deal with your difficult counterpart. This is where the ability to determine the proper time to bring the matter up is most important.

Overcoming Internal Politics

Negotiations can be made difficult by the unpreparedness of the opposition to reach agreement. It is worse when you have to face opposition from your own organisation. This can be caused by internal power struggles or genuine concerns about your negotiated settlement. Fuller (1992) says a lot of in-fighting goes on before a final decision is taken to start the negotiations. However, those who were opposed to it at the

beginning may continue their fight even when you have reached agreement and you need their support.

In this kind of situation Fuller (1992:252) suggests that you must determine your “potential supporters and detractors in the approval loop.” Consolidate your support and try to gain the support of the opposition by proving that their ideas did contribute to the final agreement, and that they will be accomplished if they grant approval to the agreement. During your quest for approval be the one to highlight the points, which might cause people to object, and indicate why they do not hold. If the objections persist try and contact the real decision maker. This must all be done in a very convincing way.

In order to win support to engage in negotiations former National Party leader F.W. de Klerk went on a campaign which included press advertisements of a White beggar in a business suit holding a sign that asked for money with the caption: “You can vote yourself out of a job. Or you can vote ‘Yes’ for a solution that will work.” (Facts On Files News Services; 19 March 1992) Another advertisement was that of a gun-toting AWB member (Afrikaanse Weerstandsbeweging or Afrikaner Resistance Movement) with a symbol resembling a swastika saying; “You can stop this man.”

De Klerk was using a very informal campaigning approach of making many impromptu speeches in a day with very little security. On March 9, 1992 F.W. de Klerk went to campaign at the University of the Orange Free State. A teargas canister was thrown at him and his wife and his Minister of Justice Hendrik (Kobie) Coetsee, but they were unharmed. That was attributed to the AWB led by Eugene Terreblanche, which collaborated with the Herstigte Nasionale Party (HNP or Reconstructed National Party) under the leadership of Dr. Andries Treurnicht. These groups wanted a

confederation of homelands each with a right to self-determination. They were opposed to an African government. On March 13, 1992 angry students at the University of Pretoria struck F.W. de Klerk on the head with a placard and on the same day two of the National Party's offices were bombed in the now Gauteng Province. Even former State President P.W. Botha affirmed his opposition to an ANC government. This period was characterised by violence in the townships, which was attributed to either general panic among South Africans, or White extremists who were derailing the run-up to the referendum.

Both the National Party and the Conservative Party needed the votes of the English speaking South Africans who made 40% of the White population. They were regarded as more liberal e.g. the Democratic Party and had for a long time been dominated by the Afrikaners. The DP supported De Klerk and artists, musicians, athletes, television celebrities; business bosses as well as the media were canvassed to support the referendum. The ANC also urged its White voters to support the idea.

The right-wing parties, on the other hand, like the Conservative Party whose leader Andries Treurnicht was nicknamed "Dr No" because of his opposition to political reform, the Herstigte Nasionale Party (the HNP or Reconstituted National Party) and the AWB led by Eugene Terreblanche wanted a return to apartheid in the form of self-determination for South Africa's different ethnic groups. They were spelling doom and economic decline and cited rising crime and unemployment under an ANC government, especially because of its alliance with the South African Communist Party. One of the Conservative Party's advertisements showed Mr de Klerk lying down hanging on to a grinning Mr Mandela's leg.

Besides the factors mentioned above Fuller (1992:252) mentions other hurdles like “indecisive people,... restrictive policies...” and many details that must be gone through. For example the Group Areas Act and the Population Registration Act as well as the security restrictions under the states of emergency were among the last laws to be repealed thus causing a delay in the agreement.

These must be approached in a manner that favours you. The little details need to be handled after attending to the main points at issue. Fuller (1992) says overcoming bottlenecks especially among your own people is not a pleasant experience, but once they have been overcome then the negotiated deal is approved much faster.

Informing Your Opponent About Reaching Your Limit

As discussed previously negotiations sometimes drag on unnecessarily because no one wants to make the final offer and conclude the process. However, when all possibilities for reaching agreement have been explored, it is advisable to come out clearly and say that your limit has been reached. This can be done by walking away, but indicating that it is up to them to have the negotiations resumed because they may come back with a revised offer. Fuller (1992:253) makes an example of complex negotiations where talks are broken off for weeks or months and then resumed.

THE TRUTH AND RECONCILIATION COMMISSION

Truth and Reconciliation Commissions are structures that come after the war and human rights abuses have stopped and the society is trying to come to terms with the reality. After agreement has been reached between disputing parties, reconciliation needs to take place for the sake of peace building. This is even more important where there has been a deep-rooted and protracted conflict. Reconciliation occurs through

apology and forgiveness and it consists of four processes as mentioned earlier i.e. trust, mercy, justice and peace. This helps to bring people together, to go beyond the past and focus on the future

Apology on the part of the perpetrator means acknowledging guilt and showing regret for past actions. This is a very difficult step to take, but an absence of apology means the act was justified and the impression may be created that it may be continued. Forgiveness on the part of the victim appears to mean that the perpetrator, who should be punished for the sake of justice, is being allowed to get away with it. However, if it is kept in mind that revenge does not promote the resolution of conflict, and that the perpetrator may not want to accept responsibility for fear of retaliation, it will be realised that it is better to forgive atrocities in order to stop further ill feeling.

In South Africa forgiveness was institutionalised when amnesty was granted for war crimes or political crimes against African and White South Africans after they had testified about their deeds. This is regarded as one factor that contributed to the smooth transition to African majority rule in South Africa.
(<http://www.colorado.edu/conflict/peace/treatment/disownex.htm>)

Just like apology and forgiveness, reconciliation is also “a very difficult and slow process” (<http://www.colorado.edu/conflict/peace/treatment/recocil.htm>) especially after intractable conflicts. It may take years or even centuries to achieve. However, following the incremental approach a lot can be achieved gradually.

In South Africa the Truth and Reconciliation Commission was appointed in 1995. When it was appointed it was regarded as “a high risk operation that could endanger South Africa’s fragile democratic transition and that the re-living of individual hurts and collective passions would be difficult to control.” This is according

to Du Toit (1997:7). However, very few protests against it took place; instead people were attempting to block its proceedings and that, according to Du Toit (1997), was tantamount to the acceptance of its process.

The South African Truth and Reconciliation Commission were based on other models of similar commissions, especially the Chilean and Argentinean models. However, the Chilean model influenced the South African TRC because:

- It did not seek criminal prosecutions for perpetrators: instead it (was) committed to amnesty for the sake of national reconciliation
- It wanted to discover and accommodate the truth concerning the fate of victims in order to restore their human and civic dignity

DEMOCRATIC PROCESS

The South African model differed from the Chilean and international models because it was established through the public debates about its objectives and parliamentary hearings and debates on its specific terms of reference and the appointment of its commissioners. It was not a Presidential Commission or a tribunal. It was also characterized by its public hearings with media coverage. Its agenda was also set through “a process of highly publicized negotiations.”

The character of the TRC changed as its actors changed. The TRC was part of the negotiated political settlement towards democratization and national reconciliation in Kempton Park, South Africa in 1993. All the major political parties were part of the process. Dealing with the past meant focusing on the perpetrators and acknowledging the victims. This was developed by human rights non-governmental organisations (NGO's), and other civil rights organisations. The appointment of Archbishop

Desmond Tutu as chairperson of the Commission, as well as other commissioners and religious leaders, commissioners from the legal and counseling professions, created the image of “religious discourse and symbolism of ‘healing and reconciliation’” (Du Toit 1997:8)

FOCUS ON VICTIMS

The TRC focused on victims telling their stories to Human Rights Violations Committees and being comforted. In high profile cases like the Goniwe and the “Pepco three” cases, not much new evidence came to the fore. The impact of the hearings was the number of people who came forward. In some cases the full story could still not be heard and pieces of the different stories could not add up to one story. However, it became public how many atrocities were committed. Some of the crimes were committed by people who had the power not to do so. Others were committed by junior officials on the instructions of their seniors. Other crimes could have been caused by war hysteria from escalation, something that under normal circumstances would not have happened. (http://www.colorado.edu/conflict/peace/treatment/truth_com.htm :1)

AMNESTY

Du Toit (1997:10) writes that the Amnesty Committee was established and it reported directly to the President, but its judges were not themselves commissioners. Its approach was more adversarial to the criminals. The perpetrators were encouraged to apply for amnesty otherwise there was the prospect of prosecution in court, or civil action being brought against them. In court prosecution would be effected on proof of the crime, while in the TRC amnesty was granted “on full disclosure by the applicants themselves.” Former Minister of Defence, Magnus Malan, went the route of the court

and was acquitted. There was also no conclusive proof that the TRC could successfully prosecute perpetrators.

In South Africa the greatest argument for the TRC was the lack of faith in the courts, which had been unfair during apartheid, as evidenced by the failure of the Harmse and Goldstone Commissions, which resulted in the prosecution of only Eugene de Kock. Attorney Generals were also said to have failed to prosecute police officers. There was also the case of Tim McNally, the Attorney-General of KwaZulu-Natal who was called to book by the Parliamentary Select Committee in September 1995.

Compensation / Restitution

Part of the reconciliation process involves paying compensation or restitution to the victims of conflict. This is done to compensate them for past losses of property or life, or to remedy the present situation. This compensation may be in the form of money or otherwise. South Africa engaged in a programme of affirmative action, which gave preferential treatment to previously disadvantaged persons in all areas; as well as land restitution, which returned to African people land that had been forcibly taken away from them by the apartheid regime. Restitution is a formal way of apologizing for the wrongs of the past. It also attempts to make the lives of the survivors better, and facilitates reconciliation.

Conciliatory Victory

When victory has been achieved there may be a tendency to bask in the glory, thus making the defeated parties uncomfortable. Conciliatory victory means the winners of conflict should assure the losers that they are still valued as members of the community and that their interests will still be protected in the country. This goes a

long way towards promoting the climate for reconciliation.

<http://www.colorado.edu/conflict/peace/treatment/conclvic.htm>

In the South African context the democratic government assured the White people of protection and security of their jobs in the new South Africa. Among some of them this was the reason why the people negotiating on behalf of the government gave away too much for the sake of their jobs.

AFFECT, EMOTION AND MOOD

Barry (1999:95) precedes his definition of emotions by referring to the different competing theories on the origins and structure of emotions. The psychophysiological approach originated from the early studies of Charles Darwin and William James and other later researchers who viewed emotion from the basis of biological states and responses according to how an individual appraises the social context in which that experience occurs. Secondly, there is the cognitive approach which views emotion and cognition as mutually dependant. Lastly, there are the social constructivist approaches where emotion is viewed as complex, culturally determined social roles that we learn to experience and use to interpret social environments. According to Barry the psychosocial theory is the most relevant because it addresses:

- How emotions shape and constrain social interaction
- How emotions are constructed as a by-product of social interaction, and
- How emotions are used to interpret the world within which they are experienced.

He regards the individual who can effectively manage emotion strategically in negotiation as a social constructivist who understands “the interplay among social exchange, emotional experience and emotional expression.”(Barry 1999:95)

AFFECT

Barry (1999:95) defines affect as “a super ordinate concept that encompasses moods and emotions that people experience either as generalized feelings or in response to specific situational stimuli.”

At a basic level Barry and Oliver (1996:128) analyse affect in terms of intensity or level of activation, ranging from strong to weak. On the other hand they analyse it in terms of valence or tone, ranging from positive to negative. They describe positive affect as “the experience of rewarding or pleasant moods or emotions,” and negative affect as “the experience of discomforting or unpleasant moods or emotions.” To them empirical observation in social settings shows more consistency for positive than for negative affect because the latter “has a greater dimensionality, a more complex structure, and a greater variety of sources than does positive affect.” They also refer to evolution where the key to survival depends on the recognition of negative affect in one’s aggressor and the ability to effect negative affect to marshal readiness and strength. Positive affect, on the other hand, was the basis for joy and happiness with fewer survival implications. It is also thought to enhance the joint outcomes of negotiating parties.

Barry and Oliver (1996:128) say some researchers look at affect in the light of “the quality of social or relational behaviour (or) ongoing social perceptions having positive or negative values.” For example, where two or more interacting people are

experiencing friendship, intimacy, trust, closeness or a congenial interaction style, in other words, if there is interpersonal liking, there is positive affect. However, if there is distrust, acrimony, vengeance, loathing and hostility then there is negative affect. To Barry and Oliver (1996) these are sources of affect, not affect itself.

Another perspective of looking at affect is by approaching it as a stable facet of individual personality. Barry and Oliver describe discomfort, anger, sadness and negative mood as showing negative affectivity while positive emotional states like pleasure or well being across situations show positive affectivity. Dispositional affect is said to be responsible for social attitudes and to predict job attitudes over time. To Barry and Oliver (1996:128) positive and negative affect are “orthogonal (or) discreet dimensions of personality” and not extremes. Barry and Oliver (1996) also mention research which indicates the effects that affective states and processes have on creativity in problem-solving, cognitive organization and categorization, information encoding and retrieval, cooperative and helping behaviour, problem-solving strategies, perceptions of self-efficacy, risk-taking behaviour, utility functions and equity norms and levels of aggression.

Finally, Barry and Oliver (1996) mention the results of a study of affect and cognition in the areas of consumer emotions, quality of life concerns, and workplace environments where it became clear that affect has a strong influence on various behaviours and helps to explain fully the thoughts and behaviours that have in the past been linked to cognitive phenomena.

Thompson (1998:177) mentions two common dimensions of affect as illustrated in the Two-factor Solution to the Structure of Affect. These are pleasantness or

unpleasantness and high or low arousal or engagement. The structure indicates that negative emotions have a more complex structure than positive ones.

Thompson (1998:178) proposes a hierarchy of emotions indicating superordinate, basic and subordinate categories of emotions. This structure shows how emotions develop and how they organize development.

THE ROLE OF AFFECT IN NEGOTIATION

To Barry and Oliver (1996:131) there is a strong assumption that individuals experience strong affective states, which influence negotiation in various ways and at different times. These may be caused by:

The negotiator's dispositional affect, which may in turn cause the valence and intensity of the episode-relevant affect to vary;

- The physical setting within which negotiations occur" i.e. whether the setting is pleasing or discomforting;
- The events experienced immediately before the negotiation process, and
- "Prior perceptions and experiences" negotiators bring to that situation.

Here Barry and Oliver (1996) mention experiments where humorous and or grim films and texts were used on participants to influence them. These perceptions may include previous negotiation experience with an opponent, which, if it was favourable, may lead to positive affect, which in turn may lead to a desire for future negotiation with the same person. This is especially so in a negotiated settlement that,

because of the frequent exchange makes the participants committed to future negotiations

Barry and Oliver (1996:131) say that other previous experience may be “interpersonal ties with an opponent, perceptions that one’s opponent acted deceptively in a prior encounter, or other elements of an existing interpersonal relationship. They also mention interpersonal similarity, which may lead to interpersonal attractiveness because of common attitudes, preferences and background characteristics. These conditions will facilitate positive affect. Barry and Oliver illustrate the role of affect in negotiation by looking at the preliminary stage, the negotiation itself and the settlement or outcome.

AFFECT IN NEGOTIATION

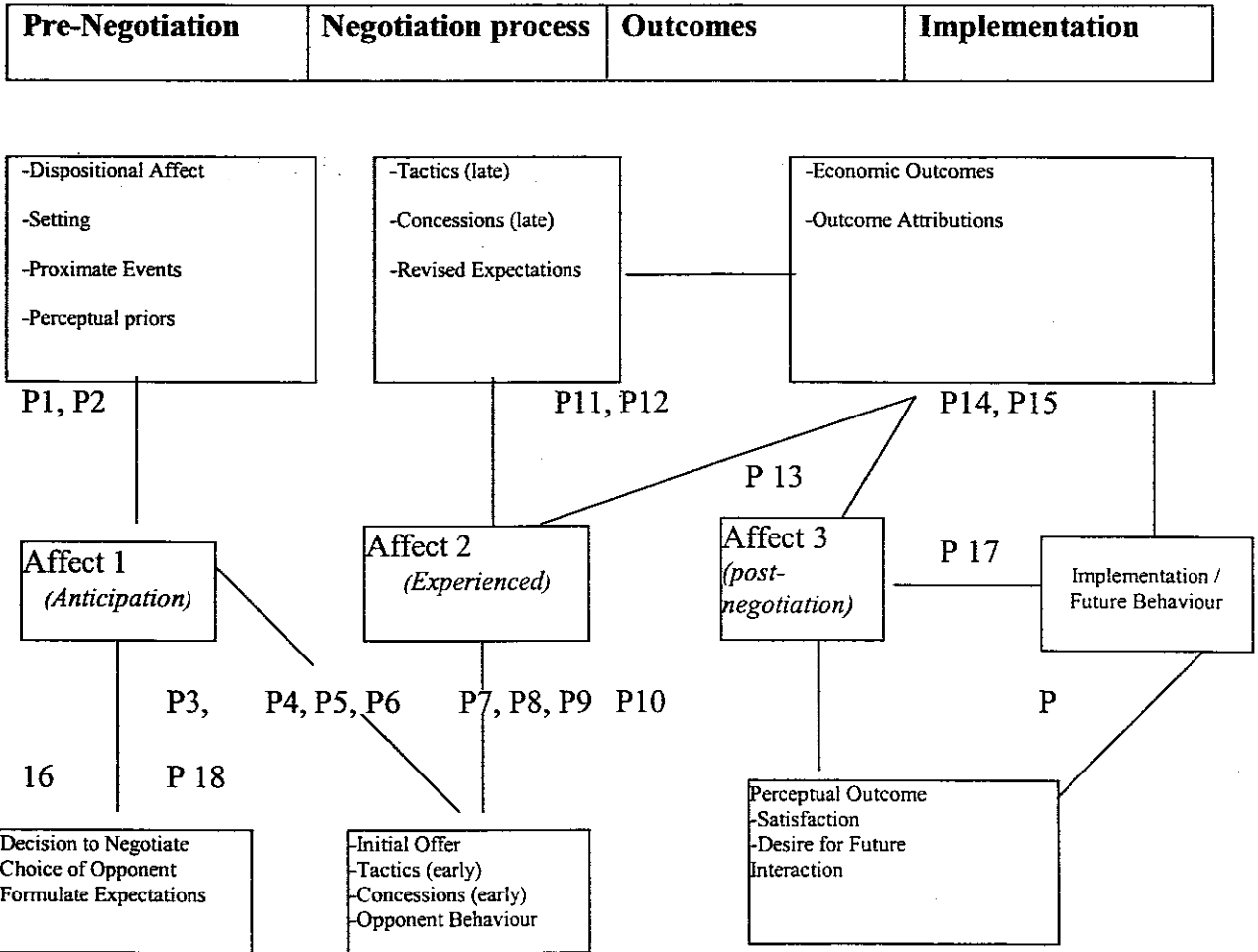


Figure 12: Affect in negotiation (From Barry and Oliver 1996:131)

AFFECT IN THE PRELIMINARY STAGE

This is when a decision is made about negotiation, selecting your negotiating opponent and forming expectations.

DECIDING TO NEGOTIATE

During this step a decision must be made about whether or not to negotiate and with whom. The decision to negotiate may be caused by the need to secure a deal. However, the choice of a negotiation partner may be out of the negotiator's control as

in the case of a buyer who is only interested in securing a hire purchase contract, no matter with whom he negotiates. Here the decision is determined by the situation. It may also be a cognitive decision where, as Barry and Oliver illustrate, instead of just buying a house at the price given, a buyer may decide to negotiate a good price.

Affect can also make you decide to negotiate. According to Barry and Oliver (1996:132) it is positive affect that makes people want to “initiate conversations...take moderate risks and...prefer collaboration over avoidance as a means to resolve conflict”. However, taking a risk will depend on how much loss is envisaged. If the loss is predicted to be high the individual will not readily take the risk. If the risk is envisaged to be limited the individual will be willing to take it.

With reference to negotiation people with positive affect are more likely to enter into negotiation rather than engage in a simple transaction. These may be people who want to preserve the relationship because they have a close relationship and would rather yield or compromise than solve problems or collaborate.

Negative affect can also be a cause to decide to negotiate as when it is seen as the best option to other forms of conflict management. When the level of negative affect is moderate, the level of aggression is high. Relevant situations for this to take place are “when bargainers are accountable to constituents, face time pressures, perceive the situation as a win-lose encounter with divergent goals between parties, or are otherwise unconcerned with protecting the working relationship between parties.”(Barry and Oliver 1996:132) Another situation to warrant this aggressive behaviour is when one participant wants to force outcomes on his opponents. What has been described in this paragraph is called the curvilinear affect-aggression relationship.

Selecting an Opponent or Choosing or Learning His Identity

If the individual negotiator has the opportunity to choose an opponent, affect can play a role during his decision-making. Research findings cited by Barry and Oliver (1996) indicate two conflicting outcomes. The selection of an opponent can be viewed as a problem solving or an information-processing task. As a problem-solving task Isen and her colleagues in Barry and Oliver (1996:133) associate positive affect with “problem solving creativity, cognitive flexibility, and perspective taking...” which means that high positive-affect negotiators will be very creative or strategic in choosing their opponent. The information-processing approach sees the selection decision as a “response to stimulus cues”, which makes people experiencing positive affect “prefer simplified, heuristically-based information processing strategies, while negative affect triggers more elaborated, analytical processing styles.”

There seems to be a contradiction between the two theories of affect in the selection of an opponent. However, the information-processing theory's view is that when a person is in a positive mood, he uses less effort for the selection process and is willing to take risks; he can also afford to be creative or to think in unusual ways. The authors, however, question the idea that the negotiator needs a stimulus first to be creative in his selection of an opponent. They feel negative affect implies that there is a problem and decisions must be avoided that would worsen the situation.

Formulating Expectations

Negotiators always define their expectations i.e. they assess the negotiation goal and limits when they go to negotiation. This means they determine “the lowest acceptable benefit” which, according to Pruitt is called the “level of aspiration and

limit". At a more complex level these aspirations and limits represent a "first offer (hoped for best outcome), an optimistic goal, a pessimistic goal, a threatened limit below which one says he or she will not go, and an actual limit price at which one will actually terminate the negotiation." (Barry and Oliver 1996:133) Barry and Oliver prefer to use the word "expectations" for the different levels of desire, which the negotiators have for achievement. Barry and Oliver presume that any cues, positive, negative or neutral, previous to the encounter will influence the negotiator's expectations. They quote an experiment by Baron (1990) the results of which showed subjects with a positive affect condition starting with higher monetary goals than those with a neutral affect condition. The former subjects had been manipulated through the introduction of a pleasant scent in the laboratory. Barry and Oliver doubt whether other sources of inducement would have the same effect on prenegotiation aspirations.

Further evidence to this effect was provided by an experiment by Pruitt and Carnevale (1993) proving that interpersonal ties between negotiators have an influence on negotiation. Barry and Oliver (1996) further quote Druckman and Broome (1991) who through an experiment proved that people who had been instructed to assume a friendly attitude towards their would-be opponents reported outcomes closer to compromise than those that had been told to be negative. However, when dating couples were compared with strangers, the latter had higher outcomes than the former probably because the dating couple had more concern for their relationship than for the profit.

Another experiment by Holpern (1992) confirms that relationships do not necessarily enhance expectations; in fact the opposite may be true. The experiment indicated that "buyers expect to pay more, and sellers to charge less, when dealing with

friends rather than with strangers.”(Barry and Oliver 1996:133) On the other hand if positive affect is “related to features of the bargaining setting, it is positively associated with an individual’s expectations regarding the economic value of his/her own negotiated outcomes.” (Barry and Oliver 1996:134)

AFFECT IN THE NEGOTIATION PROCESS: OFFERS, TACTICAL BEHAVIOUR AND CONCESSIONS

Initial Offers

No detailed examination has so far been made of the linkage between negotiation outcome expectations and positive or negative affect on the one side, and the initial offer on the other. Barry and Oliver mention one study by Barry and Friedman (1996) of a simple distributive bargaining task whose result implied that expectations as well as positive or negative affect as explained in the previous section determine a negotiator’s initial offer. Relationship-based positive affect, or affect based on positive prior experiences should make the negotiator opt for less extreme initial offers. When positive affect is not a result of interpersonal relationship it leads to higher expectations that self-interest will be realised and higher initial offers are made.

Tactical Behaviour

This means deciding whether to cooperate or compete during negotiation. A competitive bargainer tries to persuade his opponent to make concessions because he is primarily concerned with his own outcomes. A cooperative bargainer is concerned with both his and his opponent’s outcomes, therefore he engages in problem solving behaviour.

Barry and Oliver (1996) mention five studies by Carnevale and Isen (1986); Hollingshead and Carnevale (1990); Baron (1990); Druckman and Broome (1991) and Barry and Oliver (1993), which were conducted to test the influence of positive affect on the selection of negotiation tactics. In the first three studies the subjects who had been manipulated through being made to watch humorous cartoons and getting small gifts exhibited cooperative and problem solving behaviour as compared to neutral affect subjects. In the fourth study familiarity and liking led to willingness to reach compromise agreement. In the last study the positive relationship between the subjects led to information sharing. Barry and Oliver did not find conclusive evidence that negative affect reduces cooperativeness (the studies contrasted positive and neutral affect.)

Experienced Affect

This is affect experienced during negotiation. To Barry and Oliver (1996:135) experienced affect is itself influenced by what they call “the tactical exchange” i.e. cooperative behaviour leads to interpersonal trust, which is part of interpersonal affect. This is “on the basis of prior expectations about one’s opponent’s motivational orientation” But problem-solving behaviour alone or its absence is not enough to result in affective behaviour. Oliver et al (1994) and Burgoon and Le Poire (1993) found that if prenegotiation expectations are not fulfilled during negotiation, then the negotiation partner’s character, competence and attractiveness are affected. This means if a negotiator was expecting his or her partner to be competitive, but instead the partner uses cooperative tactics, then the negotiator’s positive affect is enhanced. Also if the negotiator was expecting cooperative behaviour, but the opponent engages in what Barry and Oliver (1996:136) call “contentious behaviour” then the positive affect is negatively affected.

Barry and Oliver (1996:136) also make a point that affect experienced during negotiation will have an influence on the later tactics and outcomes. Also if the tactics and experiences change during the negotiation process it will affect what the negotiator is expecting from the opponent's behaviour and the settlement outcome as well as the affect itself.

There is an assumption that expectations vary as offers are made and accepted or rejected, and the affected states also change with them. The question is whether original or updated expectations are used to project negotiation outcomes. Barry and Oliver mention only three studies that confirm the use of updated expectations during negotiation: Szajna and Scannell (1993), Zwick, Pieters, and Baumgartner (1995); and Ortinau and Bush (1987). In these experiments the subjects were observed at three different intervals of a particular period. In the third one the subjects were supplied with "prior information and actual performance of a mock-up product." (Barry and Oliver 1996:136) The results of all these experiments showed that when the subjects' performance was poor in the interim their expectations were lowered and when performance was exceptional the expectations were raised. Also when performance improved emotional states also improved and when performance worsened emotions also became negative. However, when the subjects were told to manipulate their moods through "self-presentation" or "self-control" in order to achieve a certain goal, the moods did not change according to the outcomes or behaviours of others. To Barry and Oliver this is true in real negotiation where people may present a pleasant appearance or anger to show resolve. And as negotiation nears settlement the uncertainty is reduced, thus improving the possibility of positive affect.

AFFECT RELATED TO SETTLEMENTS AND OUTCOMES

Barry and Oliver (1996:136) distinguish between economic outcomes and social outcomes.

AFFECT AS ANTECEDENT TO ECONOMIC OUTCOMES

In a previous discussion I made reference to the fact that negotiators can behave competitively or cooperatively, and that cooperative behaviour does not always enhance chances for positive outcomes. Barry and Oliver mention the dual concerns model by Filley (1975) and Rahim (1983) according to which negotiating parties who share moderate levels of concern agree to compromise their joint outcomes. But if they share high levels of concern their agreement will be towards maximising their joint outcomes.

Concerning the presence or absence of affect Barry and Oliver (1996:137) mention Carnevale and Isen's research (1986) where positive affect which was induced by humorous cartoons and gifts led the negotiating parties to reach "higher joint profit agreements than neutral affect negotiators." With dating and stranger couples where one would expect positive affect the outcome was not an increase in joint profit. To Barry and Oliver (1996:137) these two findings suggest "the influence of affect on economic outcomes may depend on the source of that affect." Higher expectations as well as the same sources of positive affect will, according to research, lead to higher joint outcomes only if both parties experience similar affect states or "affect symmetry." If the positive affect experienced is from a favourable relationship with the negotiator's opponent i.e. relational affect, then the joint outcomes are not as strongly

affected. But if the positive affect is “dispositional or situational” then the joint outcomes are strongly influenced.

The results of research done by Kaufmann and Stern (1988) revealed to Barry and Oliver (1996:137) that when one negotiator experiences positive affect and the other experiences negative affect when the negotiation is concluded, the negative opponent continues to have ill-feelings “particularly if he feels he has been unfairly treated, exploited or deceived by the more content party. “Barry and Oliver call this “retained hostility” and the negative party exhibits this by avoidance, retribution and non-participation in future negotiations.

AFFECT AS A CONSEQUENCE OF ECONOMIC OUTCOMES: SOCIAL-PSYCHOLOGICAL OUTCOMES

Each individual negotiator has his or her expected outcomes, and they influence the level of post-negotiation positive affect. If the encounters exceed expectations, and there is a perception of greater satisfaction and there is a desire to further interact with the opponent in the future, then positive affect is increased; but if the outcomes are not met, then positive affect is diminished. Barry and Oliver (1996:137) call this the “expectancy disconfirmation interpretation”. This shows that changes in affect states mediate the link between economic and perceptual outcomes. This happens in two affective sequences: according to Weiner one is called outcome dependent affect and is based on the goal-relevance of the outcome of the subject. This is called primary appraisal. The other one is called attribution -dependent affect and results from” causal aspirations (attributions) for the outcome.” It includes guilt or gloating for personal ascriptions and anger or gratitude for “other-directed ascriptions.” This is called secondary appraisal.

Both affect sequences are a result of the expectancy disconfirmation process. Attribution-dependent affect can be caused by whether “the outcome is favourable, and whether it is thought to result primarily from personal talents/failings or from the cooperative/contentious actions of the partner...” These attribution-dependent affects, together with the affect resulting from primary appraisal, according to Barry and Oliver (1996), lead to the satisfaction of the negotiator and the summary affective tone, which will be present in the ensuing stage of the negotiation process, which may include compliance.

Negotiation outcome (outcome-dependent affect)	Attribution of Responsibility	Perceived causes	Attribution-dependent affects
Success (happiness)	Self	Competence/skill, confidence	Achievement, pleasure, pride
		Stealth/strategy	Gloating
	Partner	Cooperation	Appreciation, gratitude
		Fair dealings	Trust
Failure(disappointment, sadness)	Self	Incompetent, unprepared,	Embarrassment, guilt, regret,
		preoccupied, overwhelmed,	shame, exasperation,
	Partner	“outgunned”	frustration, helplessness
		Abusive, aggressive,	Anger, resentment
		combative, contentious	Hostility, vengefulness
		Deceptive, unethical	

Figure 13: Operation of the Weiner (1985) Appraisal Sequence in Negotiation Settings

POST-SETTLEMENT IMPLEMENTATION

Barry and Oliver (1996:138) mention that Gray’s research discovered the great possibility of the collapse of collaborative agreements in conflict resolution during the post-settlement period because of value conflict and mistrust. They know of no research with respect to post-settlement compliance. Trust and satisfaction have been shown by

the research by Crosby, Evans and Coules (1990) to play a role in the maintenance of future interaction. Affective outcomes of the negotiation are also believed to determine whether the implementation will be effective or ineffective.

AFFECT INTENSITY

This is described as one of the four fundamental temperaments and is also known as emotionality. It is characterised by an intense response to stimuli and a deep experience of emotions. During self-presentation and negotiation emotionality can work negatively in the attempt to neutralise or cover an emotion. But if the aim is to express an emotion clearly and more intensely, it has a positive result.

Also of note is the fact that there are individual differences in emotionality, which are stable in adulthood. Affect intensity or emotionality, according to research by Larsen and Diener (1987) decreases from the age of 16 to the age of 68. People with a high emotional state focus more on the affective information and think about it more than people low in emotionality. Older adults have also been shown to be more able to control information processing in a less emotional way and can more easily neutralise masks or suppress their emotions. For negotiation purposes affect intensity of the negotiating partners needs to be taken into account.

UTILISING EMOTIONS DURING NEGOTIATION

Barry (1999:96) defines emotions as the differentiated affect states. They are short-term and are a result of "some identifiable triggering event or condition."

Thompson (1998:175) feels that emotions are essential for negotiation because they enable people to understand their opponents and achieve their goals. They guide

our behaviour during negotiation; when we react to events (that is part of negotiation)) either positively or negatively. In fact, Thompson says people are always in an emotional state. So it is not true that some people are not emotional. It is also not true that negotiation is an emotional interaction. To Thompson, when one gets emotional one is only stamping one's identity or reacting to the social situation. He goes on to say that negotiation is a rule-governed activity, thus the negotiator is torn between maintaining a relationship, expressing his feelings and saving face.

Schank and Langer (1994) mention the research of Donald R. Kinder who researched the role played by emotions in American politics and realised that real opinions are formed by both emotional strength and information. Thompson (1998:175) mentions three sources of emotional information during negotiation: "our own emotional reactions, the emotional reactions of others to us, and the emotional reactions between other people." The negotiator must know how the behaviour of others shapes his emotional reactions and how his emotions influence the behaviour of others. The emotional behaviour of others comes in the form of nonverbal cues like facial, vocal or postural expression. This is difficult to control.

POSITIVE EMOTIONS AND GOALS

Emotions help negotiators to reach their goals and to conform to conventions and moral codes if there is a possibility of unpleasant emotions. The same is also true during selfish interchanges and it helps to promote feelings of collegiality, loyalty and commitment. This sets the mood for subsequent cooperation. Thompson continues to say how happy and positive negotiators achieve more with more alternatives and requests for information and more confidence about achieving their goals than neutral or bad-mood opponents. In other words they are more creative in their proposals.

NEGATIVE EMOTION

To Thompson negative emotion can lead a negotiator to jeopardise his chances of success or reaching a win-win settlement. For example, a negotiator who is made to feel angry or foolish becomes less accurate in judging his opponent's interests and will thus achieve lower cooperation than when he was low on anger and high on compassion.

Again if the relationship between parties is acrimonious, the negotiators are more concerned with their own unequal outcome. To Thompson (1998) acrimony diminishes the feeling for equity. Thompson also warns against the norm of reciprocity i.e. the expression of the emotional feeling that one experiences from his opponent. The expression of negative affect leads to an escalation of conflict, hostility and avoidance behaviour and inhibition of altruistic, prosocial behaviour. Thompson (1998:180) says it also impairs decision-making and may lead to a generalisation of judgments "to objectives entirely unrelated to the cause of emotion."

Anger causes people to make other people blameworthy for and see hostility in their actions. Fear causes people to stereotype other people and to exaggerate responses to their actions. People feeling contempt, fear and anger express or display that by delegitimising, dehumanising, stigmatising and feeling that other people's actions are more biased than theirs. Misperception of and bias towards others leads to escalation and intensification of conflict, which, according to Thompson (1998:180), follows the Gresham law of conflict i.e. "the harmful and dangerous elements drive out those, which would keep conflict within bounds."

In the same page Thompson (1998) says that some people treat negotiation as an emotional interaction by focusing on the affective components or emotional characteristics of a conflict e.g. jealousy, hatred, anger and frustration. These have what Thompson (1998) calls "an emotional conflict frame" and they do not focus on the actions and behaviours taking place in the negotiation. They are also less satisfied with the outcome of the negotiation.

THE SEVEN PROPAGANDA DEVICES

When one is involved in persuasive communication it is important not only to evaluate one's own, but also one's adversary's communication so that one is not fooled by mere propaganda and ends up taking regrettable decisions. Seven propaganda devices are mentioned. These devices are tied up to our emotions instead of to our reason, leading us to believing and doing something we would not do if we had time to think. These propaganda devices are:

- The name-calling device
- The glittering-generalities device
- The transfer device
- The testimonial device
- The plain-folks device
- The card-stacking device
- The bandwagon device

NAME-CALLING

Jackall (1995:218) mentions that when this device is used an appeal is made to our "hate or fear so that we judge people or situations according to the bad names they

have been given without verifying the facts. This refers to individuals, groups, nations, races, policies, practices, beliefs and ideals. During the apartheid days and the pre-1994 election period; the freedom fighters were labelled communists and terrorists. The vast majority of the South African population did not have an opportunity to verify these labels. This practice usually occurs when people who want the status quo to remain call those who want to change it bad names. In a reverse situation the people who want change call those who do not want change, bad names. The freedom fighters themselves were calling the apartheid rulers fascists and racists. Therefore in a negotiation situation one should be wary of a situation where name-calling is taking place.

GLITTERING GENERALITIES

Jackall (1995:219) says during the use of this device virtue words are used to appeal to our emotions of love, brotherhood and generosity. The negotiator or persuasive communicator will try to win you to his cause by identifying his nation, race, policy, practice, belief, activity or proposal with the principle of “truth, freedom, honour, liberty, social justice, public service, the right to work, loyalty, progress, democracy...” An example here would be a call to the nation to offer their services without expecting any remuneration for the good of the country. The aim here again is to make one take a decision without proof of the truth of what is being said and feel good about it.

TRANSFER

This device is used, according to Jackall (1995:220) “to transfer authority, sanction and prestige” of something we respect to something we want other people to

accept.” Jackall quotes an example of how our respect for our church could be used to make us do things that we otherwise would not do. For example, some people would go to the extent of committing suicide because of certain religious beliefs, as in the case of the September 11,2001 attack on America where it is believed the pilots who took over the flights did that for the sake of their cause, with the promise of a great life after death. If it were a Christian church the symbol of the cross would be used to represent the church.

CARD-STACKING

The device of “card-stacking” is the strategy of evading the truth by telling lies in order to win support. Some facts are underemphasized. Simple facts may be exaggerated or important facts down-played. The apartheid regime of South Africa exaggerated the separate development strategy because it was supposed to give individual nations all the rights to and benefits of self-determination, when it was actually entrenching apartheid. This requires though that one knows the background of the people that one will be negotiating with.

THE BANDWAGON

In his explanation Jackall (1995:220) says the bandwagon device is designed to make us do things just because everybody is doing them. Many techniques and symbols are used to convince us and grand shows may be put on to get people of a certain race or religion together. One good example is what happened in South Africa before the 1994 general elections when certain calls were made to the Zulus and the Afrikaners to unite by virtue of belonging to those racial groups. The main thrust is the emotion that is manipulated to drive us to the bandwagon e.g. our “fears and hatreds, prejudices and

biases, convictions and ideals common to the group.” (Jackall 1995:225) As a negotiator one needs to be able to control one’s emotions by knowing the facts pertaining to what one is negotiating about.

Other devices mentioned by Russell (1956:297) are:

- The device of repetition as used in famous slogans
- The “trial-balloon” device where a political leader will allow his subordinates to suggest an idea or leak information to the press
- The “red-herring across-the-trail device” where the focus of an individual or the public is diverted from an unpleasant to a more pleasant situation, like when a politician will focus on the construction of houses for the poor when confronted about the crime situation in the country. Propaganda brings to the fore the necessity for teaching critical thinking.

Thompson (1998:180) says to other people negotiation is a “rational interaction”

To these people focus is on the purely intellectual dimensions and to them the negotiation is good for the relationship. Thompson suggests that emotions should not be ignored or suppressed, but acknowledged so that they can help to discover and develop the resources that are to be allocated to both parties.

THE BIPOLAR FACILITATOR

The term “bipolar” refers to any individual whose mood swings from the optimistic to the pessimistic in set cycles over a period of time. In the optimistic phase such a person usually is domineering and controlling, while in the pessimistic phase s/he usually is passive, self-indulgent and withdrawn. Such a person is sometimes also

called “a manic-depressive,” a term that captures the opposite ends of the gradual process of mood swings.

Applied to the negotiation process this term merely means that the facilitator should vary the perspectives of disputants so that they will be able to envisage positive scenarios after successful negotiations, as well as the negative ones that would ensue, should the negotiations break down.

BUILDING RAPPORT

It is very important to build rapport and establish an interpersonal relation for negotiation to be effective. This should not be left to chance. According to Andreas and Faulkner (1998:71) the success of communication depends on the presence of rapport. If rapport is lacking, then communication fails. Rapport is built in a number of ways e.g. by adopting another person's mannerisms, language usage, tone of voice, kind of clothing, etc. It is a way of being similar and it reduces differences between us, thus facilitating a common ground for building a relationship. When people are communicating and there is no rapport, they say they feel uncomfortable. Therefore it is important to learn to feel when rapport has been lost so that it can be rebuilt quickly. That is when communication starts to flow again.

HOW TO ACHIEVE RAPPORT IN NEGOTIATION

Social facilitation

Research has proved that behaviours performed in the presence of others are exaggerated than when the individuals are alone. Emotions are also exaggerated in the presence of other people than when we are alone. That is why in multiparty negotiations emotions run higher than in dyadic negotiation.

Emotional contagion

Sometimes when one person experiences an emotion it is transmitted to another person through the processes of mimicry, feedback and contagion.

Mimicry

Thompson (1998:183) says that this is when we involuntarily mimic other people's facial, vocal and postural movements. Thompson mentions laughter, yawning, smiles, head nods and shoulder shrugs and says this is natural in social interactions. Without it people feel uncomfortable. When people deliberately try to mimic others, they are called phonies. Mimicry happens in face-to-face situations, but also in the absence of face-to-face interaction, as in the situation of people who mimicked the facial expression of a man on video who was narrating one of the happiest or saddest events in his life. Facial mimicry is said to be instantaneous especially for those for whom we care and whom we like, or when we share success or there is a possibility of success for both negotiators. We do not mimic those we dislike. When people are in a situation of competition they counter mimic each other e.g. a boxer smiling when he has hurt his opponent with a blow.

Vocal mimicry and synchrony are not done for negative emotions. Thompson (1998:184) quotes a situation where people tone down their voices and body movements to conceal negative emotions for strangers or people with different attitudes during negotiations. He also cites how well adjusted couples don't engage in angry exchanges while unhappy couples do so and that sparks another angry exchange. She says the same situation takes place in negotiations. Vocal rapport can also be achieved by matching your opponent's tone, tempo and rhythm when you are responding to him. In that way you will be matching his speed of thought. You can also match a person's pattern of speech i.e. adjust to whether his speech is fast or slow, whether he speaks

with pauses or whether he speaks continuously. This takes time to really notice and practise matching.

According to Andreas and Faulkner (1998:149) rapport can be achieved by becoming similar to the person you are communicating with by matching his posture slowly not abruptly, for example, if you are sitting opposite him in an office, otherwise you might be seen to be mimicking him and that might break the rapport. Andreas and Faulkner (1998:152) say you can also match the pattern of that person's physical movements i.e. noticing whether he moves a lot or a little, whether he uses "large or smooth gestures (or) small and abrupt ones" You can also learn to align yourself physically by moving closer to the other person and sharing the physical space, like you do when you are watching photos. Facing a similar direction gives the impression that you are moving towards the same direction and there is a great likelihood that you may see things in a similar way. This is the opposite of a situation where you might be deliberately keeping a distance between you and the person you are communicating with e.g. a teacher who makes sure that he stands behind his table to maintain his distance with his learners.

According to Andreas and Faulkner (1998:154) "Aligning yourself with someone is a great metaphor to help you remember what to do literally when you want to build the common ground upon which relationships develop."

One can also build rapport with people who are emotionally stressed or upset by acknowledging their state of mind, which does not mean you agree with what they are saying. It will mean you are accepting them as they are. As evidence of their recognition of your acknowledgement of their feelings, they will relax if they had been upset. However, if someone is upset and you just remain calm and make it known that

you don't really see the problem, instead of calming that person you are making him more upset.

The next step after the acknowledgement is to start helping the person to solve the problem. Which means you have interpreted it as meaning the person wants you to help solve a problem. This is in line with the NLP Presupposition, which says, "Underlying every behaviour is a positive intention". Andreas and Faulkner are of the opinion that if you behave towards other people as if this presupposition is true, then the quality of your communication and life will improve.

Rapport can also be built by determining what we want other people to associate us with. Normally we would want other people to associate us with something positive; therefore we must determine how people respond to us presently. When they see us is there a sign of excitement or disappointment? This will help in our communication strategy with the next person. Over and above what has been said here, positive feelings in others can be produced by our competence i.e. matching our verbal and nonverbal messages.

Emotional Feedback Systems

Thompson (1998:184) feels that if a person feigns an emotion, he may end up feeling that emotion. For example, if a person smiles at you he may end up feeling happy himself. This is feedback from our own facial experiences. Vocal feedback is linked to basic emotions through "specific patterns of intonation, vocal quality, rhythm and pausing." Postural position and movement also influences our emotional experiences. This mechanism may be strategically used in negotiation to induce these feelings.

Contagion

According to an experiment conducted by Schachter and Singer (1962) people catch the emotions of others if they cannot explain the reason for their own emotions, as happened in the case of people who were aroused by a drug and put in a waiting room without being told why. They watched somebody laughing uncontrollably, joking and doing frog jumps. In a little while they were also laughing. Other participants who had not been drugged, or had been drugged but given the reason why, did not react like that. Thompson regards the ability to infect others with emotion as a powerful strategy and skill for a negotiator. This is determined by personality and situational factors.

Personality factors that affect negotiation

Thompson (1998:185) explains that these are enduring characteristics that may increase influence. It means people who feel strong emotions but do not express them, are very likely to infect people with emotions. This also applies to people who express strong emotions vocally, facially and posturally. These are mostly people who are charismatic. It also applies to "people who are relatively insensitive or unresponsive to the feelings of those experiencing emotions that are incompatible with their own."

Situational factors that affect negotiation

Thompson calls these more transient but more controllable mechanisms that may increase influence during negotiations. Here she mentions the following:

Power

In negotiation power refers to the party with the best alternative to a negotiated settlement, more information and expertise. People with negotiation power can relax while those with less power become "hyper vigilant" and are likely to be affected by the former's emotions. Sometimes situations develop which can potentially lead to conflict.

However, conflicts can either be confronted or challenged. This depends on whether the people concerned feel the situation is serious enough to cause confrontation or not. They may even try to get what they want in another way, or forgive the wrong that has been done to them. The latter situation occurs when the group concerned feels it does not have enough resources to confront the problem. This happens with low power groups. High power groups can also choose to withdraw from confrontation because they feel it would cause more harm than good, or it may harm the relationship that exists. This can be in a family context or in international relations where countries decide not to risk war.

Mood

To Thompson (1998:185) happy moods are easier to be passed by emotionally expressive people than are negative moods.

Medium Of Communication

More channels of communication increase the opportunity for emotional influence. Thompson mentions face-to-face interactions and video-conferencing which are more conducive than written or e-mail interaction. He suggests that low-power negotiators interact through the phone or e-mail because this helps to equalise the power differences.

Long-Term Relationships

Long-term relationships or expected long-term relationships necessitate the expression and experience of emotions because they are more involved and necessitate that participants develop and synchronise their empathic systems.

Freedom To Express Emotion

This depends on whether the situation permits it. To Thompson (1998) it is more permissible to show emotion in a hospital than in a restaurant or in a business organisation. Therefore in his planning the negotiator should also consider when he could express emotion

Ambiguity And Uncertainty

When the situation is ambiguous or uncertain people are more likely to show emotion. Otherwise they look to other people for the emotions they can feel or display.

The Likelihood Of Being Emotionally Influenced By Others

This is determined by six factors:

i. Focus of attention

If our attention is focused on others, as happy people usually are, we are more likely to be emotionally influenced by others. If we are inward focused because we are self-absorbed, sad and depressed or we are oblivious to other people, then we are not susceptible to emotional influence.

ii. Social Identity

If we feel dependent on other people, or we interact with somebody who belongs to our group or organisation, or an organisation to which we want to belong, or when there is a possibility of shared identity, then we are likely to be emotionally influenced.

iii. Perception

Thompson (1998:187) cites how women are better at reading (deciphering nonverbal cues) and sending (behaving nonverbally in ways that are easy for people to

understand. Women are better at reading truthful statements while men easily perceive lying. This indicates individual differences in perceiving nonverbal emotions.

iv. Mimicry

To Thompson people who naturally mimic facial, vocal and postural expressions of others are easier to influence emotionally.

v. Awareness

If we are aware of our own emotional responses, we should be easier to influence emotionally.

vi. Emotional reaction

People who react to emotion are susceptible to emotional influence, while others resist emotion because they think they are unique and distinct. In a negotiation situation sometimes it is a disadvantage to imitate the emotions of our opponent, while at the same time it is not always good to set the tone of the negotiation. It is good to get infected by our opponent's mood if it is positive while ours is negative. If we are going to a negotiation in an angry mood, it is good to mimic our opponent if he is relaxed.

THE USE OF EMOTION AS A NEGOTIATION TACTIC

Barry (1999:96) describes the tactical use of emotion as “a tactic for accomplishing social objectives ...within a negotiation situation.” He calls this “emotion management tactics” and looks at emotional control, emotional expressiveness and emotion work or emotional labour.

Controlled And Deliberate Emotional Control

Barry (1999:97) calls emotional control “an individual’s ability to exhibit(or avoid exhibiting) an emotional response as a matter of personal desire rather than as an involuntary consequence of environmental conditions.” He stresses the point that emotional control is not only about inhibiting or suppressing emotions as is usually conceptualised or empirically treated, but it is both the expression and the inhibition of emotion during interpersonal negotiation.

Barry (1999:96) bases his discussion on Averill’s research (1994), which analyses emotional control into three levels of abstraction. The highest level of abstraction is where ‘emotional syndromes’ are found i.e. abstract notions like anger, fear and love. He says these indicate how an individual should behave. The lower level of abstraction contains emotional states i.e. more abstract “shorter-term episodic tendencies” of behaviour. The lowest level of abstraction contains emotional reactions i.e. how a person actually responds when he experiences an emotional state like automatic or “physiological reactions, facial expressions, and so forth.” (Barry 1999:96-97) According to Averill there are social rules, which govern “how and when emotions are formed and used in social interaction.” Therefore an individual needs to use techniques correctly when displaying or exhibiting emotions in order to achieve his objectives.

Bruce mentions four dimensions along which emotional control varies. Firstly, it varies in direction i.e. it can be used when negotiators want to express emotion like anger to show dissatisfaction. It can also be used to suppress or inhibit emotion like when an opponent has made a very considerable concession and you are delighted, but you do not want to show it.

In the second instance emotional control can be directed at different targets i.e. one's own emotions or the emotions of the opponents especially if manipulating the other party's mood will enhance the chances of success. The third dimension is the onset of control i.e. when does one start controlling: is it before actually experiencing the emotion, or does one first experience the emotion and then redirect it like when an opponent has made a disappointing concession. Instead of disappointment the negotiator can express gratitude so that the mood stays positive for a possibility of more concessions.

Lastly, Barry talks of the nature of transformation a particular control effort entails. Sometimes one has to act happier than one is in order to alter the intensity level of the emotion. At other times one substitutes an emotion for another e.g. behaving in a friendly way when one actually hates the opponent. A person may also mask his emotions e.g. by pretending to be excited about something when he or she is not. This shows how emotional control can be applied even before the actual feelings are experienced.

Other people's emotions can be controlled, adapted, regulated or managed, thus facilitating persuasion and the achievement of our goals. Thompson (1998:188) calls this emotional tuning. This happens when we say something relevant and pleasant to the audience. Thompson calls this the "maxim of relevance" and the "maxim of pleasantness" respectively. We can also do this by taking into account the audience's "emotional state and disposition" Thompson (1998) calls this the "maxim of regulation". If we approach someone who is in a bad mood, we do that in a more positive way than when he was in a normal mood. When a message is being communicated, the likes and dislikes of the audience are taken into account. A person

who is perceived to be disliked by an audience is presented negatively, while the one perceived to be liked is presented positively. However, Thompson warns that the message may change the communicator's view. Those who communicate a negative message have less positive evaluations than those who communicate a positive message. Thus the emotional tuning that we are applying to our opponents may end up affecting us.

This whole discussion has been about basic tuning. Other kinds of tuning employed by the communicators are:

Supertuning - when we want to achieve high rapport with our audience e.g. when asking for a raise from an employer.

Antituning - when we want to block out the other person or dissociate ourselves from him e.g. somebody nagging us about something

Nontuning - when someone is behaving in an indifferent manner to another e.g. when you greet someone and he does not return your greeting.

Emotional Expressiveness

Individuals express emotion differently during social interaction or when responding to other stimuli, and research has focused on to what extent emotions are displayed. This is one kind of affective behaviour which differs from other kinds of affective behaviour such as emotionality, where a person shifts from one emotional state to another; dispositional affect where one experiences positive or negative affect; or expressive self-control where one is able to adjust one's behaviour according to the social cues one receives.

Barry (1999:98) mentions that expressiveness measured unidimensionally, "where the amplitude of emotional expression is measured as a single construct varying

from low to high". He mentions the 16-item Emotional Expressivity Questionnaire by King and Emmons (1990) and the 17-item Emotional Expressivity Scale by King et al (1994). The latest research by Gross and John (1998) rejects the previous findings and instead favours the model which distinguishes among "positive expressivity, negative expressivity, the strength of emotional impulses, the confidence with which individuals express emotion, and the ability to mask emotion. Barry (1999) favours the perspective of the first two and the last emotion management tactic, and the fact that some people's preferences at emotion management may differ i.e. some are better able to express positive emotion than negative emotion, or vice versa. Keltner and King also note three functions of emotions in interpersonal interaction. There is firstly the informative function, which relays information about people's feelings and intentions; the evocative function by which emotional or behaviour responses are elicited from others; and the incentive function where the behaviour of the participants in negotiation is encouraged or reinforced. To Barry (1996) negotiation is the right situation to apply emotional expression.

Spontaneous Expressiveness

People who are spontaneously expressive are said to enjoy many interpersonal advantages because they are easy and quicker to understand. However, they may have problems when trying to control their emotions because the links between emotional expressions and emotions are strong. This is another point to consider when choosing a negotiation team.

Emotional Labour

Hochschild (1983:7) defines emotion work or emotional labour as "the management of feeling to create a publicly observable facial, and bodily display"

especially in social contexts like airline flights where a cabin attendant has to keep a brave face when the aircraft is going through turbulence and the passengers feel uneasy. Thompson (1998:189) adds that these emotions are desired by a particular person's organization in exchange for labour and this leads to lower job satisfaction and is "an unfortunate consequence of emotional management in negotiation."

Emotional labour, according to Barry (1999:99), occurs in the following ways:

- (i) How frequently the emotion must be displayed
- (ii) How attentive the individual is to the expectations or display rules required
- (iii) How many emotions must be displayed, and the amount of emotional dissonance or discrepancy between emotions that are genuinely felt and those that have to be displayed.

This may take the form of "surface acting", where a person displays emotions that he or she does not genuinely feel, leading to emotional dissonance, or "deep acting" where a person works hard to feel the emotion he must display by fantasising or imagining it. Barry is of the opinion that surface acting is more commonly used in negotiation and does not need long preparation like deep acting.

Barry (1999:101) gives an illustration of a model of a typology of four basic modes of premeditated affective display where in deep acting in cell A under display form there is a genuine change of mood, whereas in cell B under surface acting verbal cues are used to manage another person's impressions of one's emotions. This might include making comments about the weather, or making facial expressions to reflect unhappiness, happiness, etc. These are displays of undifferentiated affect, moods or affect states.

According to Barry (1999:100) differentiated affect projects “a more specific and intense emotional response to some particular event or stimuli” as in cell C where emotional experience is displayed under deep acting and in cell D where the emotion that is expressed has never been experienced, but is make believe as when a negotiator might express surprise at his opponent’s offer, when in fact he was expecting it. Any skilled negotiator can use these displays of emotions.

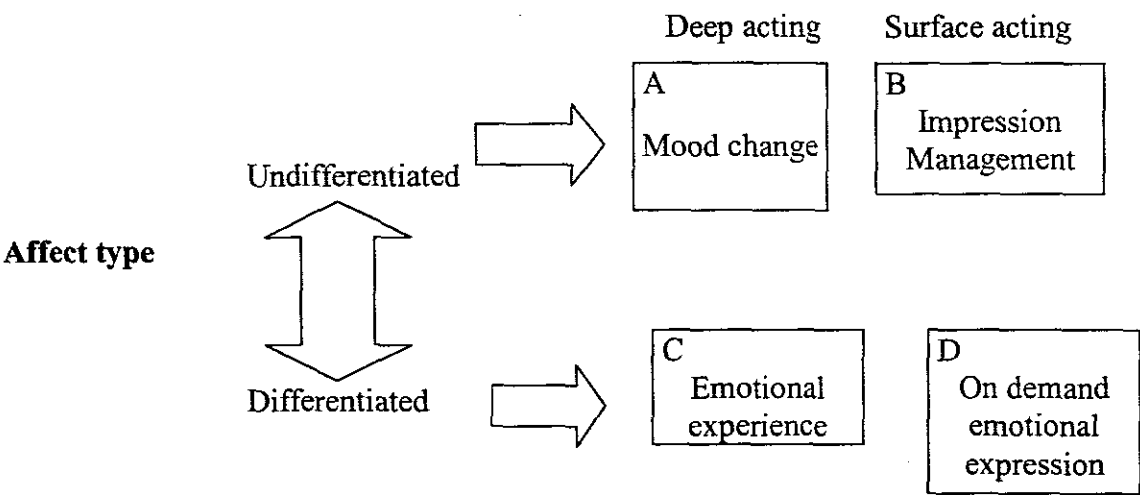


Figure 14: Forms of Premeditated Affective Display adapted from Barry 1999:101

In his study of emotion management tactics in negotiation especially in surface acting or “on demand emotional expression” Barry (1999:101) looked at how individuals judge the appropriateness or “ethical propriety” of the use of emotion management tactics, and the efficacy or ability to use those tactics successfully. Among others he found that women express their emotions more than men and in a variety of ways “including physiological measures, self reports of expression, and observer ratings of nonverbal behaviour” (Barry 1999:104) and that the appropriateness and efficacy regarding emotion management are viewed differently by both men and women.

He also found that negotiators who are Machiavellianistic use a variety of tactics, view motives in social interaction cynically, show less sympathy towards others and tolerate behaviour that is not socially desirable. This kind of dispositional factor i.e. Machiavellianism, particularly predicts conflict behaviours and outcomes in face-to-face situations, and where there is scope for bargaining and emotional arousal. Barry (1999:104) feels that “Machiavellianism correlates positively with judgments of appropriateness and efficiency regarding emotion management tactics”. The use of deceptive tactics in negotiation may be beneficial, but Barry warns against excessive use of it.

DETECTING EMOTION

In order to be able to manage emotions we need to be able to detect them in other people. To Thompson (1998) some people are better able to detect emotion in others especially if it is strong emotion and whether it is true or faked emotion. This is because inner feelings are difficult to hide. People are mostly unable to voluntarily show emotions themselves. This is also very applicable in negotiations.

LIE DETECTION

Detecting lies is one of the skills that a negotiator should have. Most people cannot do this. If they do they can only detect 55% of the lies that our opponents tell. Ekman (1999) mentions two criteria that can be used to distinguish lies from deception. The first one is that a liar deliberately chooses to mislead you. He may tell the truth without intending to do so. On the other hand truthful people may provide false information, for example, if they are imparting information obtained from other

sources. In this case it is not their intention to tell lies. Ekman (1999) excludes in this definition a pathological liar who lies compulsively without intending to do so.

A second characteristic of a liar is that he does not inform his audience about his intention to mislead, like Uri Geller who did not tell his audience that his tricks were magic. Sometimes a lie is implied in the framing of the situation as in the expression “let the buyer beware”, which means what is on offer may not be what it is supposed to be. Sometimes even if it is suspected that lies are being told it may be improper to ask.

Ekman (1999) does not consider false statements as lies, but also if a person withholds or conceals information purposely, then he is considered as lying. This can be the case in a negotiation situation when a negotiator does not reveal that he does not have decision-making powers. To Ekman (1999) concealment or falsification is two techniques used by liars to mislead their targets. Another technique of misleading the target is by telling the truth in such a way that it seems to mean the opposite of what it means, like a man replying to his wife’s question about the women he may have met on his business trip. He may say he slept with a different woman every night, and maybe with two women on certain days.

Another technique is telling half a truth, like saying a person is nice instead of saying you are in love with him. Yet another technique is what Ekman (1999) calls “incorrect inference dodge” where you may, for example, sing praises about someone’s attire when you actually do not like it. When there is notification given about an intention not to reveal information, that is secrecy. Sometimes the deceiver can mislead himself but not realise it, or not know why he is deceiving himself e.g. when a motorist is aware of a mechanical problem in his car, but because he does not have enough money for repairs he tells himself that after all it is not such a major problem.

Ekman (1999) does not consider a broken promise a lie, or failure to remember, although the latter may be used as an excuse for the lies told. Allowance must be made for the fact that actions that we regret are sometimes forgotten, and if they are truly forgotten then that is not a lie. But it must be determined whether forgetting did actually take place.

In many cases we cannot detect lies because we cannot concentrate on words and facial expressions, which liars can easily control to mislead people. Thompson (1998:189) says lies can be more reliably detected from body movements e.g. when a person increases the emblems he uses i.e. the hand sign for OK and shrugging to indicate indifference or nodding the head to mean "yes". Sometimes a liar can use less illustrators e.g. "placing emphasis on words or phrases, drawing a picture in space with one's hands, brow and eyelid movements or talking with one's hands." Illustrators are also used to punctuate speech or when words are lacking to explain something. LeDoux (1996) mentions that according to Ekman (1999) there are display rules in various cultures that are learned and that determine whether emotions should be expressed or not, as in the negotiation situation, for a specific reason. However, this is not easy to learn.

Thompson states how a liar can be given away by a leakage of an emotion, especially if there are a great number of emotions involved in the lie. Some people, although very few, can successfully simulate emotions that are not felt. In most cases you as a negotiator may not be able to make out whether the emotion is genuine or false. Ekman (1999) mentions one reliable sign of anger i.e. the narrowing of the red margins of the lips.

However, emotions are not only feigned; they are also concealed sometimes by feigning the real emotion felt. Ekman and Friesen (1996) call it leakage when a little of the concealed emotion escapes. At other times the emotion is not leaked, but only an indication of it is displayed. This is called a deception cue and it shows when behaviour, which is not compatible with what is being said, appears.

One way of detecting lies is to observe the verbal content of the negotiator and notice any contradiction in what he says. However, it must be remembered that even truthful people do contradict themselves. Another sign to look out for is when the negotiator cannot answer the questions asked and starts thinking of an answer. This may be accompanied by pauses, avoiding gazes, speech that is not fluent and speech mannerisms. At the same time there will be less use of illustrators and voice intonation. Ekman cautions that although these are not signs of lying, they may betray a liar.

The liar may also be apprehensive about being caught lying, especially if he shares values with and respects the target. Ekman (1999) calls this “duping delight” i.e. when a liar is happy about having been successful in lying.

According to Ekman (1999) individual differences should be taken into account when trying to detect lies. When emotions show they must be assessed in all situations to determine the truthfulness or otherwise of the person.

EMOTIONAL SYSTEMS IN GROUPS

Groups also have emotional tones, which may be positive or negative. When all the members of the group have the same emotion, we say the group has an affective tone. When half the group has positive affect and the other half does not, then we cannot say the group has affective tones.

There is also transactive memory where groups develop a system to receive, store and retrieve information relevant to the group according to the expertise and circumstance. Thompson cites a situation where a group's legal experts are assigned to take care of the legal aspects of negotiation, while in other circumstances information gathering can depend on where a person is located.

In transactive emotion there may be in a dyad or group one member who may upset his colleague by losing his temper during negotiation. But the other colleagues may use that loss of temper as a bargaining strategy.

Sometimes in an investigation there may be a need to make a convict confess in order to confirm the evidence. The first investigator will soften the convict through inconsiderate treatment and leave. The other investigator appears with a nice approach including the offer that a confession may make life easier for the convict. In this way the opponent's emotions have been manipulated. This also happens in the negotiation situation both on the same side of and across the negotiation table.

CONTROLLING EMOTIONS DURING NEGOTIATIONS

Emotions, especially negative emotions like anger, distrust, disappointment, frustration, confusion, worry, or fear, often arise during disputes. It is important to control your emotions during negotiations because anger leads to mistakes and a hostile environment that is not conducive to reaching agreement. Some opponents will purposely make you lose your temper if they cannot support their position by facts. In this situation it is better to ignore the person's antics, and calmly state your position until the person cools down. One's emotions may also be aroused so that one becomes careless and makes mistakes. Sometimes it is pressure of prolonged negotiations that

may lead to tempers rising. Fuller does not recommend this kind of behaviour because its long-term results are negative.

Eliminating Self-defeating Behaviour

Many people do not recognise self-defeating behaviour, forgetting that your behaviour forms the basis of reaching mutual agreement. Fuller (1991:62) suggests being open to your opponent's suggestions instead of being rigid because this lessens the possibilities for reaching an agreement. It also leads to "totally unsupported arguments." In the second place it is advisable to object in a manner that will not make your opponent feel the whole exercise is futile. Thirdly, it does not pay to play one-upmanship. Emotions must be kept in check.

Rationality And Emotionality

Being emotional and rational are not contradictory. Both conditions can be used successfully if the emotion displayed can be proved to be credible as in the example cited by Thompson of an employee who has to leave a firm and becomes emotional because he has been dealt a raw deal. The employee is then offered more benefits and that is rational behaviour according to the employer who believes the employee. It must be stated that a negotiator who is not emotionally responsive will not make a good negotiator.

Moods

In contrast to emotions Barry (1999:96) describes moods as undifferentiated, "more pervasive, more enduring and of lower intensity than emotions." He also says they cannot be attributed to a specific "cause, consequence, or object" as when one feels irritated. They may be short-lived or longer lasting and some may be habitual like trait emotions. Moods are said to occur whilst one is thinking, but not disturb the thought.

However, they can also enhance or weaken perception and memory. Brand and Graves (1994) mention an experiment by Bower proving that positive experiences are recalled in happy moods and negative experiences in depressed moods and this may be a crucial factor for a person in a negotiation situation. It is also important to note that moods and emotions are dynamically interdependent; meaning that certain moods can trigger certain emotions and certain emotions can lead to particular moods. Because of their long-term nature, moods are not relevant for negotiation although a change of mood can contribute to set the desired tone for interaction.

HOW TO MAKE YOUR ARGUMENTS MORE CONVINCING

Arguments, no matter how good they are, will not achieve the desired goal unless they convince your adversary. Thus it is good to look for signs that what you are saying is being positively received. Reception of what you are saying may be achieved in the following manner:

- Your arguments must be supported by written documentation if possible.
- Provide the support of experts. The opposition might bring their own experts to support them and oppose you.
- . Present factual arguments instead of being emotional. Do not personally attack your adversary.
- Be free to expose the weak aspects of your proposal, but defend them. In that way you are bringing credibility and trust into the process.
- Your verbal and nonverbal cues must not conflict.
- Use good timing for closing the deal e.g. when your opponent is in a positive rather than a negative mood.

- Be in a positive mood and believe in the success of the negotiation.
Otherwise you will not be able to convince people.
- Your facts during the presentation will carry more weight if you are well dressed and presentable.

SUMMARY

In this chapter I have highlighted several points concerning the negotiation process. Firstly, I have pointed out how conflict arises as a result of unsatisfied needs and ,therefore, how important it is to properly identify the needs of the opponent before starting with the negotiation. I made reference to Maslow's hierachy of needs. Then I stated that conflict is a necessary situation. I looked at the nature of conflict and how it can be transformed for the better instead of controlling or managing it. When the conflicting parties fail to resolve the problem a skilled mediator needs to step in. I also pointed out the importance of trust during negotiation because this is a time to build relationships and seek for a win-win solution. I also showed the importance of planning for and evaluating the negotiation process. Lastly I highlighted how emotions can run high and influence the decisions taken, Emotions need to be controlled, but they can be expressed to emphasise the seriousness of a certain point.

Chapter 7

CONCLUSIONS

This has been a study of the expression of emotion by language. It entailed looking at how language encodes emotion and the role of emotion during conflict transformation. One point that came out clearly was that there is no unanimity among the different scholars about what emotions are and which emotions could be called basic emotions, as evidenced by the fact that the writers give a range of from four to eight basic emotions. In some instances what is regarded as a basic emotion in one culture is not regarded in the same way in another culture.

There is agreement that some emotions are innate and, therefore, basic e.g. fear, anger, happiness, etc. When two or more emotions blend together they form secondary or derived emotions, for example anxiety, a blend of fear and guilt or shame.

In chapter 3 I showed through examples from IsiZulu, English and Afrikaans that language encodes emotion through all structural levels e.g. word order, verbs, suprasegmental features, etc. I also noted that emotions arise out of social contexts, therefore it is important to understand the social context in which emotions are experienced and expressed.

The study is primarily about emotion in conflict transformation, a facilitated form of negotiation. Negotiation is a persuasive process during which a range of special strategies are encoded by means of linguistic structures to enable conflicted minds to reconceptualise the conflict scenarios that they are trapped in as cooperative scenarios. In particular, speech acts, metaphors and modal auxiliary verbs are used during persuasion. Persuasion is about getting your opponent to change an attitude to one

similar to yours. I showed speech acts performing various persuasive functions. This is what happens in a negotiation situation where a participant will not always directly say what s/he wants to say, but may use some of the forms that I have mentioned

In the last part of the dissertation I specifically looked at conflict which arises when certain needs are not met. Negotiation is a persuasive strategy employed to resolve such conflicts. Applied correctly, negotiation would turn conflict into constructive confrontation by transforming it and looking at fulfilling the needs of disputants rather than meeting their interests. This should be especially so in intractable conflict where there is little or no hope of managing the conflict. This could be achieved by changing disputants' mind sets, enabling them to view conflict in a positive light.

Constructive confrontation, also known as transformative mediation, differs from traditional approaches to conflict resolution where mediative procedures are applied in a set linear pattern until the last step of the signing of the agreement. Transformative mediation, by contrast entails that even within the overall negotiation framework, problems are dynamically managed as they appear. This is the principle of flexibility that is necessary if one were to succeed in helping disputants transform apparently intractable conflicts.

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