

## **COLLABORATIVE NEGOTIATION STRATEGY: A PANACEA FOR SUSTAINABLE INDUSTRIAL PEACE IN THE EDUCATIONAL SECTOR OF NIGERIA**

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### **Abstract**

The persistent occurrence of industrial conflict in Nigeria educational sector particularly at tertiary level has apparently impacted negatively on the standard of education in the country. Past studies had traced the frequency of industrial actions in tertiary institutions to the type of negotiation strategy often employed by both labour leaders and management representatives. This study therefore examined the available negotiation strategies with a view to identifying the appropriate one and subsequently suggests what could be done for the two parties to voluntarily embrace the negotiation strategy considered appropriate and effective to achieve sustainable industrial peace. Using the archival method, the study observed that competing negotiation strategy was predominantly used in the tertiary institutions in Nigeria. And due to the confrontational and judgemental nature of the strategy, it could not stem the tide of incessant incidences of industrial action. Also, the study observed that the choice of competing negotiation strategy by both parties was probably due to their negative perception about each other and their behavioural orientation that is grossly defective. Based on the observation and the theoretical framework, it was suggested that training programme on some identified Behaviour Modification Skills (BMS) be organized for both parties. It is anticipated that by acquiring the skills, both parties would consciously change their negative perception to positive and their behavioural orientation would equally be enhanced. Thus, both parties would be willing to apply voluntarily the collaborative negotiation strategy considered appropriate and effective to attain sustainable industrial peace in our tertiary institutions.

**Keywords:** Industrial Conflict, Negotiation Strategy, Industrial Peace, Tertiary Institutions, Labour Leaders, Management Representatives, Behaviour Modification Skills

### **Introduction**

One of the most challenging issues that have consistently given concern and headache to parents, government and other stakeholders in the educational sector of Nigeria especially at tertiary level is the persistent occurrence of industrial actions that often disrupts academic calendar of our tertiary institutions (Bankole, 2010).

The scourge has indeed frustrated some self-sponsored students out of school while cases abound of female students whose schooling was truncated because of the unwanted pregnancy they got during the time their institutions were on strike. Suffice it to say that this menace has equally affected adversely the standard of education at tertiary level as some of our university graduates could not defend their certificates competently. And by extension, it has apparently impacted negatively on the socio-economic and technological advancement of Nigeria as a nation (Bankole, 2010, Alake, 2015; Albert, 2016; Hassan, 2016).

One of the past ministers of education specifically Dr. Sam Egwu once recalled that university lecturers in Nigeria went on strike for a total of 47 months within the space of 15 years. He pointed out that this period is long enough for a fresh undergraduate to commence and complete a four year programme in the university (Punch, Aug 5, 2009; pg. 88). This shows how terrible and devastating the effects of mis-handled conflict can be in our educational sector particularly at tertiary level.

It is unfortunate to note that up till date, there has not been any dramatic change in the situation because there are still pockets of industrial action in some of our higher institutions in Nigeria.

### **Statement of the problem**

The frequency of industrial conflict in Nigeria educational sector particularly at tertiary level has adversely affected the standard of education and in turn impacted negatively on the socio-economic and technological development of Nigeria as a nation.

Some of our graduates today are half-baked due to incessant interruption in the academic calendar of their institutions. Some indigent but brilliant self-sponsored university undergraduates have been frustrated out of school because of the elongation in the duration of their programme arising from high frequency of strike action.

Also, the academic programmes of some female undergraduates have been truncated as a result of unwanted pregnancy they got during the time their schools were on strike. Cases abound of undergraduate students who took to nefarious and criminal activities such as prostitution, armed robbery, cultism, advanced fees fraud, otherwise known as '419', 'yahoo-yahoo', etc simply because they were idle at home during the time their schools were on strike. All the aforementioned incidences obviously have negative multiplier effects on the growth and development of Nigeria as a nation.

The incidence of frequent industrial action in our tertiary institutions could be traced to application of in-appropriate negotiation strategy (Bankole, 2014, Alake, 2015; Hassan, 2016, Albert, 2016) arising from the negative interpersonal perceptions and feelings of both parties (employees and employers) and their behavioural orientation that seems to be grossly defective (Bankole, 2010). It is against this background that this paper examined some of the available negotiation strategies; identified the appropriate one based on the features of the strategy and subsequently suggested intervention training on some Behaviour Modification Skills (BMS) that could enable both parties to transform their negative perception about each other to positive one, improve on their behavioural orientation and voluntarily embrace the negotiation strategy considered appropriate and effective to manage conflicts.

### **Objectives of the study**

The objective of this study is to examine the available negotiation strategies with a view to identifying the appropriate and effective one and subsequently suggest what could be done to assist the parties (employers and employees) to change their negative perception about each other to positive and enhance their behavioural orientation in a manner that both parties would voluntarily embrace the negotiation strategy considered appropriate and effective to manage their conflicts.

### **Theoretical Framework**

Theories are underlying assumptions tested and accepted as the basis of explanation for observed relationship in a given circumstance. The theory on which this paper is anchored is social learning theory (Bandura, 1977). The assumption of this theory is that aggression (conflict) is not innate or instinctual as presented by innate theory neither does it exclusively rest on stimulus-response hypothesis as advocated by frustration-aggression theory rather aggression is learned through the process of socialization. The theory explains that aggressive behaviour (conflict) cannot be explained by stimulus-response operations alone instead it is a function of socialization process to which individual is exposed. The relevance of this theory to this paper is that conflict-escalating negotiation strategy ( e.g. competing negotiation strategy) of both parties which has been implicated for high frequency of conflict in our tertiary institutions could be unlearned while the appropriate negotiation strategy (collaborative negotiation strategy) learned through the same social learning process (e.g. intervention training programme) as advocated by the theory.

### **Methodology**

The paper adopts archival method otherwise known as qualitative descriptive methodology. It relies largely on documentary empirical evidences (secondary data) as its source of information and used content analysis as its tool for analysis.

### **Conceptual Framework**

Conflict as a concept is described as the disagreement between two or more parties mostly over issues of divergent interest. In other words, conflict is formed when two or more people have incompatible goals which cannot be mutually satisfied, and take action in pursuit of the goals (Ojielo, 2002). By its nature, conflict is a constant phenomenon in any human organisation (Alimba, 2010) and its inevitability in every human grouping has been traced to the pursuit of divergent interests, goals and/or aspirations by individuals or group that constitutes the social organisation( Otite, 2001; Omole & Adegoke, 2001; Hamed, 2002; Edwards, 2002).

It is germane to mention that conflict as a phenomenon is not inherently harmful rather its outcome depends largely on how it is handled by the parties in the conflict (Omoluabi, 2001; Mitchell, 2006). A creatively managed conflict can serve as a forerunner of positive human development (Albert, 2016) and it can bring about functional consequences (Bankole, 2016) such as:

8. Production of better ideas
9. Adoption of new and better approaches to issues
10. Creation of opportunity for people to clarify their views and make them better understood
11. Protracted problems can be dealt with permanently
12. Tension from conflict can stimulate interest and creativity

13. Improved morale and productivity
14. Institutional harmony and stability, etc

On the other hand, if conflict is regarded as an aberration such that it is poorly managed, it may disrupt the smooth running of the system (organisation) and consequently bring about dysfunctional consequences (Omoluabi, 2001) such as:

7. Employees' dissatisfaction and low morale
8. Increased labour turnover
9. Decreased interaction and total breakdown of communication
10. Drastic decline in labour productivity
11. Parties perceiving each other as enemies
12. Unproductive and unhealthy rivalry between conflicting parties, etc

The paradox of conflict is that it is the force that can solidly bind relationships together and it is also the same force that can tear relationships apart, if it is not managed properly by the two parties in conflict.

However, some of the recent studies (Bankole, 2010; Alake, 2015; Albert, 2016) had traced the frequency of industrial conflict in tertiary institutions to the type of negotiation strategy often employed by both the labour leaders and management representatives.

Negotiation is a structural process of dialogue between conflicting parties over issues on which their opinions differ (Krause et'al, 2006). In other words, it is a process by which two or more parties attempt to reach an agreement about issues on which they apparently disagree (Hammed, 2002).

Previous research (Krause et'al, 2006; Thomas, 2013; Hammed, 2002) had identified two prominently utilized types of negotiation strategies, namely: Competitive Negotiation Strategy and Collaborative Negotiation Strategy.

### **Competitive Negotiation Strategy**

Competitive negotiation strategy has been identified by a number of other names such as win-lose, distributive, individualistic, and aggressive (Mintu-Wimsatt and Graham, 2004; Thomas, 2013). This strategy is premised on the aggressive pursuit of interest by parties make demands that are inconsiderate of the interest and needs of other party. Thus, it makes it extremely difficult for interest of both parties to be mutually satisfied. Under this strategy, parties perceive each other to be in competition in which there must be a winner and a loser, which obviously does not make for harmonious labour-management relations. Also, the competitive negotiation strategy is characteristically confrontational, judgemental and adversarial. It forces people into hard positions where good relationship is sacrificed for victory and/or soft position where relationship is preserved at any cost.

It is obvious from the features of competitive negotiation strategy given above that the strategy cannot bring down the tide of industrial conflict instead it will escalate the tension in the system. It is however observed that competitive negotiation strategy is predominantly used in our tertiary institutions (Bankole, 2010; Alake, 2015; Albert, 2016).

### **Collaborative Negotiation Strategy**

Collaborative negotiation strategy, like competitive strategy, has been recognized by a number of other names such as integrative, cooperative, problem-solving approach and win-win (Krause et'al, 2006; Thomas, 2003). This is another strategy of handling conflict which requires the parties to the conflict acting together either by negotiating with each other or assisted by a third party (mediator) to resolve the conflict on an acceptable and agreeable terms to each party (Hammed, 2002).

The strategy has received tremendous attention from conflict management practitioners largely because its goal is to resolve the divergent interests of the parties in conflict and deliver mutual benefits for both parties (Hammed, 2002; Zachariassen, 2008).

The strategy is predicated on mutual understanding and feelings of the parties in conflict aimed at building sustainable cordial relationship. The parties that employ this strategy tend to listen to each other in good faith without suspecting each other, discuss the issues together amicably and sincerely, understand clearly the conflict therein and attack the issues and not the personalities. Thus, the strategy enables parties to show respect for differences and are not concerned about who is right or wrong. The strategy is therefore non-judgemental and highly participatory in nature. It helps parties in conflict to probes into the underlying causes of the conflict with a view to ensuring that it is nip in the bud.

In the same vein, collaborative negotiation strategy makes parties realize that no position is completely right and the other completely wrong rather both aspects of conflict have strengths and potential weaknesses.

In view of the mutual benefits of the strategy, parties in conflict feel pleased and satisfied at the successful completion of process which invariably makes the implementation of the agreed terms much easy. With all the aforementioned features of collaborative negotiation strategy, it is considered to be the most appropriate in the context of long-term relationships with opportunities for future generations and has been advocated to improve overall labour-management relationships (Zachariassen, 2008; Bankole, 2016).

It is noteworthy that as laudable and desirable as the characteristics of collaborative negotiation strategy are, past studies (Bankole, 2010; Alake, 2015; Hassan, 2016; Albert, 2016) had found out that competitive negotiation strategy is what is predominantly used by both labour leaders and management representatives in the tertiary institutions in Nigeria.

The only shortcoming of this strategy is that it requires ample time and energy because parties must have to spend a considerable amount of time exchanging offers and ideas before an acceptable solution can be attained.

It is instructive to mention that an individual's behavioural orientation or style is his habitual way of reacting, while his strategy is his conscious and thoughtful way of acting in conflict situation.

However, past studies (Ojielo, 2002, Bankole, 2016) had established that the type of negotiation strategy a negotiator applies or settles for depends largely on his **perception** and **behavioural orientation** in conflict situation.

Perception simply refers to how a person sees, understands or interprets the situation around him. In essence, our perception of other people is an important factor in our behaviour toward them because it guides us in deciding how we will respond to them and what sort of relationship we will have with them (Ojielo, 2002). For example, the perception of some trade union leaders is that employers of labour or their representatives are workers' 'enemies', only interested in exploiting the workers to maximize profit at minimum cost (including labour cost). They see employer of labour as somebody who is not ready to grant even 'reasonable' demands of workers until he is compelled through strike action.

It is based on this perception that some union leaders tend to be hostile and unnecessarily aggressive to management representatives during negotiation by using provocative statement, insulting remarks, banging of tables and outright walkout on the management.

In the same manner, some employers of labour or their representatives regard workers as bunch of ungrateful and treacherous elements that are never satisfied. And based on their negative perception about the workers, they tend to intimidate, cow, harass and victimized trade union leaders especially those in the vanguard of the workers' struggle. It is therefore necessary that the two social actors including the rank and file of trade union work on their perception to make it positive towards the other party.

On the issue of behavioural orientation, studies (Thomas, 1976; Kilman, 2007) have shown that there are five types of behavioral orientation otherwise known as conflict-handling behaviour which influence or determine the negotiation strategy that a negotiator settles for. The five behavioural orientations otherwise known as conflict-handling behaviour are: competing, accommodating, avoiding, compromising, and collaborating.

**Competing:** This presents a situation where a person has high concern for self and low concern for others. A person with this type of orientation pursues his own interest at the expense of others. This type of behavioural orientation is power oriented because it typically involves fighting for a right or defending a position stubbornly and rigidly through persistent argument. This could be likened to zero sum game. The noticeable feature of this orientation is I win, you lose.

**Accommodating:** This is a situation where a person has high concern for others and low concern for self. It may sound absurd but it happens because there are people with this type of orientation. This behavioural orientation involves some elements of self-sacrifice and is a reflection of low self-esteem. It encourages an attitude of you win, I lose.

**Avoiding:** This has to do with having low concern for self and others. The individual with this type of orientation tries to avoid the other party or pretends that conflict (grievance) does not exist even when the individual is hurt and resentful. Unfortunately, conflict does not fade away merely because the individual ignores it; rather it is merely swept under the carpet (Albert, 2016).

**Compromising:** This presents a situation where the individual involved in the conflict finds an expedient, neutrally acceptable solution which partially satisfies both parties. It involves trading concessions, splitting the difference or finding a satisfactory middle ground. It is an integrative approach to grievance solution.

**Collaborating:** This involves high concern for self and for others. The individual with this type of conflict-handling behavior tends to listen to other party in good faith, jointly discuss and attack the issues and not the personalities with the other party. Again, the individual shows respect for differences and is not concerned about who is right or wrong. The key attitude of such an individual is I win, you win.

Though some people tend to be more comfortable with a particular type of conflict-handling behaviour in conflict situation, it does not necessarily mean that such people always respond in the same way all the time. Instead, people tend to make predominantly use of one type of conflict-handling behaviour and less of others. It is therefore the particular one that a person frequently employed in conflict situation that will be assumed to be his behavioural orientation.

### Conclusion and recommendation

The high incidence of conflict in the educational sector especially at tertiary level has been traced to the application of inappropriate negotiation strategy by the two social actors. Their choice of inappropriate negotiation strategy has in turn been attributed to their negative interpersonal perceptions about each other and their behavioural orientation that seems defective.

Therefore, to bring about positive change in their perception and behavioural orientation as well as their negotiation strategy, it is suggested that intervention training programme on some behaviour modification skills that can stimulate general positive behaviour in individuals be organized for both union leaders and management representatives as well as the rank and file of the unions.

Some of the identified Behaviour Modification Skills (BMS) are: emotional intelligence, interpersonal skills, assertiveness and communication skills and self-efficacy skills.

It is anticipated that when the skills are acquired by the two social actors, they would be able to use them to approach issues with an open and critical mind and change other's opinion in the face of new evidences and rational arguments. In other words, the acquisition of the skills will enable them change their negative perception about each other to positive, get their behavioural orientation enhanced and make them to voluntarily embrace collaborative negotiation strategy as the preferred strategy to address their issues of conflict. By so doing, sustainable industrial peace would be engendered in our tertiary institutions.

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