

# Impasses

by Sophia Tutorial



## WHAT'S COVERED

In this lesson, we'll discuss what to do when parties reach an impasse in the conflict resolution process. The particular areas of focus include:

1. When and How an Impasse Occurs
2. Confirming That an Impasse Has Been Reached
  - a. Holding Private Meetings
  - b. Reflecting What You Sense
  - c. Reaffirming Interests
3. Working Around an Impasse

## 1. When and How an Impasse Occurs

The goal of conflict resolution is to work toward an agreement that addresses the joint interests of the parties in a satisfactory way. While this is a goal, it is also a challenge that can be hard to meet at times.

This is because parties will sometimes reach an **impasse**, or a situation in which it appears that the joint interests just can't be met. When the parties feel like this is happening, they get frustrated because it seems as if they're stuck.

The impasse could be over the entire conflict. In this case, the parties have gotten to a point where they don't want to work together.

More commonly, the impasse is over one issue or interest. The parties have been working together for a while, and some things have been falling into place.

Yet, there are one or two issues on which they can't seem to agree, and this is preventing them from reaching a resolution.



### TERM TO KNOW

#### **Impasse**

A situation in which the interests of both parties cannot be met jointly.

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## 2. Confirming That an Impasse Has Been

# Reached

In order to address this situation, you, as the intervenor, first need to determine whether what is happening is really an impasse or if the parties just need to go back and revisit parts of the process in order to move forward.

## 2a. Holding Private Meetings

When you sense an impasse, you need to check in with the parties; this is excellent time to use the private meeting as a way to do so.

At the beginning of the conflict resolution process, you will have explained to the parties that you may call a private meeting or a caucus with each of them to check in on the process, and to ask them if there's anything that they would like to disclose without the other party present. The parties certainly have the opportunity to ask you for a private meeting as well.

During the private meeting with each party, you'll have an opportunity to ask that party about what is happening in the process, get their comments and suggestions, and also find out if there's something vital to the resolution of the conflict that the party has not yet disclosed.

If there is an undisclosed interest, then you speak with the party about the possibility of finding a way to bring this issue into the process so that you can move through the impasse.

## 2b. Reflecting What You Sense

You can also check in during the process itself by reflecting what you're sensing. You can do this by asking if there's something that the parties need or want to share with one another right there in the session. You may find that it's just necessary to take a break, particularly if this is a complex and longstanding conflict. The parties might need to get away from this particular issue.

Then, whenever they decide that it's comfortable to come back, you might suggest that they start with a different issue instead of immediately revisiting the issue that caused them to get stuck.

## 2c. Reaffirming Interests

It's also important to reaffirm interests with the parties and generate new options. You may find out, either during a private meeting or in the process itself as the two parties begin to share what they are experiencing, that there are more factors that need to be considered.

↪ **EXAMPLE** Perhaps there are other stakeholders involved, and you're not moving forward because someone that needs to be at the table isn't there. Particularly in a longer, more complex conflict you may discover this. You would then need to take a break, stop the process, and explore bringing in the other stakeholder.

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## 3. Working Around an Impasse

Once you check in with the parties, they're probably wondering if all is lost since they've been working for a long time without reaching a solution.

If what is happening is truly an impasse over one interest or one piece of the conflict, then it's important to

explore with the parties whether moving forward is possible with a partial agreement. You want to remind the parties of all they've accomplished so far, and then you can ask them to explore some possibilities with you.

If it's only one or two interests that are causing the impasse, there is always the possibility of the partial solution.

➦ **EXAMPLE** You could broach this issue by saying, "We have agreed on the following issues here, and mutual interests have been satisfied in these areas. Can we write up a partial agreement or solution? What would that look like? What will it look like if we don't have any solution, partial or otherwise?"

There are some people who believe that there is really no such thing as an impasse, and that the impasse is just a period of being stuck. This belief is based on the fact that conflict resolution is an iterative process and that perhaps the parties just need to go back and revisit steps. They need to keep going because this is an opportunity to dig deeper.

While that may be true, there can still be times when you have to come to a stop.

➦ **EXAMPLE** This could be because the timing's not quite right. You may discover that one party feels that the conflict is still serving their needs in some particular way. Perhaps the conflict is creating public awareness of a particular issue that's important to this party, and they want to keep the conflict in the public eye a bit longer.

This is just one example; there could be any number of reasons why postponing a solution, at least on one particular aspect of the conflict, might be necessary.



#### BIG IDEA

Whether or not an impasse is real, it's up to you as the intervenor to check in with the parties, to take your cues from them, and to move forward depending on what you hear from them in the private meeting or discussion during the process.

It's also part of your role to move toward a partial solution if possible or to take a break and reconvene at a different date should the parties want to move in that direction.



#### SUMMARY

In this lesson, you learned **when and how an impasse occurs**, and that it can be over the entire conflict or just one or two particular issues. **Confirming that an impasse has been reached** involves checking in with the parties by holding private meetings, reflecting what you sense is occurring, or reaffirming interests. You now understand that if the impasse is caused by one or two interests, it's possible to **work around an impasse** with a partial solution. You might also need to take a break and reconvene at a later date. As the intervener, you need to take your cues from the parties and proceed accordingly. Good luck!

Source: ADAPTED FROM SOPHIA TUTORIAL BY MARLENE JOHNSON.



#### TERMS TO KNOW

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