



PCS 410 NEGOTIATION

Planning Negotiation

OVERVIEW

Effective planning is crucial to meeting negotiation objectives.
To reach a stable agreement, specific events must take place before the parties ever come to the table.

FRAMING THE PROBLEM

Frames are the conceptions that parties have of the situation and its risks.

Parties must **frame** the problem, and recognize that they have a common problem that they share an interest in solving.

Frames allow the parties to begin to develop a shared definition of the issues involved, and the process needed to resolve them.

When the frames of both parties match, they are more likely to focus on common issues and have a common definition of the situation.

However, when the frames do not match, communication between the parties is likely to be more difficult.

FRAMING THE PROBLEM

Unless the different outlooks on the problem begin to overlap, it is unlikely that negotiations will be successful.

If negotiators understand what frame they are operating from and what frame the other is operating from, they may be able to shift the conversation and develop common definitions.

The way in which parties define the problem can shape the rest of the planning process.

SETTING THE NEGOTIATION AGENDA

In the early stages of framing, negotiators must also determine their goals, anticipate what they want to achieve, and prepare for the negotiation process. They must define the issues to be discussed and analyze the conflict situation.

In many cases, negotiators can appeal to research or consult with experts to help them develop a complete list of the issues at stake.

Next, parties should assemble all the issues that have been defined into a comprehensive list.

The combined list of issues and priorities from each side determines the negotiation agenda.

SETTING NEGOTIATION PROCEDURES

Negotiators often exchange and negotiate the list of issues to be discussed in advance.

Consultation between negotiators prior to actual negotiation allows them to agree on:

- the agenda of issues to be discussed,
- the location of the negotiations,
- the time and duration of the sessions,
- the parties to be involved in the negotiations, and
- techniques to pursue if negotiation fails.

SETTING NEGOTIATION PROCEDURES

Negotiators should also agree on:

*principles that will guide the drafting of a settlement,
the procedures to be used in negotiations, and
the formula for reaching a general agreement.*

Discussions about these procedural issues are often crucial for the success of substantive negotiations.

If parties cannot agree on negotiation procedures and proposed items for the agenda, they may very well decide to abandon the negotiations altogether.

PRIORITIZING GOALS AND EVALUATING POSSIBLE TRADE-OFFS

After assembling issues on an agenda, the negotiators must prioritize their goals and evaluate the possible trade-offs among them.

Negotiators must be aware of their goals and positions and must identify the concerns, desires, and fears that underlie their substantive goals.

They must determine which issues are most important, as well as whether the various issues are linked or separate.

In addition, negotiators should be aware of the underlying interests and goals of the other side.

Because the linkages between parties' goals often define the issue to be settled, these goals must be determined carefully.

If one party wants more than the other party is capable or willing to give, the disputants must either change their goals or end the negotiation.

SEQUENCING ISSUES

Once they have determined the relative importance of the issues, parties need to decide the order in which issues should be discussed.

Many sequencing options are possible: going from easy to hard, hard to easy, or tackling everything together.

Different situations suggest different answers to that question, and different negotiators and mediators prefer one approach over the others.

CONSTITUENCY CONSULTATION

Negotiators that are operating on behalf of a constituency should consult with their constituents as well as with the other side to ensure that the constituents' needs and priorities are included in the negotiations.

DEFINING SPECIFIC TARGETS

The next step is for negotiators to define specific targets with respect to the key issues on the agenda.

Parties should try to figure out the best resolution they can expect, what counts as a fair and reasonable deal, and what is a minimally acceptable deal.

They should also be aware of the strongest points in their position and recognize the strongest points in the other side's position.

This enables parties to become aware of the range of possible outcomes and to be flexible in what they will accept.

It also improves the likelihood that they will arrive at a mutually satisfactory outcome.

ANTICIPATE WAYS OF PACKAGING ISSUES

Negotiators should anticipate different ways of packaging issues.

They can balance the issues they regard as most important by being more flexible about items they deem less important.

They should also decide which items they can abandon and use as leverage to get what they really want with respect to the most important issues.

DEVELOP SUPPORTING ARGUMENTS

Planning for negotiation also involves the development of supporting arguments.

Negotiators must be able to present supporting facts and arguments, anticipate how the other side will respond to these arguments, and respond to the other party's claims with counter-arguments.

This includes locating facts to support one's point of view, determining what sorts of arguments have been given in similar negotiations in the past, anticipating the arguments the other side is likely to make, and presenting facts in the most convincing way possible.

ASSESSING THE OTHER PARTY

Finally, planning involves assessing the other party's priorities and interests and trying to get a better idea of what that party is likely to want.

Negotiators should gather background information about the other party's current needs, resources, and interests.

This can be done through preliminary interviews or consultations with those who have done business with the other party in the past.

In addition, negotiators need to understand the other party's objectives. Professional negotiators will often exchange information about targets or initial proposals before negotiations begin.

ASSESSING THE OTHER PARTY

Third, negotiators should be aware of the other party's negotiation style, reputation, and the strategy and tactics they commonly use.

They should investigate that party's past behavior in related settings, determine his or her organizational position, and find out whom he or she admires and whose advice carries weight.

An individual's past negotiation behavior is a good indication of how he or she will behave in the future.

Fourth, negotiators should understand the other party's alternatives. If the other negotiator has strong alternatives, he or she will probably be willing to set high objectives and be willing to push hard for these objectives during negotiation.

REFERENCES

Maiese, Michelle. "Negotiation." *Beyond Intractability*. Eds. Guy Burgess and Heidi Burgess. Conflict Information Consortium, University of Colorado, Boulder. Posted: October 2003
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