



Negotiation: Art and Science

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A little about me:

- Former irrigation engineer
- Resolving conflicts in the field
- PhD at MIT on public dispute resolution
- Teaching at University of Michigan and now National University of Singapore

(C) The Artist from www.carteenbank.com All Bights Becomed

"Tell him that I sincerely apologize for grabbing him by the hair, and beating his head on the negotiating table."



Being an experienced negotiators doesn't mean we are effective negotiators!





Your Negotiation Challenges?

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Good negotiation is:

Cooperating when you disagree!





Good negotiation can be:

Helping others and having it our way!





Seven Elements Framework

Strategic preparation for Negotiations





- Interests
- Alternatives
- Options
- Standards of Legitimacy
- Relationship
- Commitment
- Communication





Interests

- = what you want or need
 - Identify your interests AND the interests of your counterparts.
 - Assign importance to each interest (yours and theirs)
 - Diagnose shared, different, and conflicting interests.





Alternatives

- = the ways I can meet my interests without you.
- Best alternative to a negotiated agreement (BATNA):
 - the best of my alternatives.
 - Tells me when I could do better without you.
 - A strategic negotiator improves their own BATNA.
 You may also consider ways to weaken your counterpart's BATNA





Options

- = the ways we can meet our interests together.
 - Include:
 - Common interests (e.g. we both want to look good)
 - Trades across differences (e.g. we both care about A and B. I prefer A to B. You prefer B to A. I give you A and you give me B)
- Don't settle for one option!





Legitimacy/Objective Criteria

- = external standards used to establish what's "fair" or "legitimate."
 - E.g. using average pay for employees of the same caliber to determine your pay.
 - How would you identify possible standards of legitimacy?
 - look for precedents outside the parties' influence,
 - lacktriangle

 - lacktriangle





Relationships

- = "working relationships."
 - Work effectively and respectfully with you.
 - Work on relationships as a separate task from substance
 - What might go wrong and how can I avoid those errors?
 - Remember: we don't have to like each other to achieve good outcomes





Commitment

- = what needs to be done to implement the deal
 - Authority: what can the representatives agree to and who needs to sign the deal to make it official?
 - Who else's support do we need to make it happen?
 - How might I (we) manage the authority of representatives over the duration of the process?





Communication

- = A strategy for effective communication
 - What should I share? When do I share it? Who do I share it with?
 - How do I make sure that the "message intended" is the "message received?"
 - What information do I need? How can I get it?
 - What kind of process would be most effective?





Let's try it out

Yan and Zhang

Negotiation Exercise





Various options and combinations

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12 Angry Men

A Case Study in Effective Negotiation





Planning influence

- Put parties in three categories:
 - Allies: the ones whose interests are most aligned with mine. The ones that I can easily find common ground with.
 - Opponents: the ones whose interests are most opposed to mine. The ones that I will have to work very hard to bring in.
 - Recruitables: the ones who have some interests that
 I can meet, and who have some things that I want.
 These are the ones whom I could get, and perhaps others could too.





Let's watch the movie!





Traditional power was less important

 Were alternatives and BATNA an important source of power in this deliberation?

 Did he have authority as a "wise man" or because of his position?





Playing the right game

 How did Juror #8 get the others to play a better negotiation game?





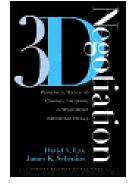
Suggested Reading

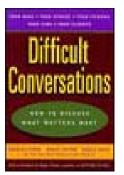


Getting to Yes: Negotiating Agreement
Without Giving In Roger Fisher & William L. Ury

3-D Negotiation: Powerful Tools to Change the Game in Your Most Important Deals

David A. Lax, James K. Sebenius





Difficult Conversations: How to Discuss What Matters Most. Douglas Stone, Bruce Patton, Sheila Heen