

PN-ACQ-619

**Training Workshop  
on Conflict Resolution  
and Negotiation Skills**

**27 February-1 March 2002  
Speke Resort Munyonyo  
Uganda**

Prepared for the United States Agency for International Development  
under Contract #HNE-C-00-96-90027-00

Development Alternatives, Inc.  
7250 Woodmont Ave. Suite 200  
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**FORWARD**



*Collaborative Approaches for Resolving Water Issues*

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The FORWARD Team

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Sponsored by  
Directorate of Water Development  
Ministry of Water, Land and Environment

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TRAINING WORKSHOP ON CONFLICT RESOLUTION  
AND NEGOTIATION SKILLS  
27<sup>TH</sup> FEBRUARY – 01<sup>ST</sup> MARCH 2002  
SPEKE RESORT MUNYONYO

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TENTATIVE PROGRAMME

DAY 1

SESSION 1: CHAIRMAN – Commissioner, WRMD

8:00 - 9:00 am	Registration of Participants
9:00 - 9:20 am	Welcome Remarks, by Commissioner, WRMD
9:20 - 9:40 am	Opening Remarks, by Director/DWD
9:40 - 10:00 am	Workshop Objectives and Expected Outcomes, by Trainers
10:00 - 10:30 am	TEA BREAK
10:30 - 11:00 am	Negotiation Process: Introduction, Purposes and Expectations
11:00 - 12:30 am	Pricing Exercise Negotiation Review and Discussions
12:30 – 1:00 pm	General Negotiation Framework: The Seven Elements - A useful framework for preparing for and achieving a good outcome to a negotiating situation
1:00 - 2:00 pm	LUNCH BREAK
2:00 - 2:30 pm	Systematic Preparation Framework
2:30 - 3:45 pm	The Contract Case Preparation by Role Negotiation Review and Discussions
3:45 - 4:00 pm	TEA BREAK

4:00 – 5:00 pm	Seven Element Application: Ugandan Cases - Apply the seven element framework to important Ugandan issues selected by the participants
5:00 pm	Day Evaluation and Adjourn
<b>DAY 2</b>	
9:00 - 9:15 am	Review previous day's work/Preview coming day
9:15 - 10:30 am	Seven Element Application: Ugandan Cases (cont.)
10:30 - 11:00 am	TEA BREAK
11:00 - 12:00 am	Negotiation Guidelines - Using the seven element framework to develop strategies and skills to handle difficult negotiations
12:00 - 1:00 pm	The Four Quadrant Tool - Introducing a problem analysis tool that helps the parties identify underlying causes and generate useful action steps to achieve their goals
1:00 - 2:00 pm	LUNCH BREAK
2:00 - 3:30 pm	Four Quadrant Application on Ugandan Issues - Using the four quadrant tool in small groups to analyze current Ugandan issues of importance as selected by the participants
3:30 - 4:00 pm	TEA BREAK
4:00 - 5:00 pm	Coordinating Internal-External Negotiations: Relationship Mapping - Introducing a technique for understanding and influencing the linkages between multiple, interconnected parties, and applying this technique to the Ugandan cases
5:00 - 5:30 pm	Introduction to Riveria Exercise – A multi-party, multi-issue negotiation of water resource development issues in a national and regional setting
5:30 pm	Day Evaluation and Adjourn

### DAY 3

9:00 - 9:30 am	Review previous day's work/Preview coming day
9:30 - 10:30 am	Riveria Exercise Preparation by Role
10:30 - 11:00 am	TEA BREAK
11:00 - 11:30 am	Riveria: Informal Negotiation
11:30 - 12:15 am	Riveria: Formal Negotiations I
12:15 - 1:00 pm	Riveria: Formal Negotiations II
1:00 - 2:00 pm	LUNCH BREAK
2:00 - 3:00 pm	Riveria Exercise Review and Discussions - By role, by negotiation group, and in the large group
3:00 - 3:45 pm	Going Forward: Four Quadrant Application - Using the Ugandan issues already worked on by the group, generating Quadrant 4 action steps that answer the question: "What can I do next week to move forward in achieving my objective?"
3:45 - 4:00 pm	TEA BREAK
4:00 - 5:00 pm	Evaluation and Wrap-Up
5:00 pm	CLOSURE

## Background of Trainers

### JOHN MURRAY

John Murray is a specialist in negotiation and conflict resolution processes with over twenty years of practical experience working with public and private organizations. John serves as Associate Director of the Program on the Analysis and Resolution of Conflicts (PARC) and Professor of Practice in International Relations at the Maxwell School of Citizenship and Public Affairs, Syracuse University, Syracuse, New York. His teaching assignments include courses in international negotiation, fundamentals of social conflict studies, responding to communal conflict, mediation, and dispute resolution for public managers.

John is a consulting practitioner with CMI Washington, a negotiation and process advice firm whose clients include, among others, The World Bank and the International Monetary Fund. A major focus of John's work is in areas of water and natural resource management issues. His most recent activities involve the training and facilitation work in connection with the Nile River Basin Initiative and with natural resource and forest management in central India.

Before coming to Syracuse in 1999, John held academic positions at the American University in Cairo, George Mason University, and Texas Tech University School of Law. He also served five years as head of the Conflict Clinic, Inc., a negotiation-mediation organization focusing on community issues and affiliated with George Mason's Institute for Conflict Analysis and Resolution (ICAR). John is co-author of the first two editions of a popular law school text, *Processes of Dispute Resolution: The Role of Lawyers*, as well as an author of over twenty-five other book chapters, articles, pamphlets and book reviews on negotiation, mediation and conflict resolution processes.

Prior to his academic positions, John practiced law in New York City and again in the State of Iowa, where he also served as executive assistant to the governor and was later elected Iowa State Senator for three terms. He graduated with Honors in Government from Cornell University, received a Masters Degree in Public Law and Government from Columbia University, and earned a J.D. Degree from the University of Iowa College of Law.

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## THOMAS SCHAUB

Tom Schaub is Managing Partner of CMI Claris LLC. CMI Claris develops and delivers professional services in negotiation, conflict management, and relationship management. Tom is also an Associate of Conflict Management Group (CMG), an international non-profit organization founded by Professor Roger Fisher, Director of the Harvard Negotiation Project.

In his corporate practice, Tom works internationally with clients in the manufacturing, financial services and information technology sectors. Tom consults and teaches on negotiation, consultative sales, change management and relationship management. Tom's clients have included IBM North America, IBM Europe, and IBM Asia Pacific, JP Morgan Chase, Hoogovens, Microsoft, Saudi Aramco, Intel, Coats, Pillsbury, and Morgan Stanley. Tom has also served as an adjunct faculty to the IBM Executive Consulting Institute.

In the public sector, Tom's practice focuses on organizational capacity building, education and strategic assistance. Tom's clients have included the UN Special Envoy for Peace to Burundi, the World Bank, the Organization of African Unity (OAU), the National University of Singapore Graduate School of Public Policy, the Foreign Affairs College of the People's Republic of China, the Asia Foundation, the World Health Organization, EWHA Women's University in Seoul, the United Nations Development Program (UNDP), and the Harvard Negotiation Project.

Before joining CMI, Tom negotiated and managed contracts with the Federal General Services Administration (GSA) in Washington, D.C. Tom also worked with the international relief and development organization CRS, first assisting community-based development projects in East Africa and later coordinating war relief in rebel-held Sudan. There he founded and chaired the Torit Forum, which coordinated field action among UN agencies, international relief organizations, local villages and rebel groups. Tom has also served with the Peace Corps and USAID in The Congo (then Zaire).

First as a student and Teaching Fellow and later as a colleague, Tom has worked and taught with Prof. Emeritus Roger Fisher, founder and Director of the Harvard Negotiation Project and co-author of *Getting to YES*, *Getting it DONE (Lateral Leadership)*, *Beyond Machiavelli*, and other seminal works in the field of negotiation. While teaching at Harvard, Tom received the Danforth Award for excellence. Tom has a Masters of Public Policy from Harvard's John F. Kennedy School of Government. He has worked in several African languages, is conversant in French, and is a student of eastern philosophy.

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## **Core Mission**

Increasingly, individuals and organizations in both the public and private sectors have come to realize that *how* they approach problems, disagreements, and opportunities significantly affects the results they achieve. When one must rely on persuasion and influence, the *process* by which a negotiated agreement is reached affects both the quality and durability of the result, as well as the ongoing relationship among the parties. The ability to negotiate well and to build and sustain effective working relationships becomes more critical to success in economic and political worlds that require innovation, interdependence, and quality decision-making. Towards that end, the family of CMI-related organizations is dedicated.

## **Harvard Negotiation Project**

The core theory and many of our professionals come from the Harvard Negotiation Project (HNP). HNP was founded by Harvard Law Professor Roger Fisher and others in 1978 to improve the world's ability to deal constructively with conflict by developing and disseminating better theory and training in negotiation and mediation. The Project takes a broad interdisciplinary approach and works to promote a fertile dialogue among negotiation experts from many fields, including anthropology, business administration, education, environmental and urban planning, family disputes, game theory, international relations, labor relations, law, psychology and public policy.

## **Conflict Management Group**

Conflict Management Group (CMG), a non-profit organization, devotes its efforts to improving the way in which governments and international organizations prevent and manage conflicts, including trade, diplomacy, and community and ethnic conflicts. CMG's projects are conducted in all corners of the globe, and concern issues of greatest impact in a changing world.

## **Conflict Management, Inc**

Conflict Management, Inc., (CMI) works primarily with corporations, financial institutions, and others in the private sector who wish to improve their ability to structure and derive economic value from strategic collaborative relationships with suppliers, customers, joint venture and alliance partners. To assist in this endeavor CMI offers transactional guidance, ongoing assistance to support the transformation of significant relationships, and skill transfer services. With each client, CMI strives to make its relationships a model of collaborative advantage.

## **CMI Washington**

CMI Washington serves public and private sector organizations based in the Washington area. Headed by Terry Barnett, Founding Chairman of both CMG and CMI, CMI Washington acts as an advisor to and trainer for institutions and individuals on negotiation, and on the process by which they manage critical external and internal relationships around the globe.



# Program on the Analysis and Resolution of Conflicts (PARC)

The Program on the Analysis and Resolution of Conflicts (PARC) is an interdisciplinary center within the Maxwell School of Syracuse University. PARC is dedicated to enhancing knowledge about social conflicts.

## ■ Interdisciplinary Focus

PARC provides an active interdisciplinary base for studies in conflict analysis and resolution for graduate students enrolled in a degree-granting program of the Maxwell School or other segments of Syracuse University or the adjacent State University of New York, College of Environmental Science and Forestry (SUNY-ESF).

PARC broadens graduate education in the disciplines by supporting opportunities for coursework, research, skills training, and practice in the analysis and resolution of social conflicts.

Many courses developed by PARC faculty associates are offered by the Maxwell School, SUNY-ESF, the Law School and the School of Education. PARC graduate student associates participate in PARC working groups which focus on particular research problems, as well as in other individual and collaborative research on social conflict. PARC provides avenues for skill training and practice through the activities of its graduate student run Conflict Management Center (CMC).

## ■ Certificates of Advanced Studies

PARC offers Certificates of Advanced Studies for completing a set of relevant courses in one of four areas. Certificates are awarded when the master's or doctoral degree is conferred.

- International Conflict Studies
- Applied Conflict Resolution
- Environment, Culture, Identity and Conflict Studies
- Public Participation, Social Movements and Conflict Studies

## ■ PARC Research

PARC associates believe that theory and practice cannot be separated and seek to make these inter-relationships more explicit in order to better assess theoretical ideas and methods of practice. PARC associates are particularly interested in analyzing conflicts in ways relevant to their resolution, especially conflicts which appear intractable. PARC associates study international and ethnic conflicts, alternative dispute resolution, environmental conflict, gender studies, and interpersonal, organization and community issues.

## ■ Education Funding

Financial aid is administered by the Office of Financial Aid. At the graduate level, fellowships, assistantships and work-study are available to those who qualify.

Teaching, research and administrative assistantships are offered by PARC and all Maxwell departments. Assistants work 20 hours per week and receive a stipend of approximately \$5,000 per semester.

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■ *Career Opportunities.*

There is a growing demand for scholars and policy-makers skilled in the effective management of disputes ranging from environmental protests and labor strikes to international confrontations. Colleges and universities are increasing their course offerings in peace and conflict studies. There are an increasing number of career opportunities for students trained in social change and conflict management -- as teachers, conflict intervenors, consultants and trained officials in government and private organizations concerned with human development and world peace.

■ *The Maxwell School*

Established in 1924, the Maxwell School is committed to education in citizenship and leadership in public affairs, graduate education and scholarship in the social sciences, graduate professional training for public administration and international relations, and the improvement of society through research and action.

■ *Syracuse University*

Established in 1870, Syracuse University is one of the largest private universities in the U.S., with approximately 10,000 undergraduates and 5,000 graduate students coming from all 50 states and 100 foreign countries. The University, which has 15 colleges and schools, is located in Syracuse, a mid-sized city in central New York, within a 5-hour drive of Boston, New York City, Philadelphia, Toronto, and Montreal.

PARC provides avenues for graduate training in conflict resolution skills.

*The Summer Institute on Creative Conflict Resolution*

Each summer the Institute offers seven one-week workshops that build knowledge and skills in managing conflicts in professional settings. These intensive courses cover theory and practice in such areas as communication, problem-solving, mediation, negotiation, leadership, managing diversity, and inter-group and interpersonal conflict resolution. Special workshops are provided for attorneys and environmental public policy specialists.

*Conflict Management Center*

CMC is a graduate student run educational program of PARC. It provides negotiation coaching and mediation services as well as training in interpersonal conflict skills, negotiation, problem solving, facilitation, and mediation for classes and other groups that request help. It also offers facilitation services to groups that are working on internal conflicts or seeking help in strategic planning, visioning, or other problem-solving efforts. As another service, CMC evaluates conflict situations within groups or organizations to help determine what dispute resolution services might overcome obstacles to good performance



## THE SEVEN ELEMENTS

### ALTERNATIVES

Alternatives are the walk-away possibilities that each party has if an agreement is not reached. In general, neither party should agree to something that is worse than its "BATNA" -- its Best Alternative To a Negotiated Agreement -- "away from the table".

### INTERESTS

Interests are not positions; positions are parties' demands. Underlying the positions are the reasons they are demanding something: their needs, concerns, desires, hopes and fears. The better an agreement satisfies the parties' interests, the better the deal.

### OPTIONS

Options are the full range of possibilities on which the parties might conceivably reach agreement. Options are, or might be, put "on the table". An agreement is better if it is the best of many options, especially if it exploits all potential mutual gain in the situation.

### LEGITIMACY

Each party in a negotiation wants to feel fairly treated. Measuring fairness by some external benchmark, some criterion or principle beyond the simple will of either party, improves the process. Such external standards of fairness include laws and regulations, industry standards, current practice, or some general principle such as reciprocity or precedent.

### COMMUNICATION

Good communication helps each side understand the perceptions and concerns of the other. Other things being equal, a better outcome will be reached more efficiently if each side communicates effectively.

### RELATIONSHIP

Most important negotiations are with people or institutions with whom we have negotiated before and will negotiate again. In general, a strong working relationship empowers the parties to deal well with their differences. Any transaction should improve, rather than damage, the parties' ability to work together again.

### COMMITMENTS

Commitments are oral or written statements about what a party will or won't do. They may be made during the course of a negotiation or may be embodied in an agreement reached at the end of the negotiation. In general, an agreement will be better to the extent that the promises made have been well planned and well-crafted so that they will be practical, durable, easily understood by those who are to carry them out, and verifiable if necessary.

## What are Some Signals that Indicate What Element is Being Discussed?

### 1. BATNA

- "If we don't agree to X, I can always...."
- "The XXX competitor will give me...."

### 2. Interests

- "What I'm trying to accomplish here is...."
- "I have to do X because...."
- "I can't do Y because...."
- "I'm really concerned that...."

### 3. Option

- "I want you to...."
- "If we did X (option), then I could achieve Y (interest)."
- "What if we...."
- "I'd propose that...."

### 4. Legitimacy

- "Our policy is...; the contract says...; the rule is...."
- "Others in the industry do...."
- "The last time this happened we did...."
- "You ought to...; It is appropriate and reasonable because...."
- "If it were you, would you....?" (reciprocity)

### 5. Commitment

- "I did/didn't agree that...."
- "I don't have authority to...."
- "If I do X, will you do Y?"
- "Sign here."

### 6. Communication

- "What's our agenda here, and how much time do we have?"
- "If I hear you correctly,... Let me see if I understand you,..."
- "What I'm trying to say is.... Let me restate...."

### 7. Relationship

- "Before we do anything, I wanted to ask you...."
- "As we deal with each other, I would like...."
- "I feel like...."
- "Can we talk for a minute about how we are working together?"

# What are Some Precise Questions for Transitioning among Negotiation Elements?

## To Relationship

1. Have we done anything offensive or insulting to your side?
2. How are your folks feeling about the way we are jointly handling this negotiation?
3. Do you feel the process we are using makes sense?
4. Should we be the people trying to resolve this?

## To Communication

1. Is this a good time to talk? How long do we have to discuss this?
2. What should our agenda be for this meeting?
3. Would it be useful for someone to keep notes for us all, maybe on a flipchart?
4. Do I understand you to be saying...?
5. What do you hear me saying on this issue?

## To Interests

1. What are you trying to accomplish in these negotiations?
2. What are your key motivations in these negotiations?
3. What objectives would you like to meet in these negotiations?
4. Why? Why not?
5. What would be wrong with ...?

## To Options

1. What other ideas might we brainstorm on this problem?
2. How might we make this better for both of us?
3. Got any ideas on that?
4. Can we think of several different packages of possible solutions?

## To Legitimacy

1. Why do you think we ought to do that?
2. What benchmarks do you see in our field that make you think that is appropriate?
3. If you were I, how would you justify that to others?

## To Alternatives

1. If we walked away from this deal, where would you/we go?
2. Do you feel we "must" do a deal here? Why?
3. I would prefer to work something out jointly, would you?
4. Are you happy with the way things would be if we did not reach a deal?

## To Commitment

1. What is the purpose of this meeting?
2. Do you have authority to make a decision on this?
3. Do others need to be here to get this done?
4. Are we ready to agree?
5. What would the table of contents of a possible deal look like?

Question: Is there a "survey instrument" that measures how well I use each element?

Answer: Completing this self-assessment questionnaire may be helpful.

Below you will find seven statements under each of three categories. Please rank the statements in the order (1-7) in which you think they apply to you. As you do this, please think of difficult situations involving your work within the Bank and/or with borrowing countries. Relate your answers to the seven elements.

Even in difficult situations, I:

- structure discussions well
- am very accepting of others
- understand the other peoples' concerns
- brainstorm well
- put principles over expediency
- walk away when necessary
- close the deal.

Even in difficult situations, others see me as:

- a good listener
- warm and caring
- focussed on the concerns of all
- open to new ideas
- open to persuasion on the merits
- open and realistic about my walk-away alternatives
- not afraid of closure.

Even in difficult situations, I can get others to:

- talk openly with me
- deal well with emotions
- care about concerns other than their own
- consider new options
- be concerned about fairness and principle
- realistically weigh their walk-away choices
- make commitments which will actually work.

# Creating Options

## Complementary Approaches

- Free-form brainstorming
- Diagnostic: find the cause of the problem or barrier to be overcome, then invent
- Search for joint gains
  - Differences
  - Shared interests
  - Economies of scale

## Finding Joint Gains

<u>Differences in</u>	<u>Type of Deal</u>
Relative valuation .....	Trades
Forecasts of uncertain events .....	Contingencies
Risk preferences .....	Risk-shifting (insurance, guarantees)
Time preferences .....	Payment plans
Capabilities .....	Combined activities
 <u>Shared Interests</u>	 <u>Type of Deal</u>
On an issue .....	Joint consumption
In the relationship .....	Common value
 <u>Economies of Scale</u>	 <u>Type of Deal</u>
Similar capabilities .....	Joint activity

## General Advice

- Thoroughly analyze interests and capabilities
- Systematically sort them
- Invent many options
- Select and optimize
- Consider post-settlement settlement

# Working Assumptions for a Brainstorming Session

1. **A beginning** – not a final report or set of priorities
2. **Present as colleagues** – not representing states, organizations, or points of view
3. **Advisory** – no decisions
4. **No evaluation** – no negative criticism or comments
5. **No attribution** – no link between participants and the ideas or suggestions they make
6. **No commitment** – no one is held to the ideas he/she proposes.
7. **Joint learning opportunity**
  - for substantive issues
  - for process issues, how to work together better
8. **Everyone responsible** for making the meeting work
9. **Guidelines for participation**
  - Listen carefully
  - Speak clearly
  - Ask questions
  - Respect others
  - Be open to learning

## **What are some additional tips for Dealing with Difficult Negotiators?**

### **1. Be Aware**

- A. Recognize and acknowledge to yourself that there is a problem**
- B. "Stop the bleeding"—don't be a sucker, don't be exploited**
- C. "Do no harm"—avoid actions that will make the situation and the relationship worse.**

### **2. Analyze and Plan**

- A. Use structures, concepts and tools that help you**
  - review your assumptions and clarify perceptions**
  - use other concepts and tools from the workshop: seven elements, conflict modes, big sheets, etc.**
  - to further jog your ideas, reference the course notebook, GTY, and other books**
- B. Consult with your friends, team, possibly even "them"**
- C. Become "them"—role reversal**

### **3. Proceed purposively: Attack the problem, not the people—deal well with both.**

### **4. See in particular:**

- A. The Big Sheet on *Dealing with a Difficult Negotiator***
- B. Chapters 7 and 8 of *Getting to Yes***
- C. *Getting Past No***

Question: If we must haggle, how should we do it?

Answer: Here are Ten Standard Tips For Positional Hagglers

1. Raise Your Aspiration Level
2. Start Higher (or Lower)
3. Make Them Concede First
4. Make Smaller Concessions Than They Do
5. Keep Track of Concessions
6. Never Bid Against Yourself
7. Tie Your Hands
8. Revoke a Concession
9. Be Ready to Walk
10. Ask for Another Little Concession at the End

## How might one approach multi-party negotiations?

**Problem:** Multi-party negotiations are hard.

**Diagnoses:**

1. There are many obstacles to overcome—many parties, many interests, many standards of legitimacy, different “languages”, and so forth.
2. There are often too many “cooks”—individual parties pushing their own favorite “solution”.
3. There is no good process adequate to deal with these obstacles.

**Some Possible Approaches**

1. Everything we discuss in this workshop can be applied to multi-party negotiations—the seven elements, conflict modes, choice tools, four-quadrant analyses, process design, and so forth
2. In addition, one should consider carefully how to “set the stage” for the negotiations (see answer to that question).
3. Work well, and learn, with your team and the other teams involved—it is a joint learning opportunity.
4. Appreciate the differences in culture, gender, nationality, background—as a strength.
5. Consider ways to improve the process—such as the one-text method.

**See in particular:**

1. *Beyond Machiavelli*
2. Part IV (“Many Parties, Many Issues”) of *The Art and Science of Negotiation*

## How does one set the stage for complex negotiations?

### 1. Design the "big" process.

- A. Reverse engineer the process—start with the long term goals and work backwards to design a process for getting there.
- B. As part of those goals and that process, consider both the substantive targets and the necessary working relationships. Too often, parties focus too much on the substantive components of a deal and forget that real people must develop effective working relationships in order to bring that deal to life. Develop both a substantive plan and a relationship plan.
- C. Consider process options such as
  - i. A "procedural understanding" among key players that clarifies roles, responsibilities, assumptions, nightmares, checkpoints about the process.
  - ii. Who might fill the "air traffic control" function—guiding the process as it moves forward.
  - iii. A plan for dealing with parties who may not be at the table, but will be important in securing and implementing the deal—how to identify, involve, listen to, understand, consult with, inform, educate these players.
- D. Consider actions to help facilitate agreement, such as "good offices", third-party facilitation, special fact-finders, "wizards", joint facilitated brainstorming, and mediation.

### 2. Design the "short-term" process.

- A. Design meetings carefully by considering the "four P's": the Purpose, Product, Participants, Process
- B. Consider pre-meetings among some of the parties
  - In which there may be lower perceived risk, informality, reduced scrutiny, easier communication.
  - For purposes such as building relationships, designing processes for moving forward, organizing agendas, building or blocking coalitions, clarifying interests, inventing options, developing templates of agreement, developing standards of legitimacy, exploring BATNA's, and so forth.
- C. Consider how to follow up on meetings: distribution of notes, statements to constituents and other parties, schedule of next session, and so forth.

## Negotiating Inside Out:

### What are the Best Ways to Relate Internal Negotiations with External Ones?

Roger Fisher

In every negotiation involving an organization, internal negotiations have a major impact on external ones. When a union, a corporation, a government, or even a family is about to engage in negotiations, discussions and decisions among the "insiders" are likely to make it difficult for that body—as an entity—to conduct ideal problem-solving negotiations with others. No matter how creative and flexible the internal process may be, it is likely to result in instructions that unduly tie the hands of a negotiator acting on behalf of an institution.

An institution is not a single rational actor, nor does it behave like one. Within a government, for example, individuals pursue their own careers and seek to advance the interest of their own particular office or agency as well as seek to advance the cumulative interests of the government as a whole. Another complicating factor concerns the role negotiators believe they play in the process. Many negotiators view themselves as someone who "represents" the institution and defends its position; they do not perceive themselves as persons hired to work out an optimal solution. But how should a government, a corporation, or other institution relate its internal negotiations to those it has with outsiders?

Suppose high officials of two corporations are contemplating the possibility of negotiating a complex agreement. What is the best advice that experts could give them on how to structure those negotiations to maximize the chance that they would not only reach an agreement, but also would reach an optimal one — an agreement that could not be better for one corporation without being worse for the other? Having formulated the best advice that we could give the two together, would our advice to one alone be significantly different?

Consider, for instance, the case of a diplomat who will be negotiating under instructions from his government. Both he and the government are likely to see the problem in terms of discretion: either the negotiator will believe that he has too little freedom of action or the government will believe that he has too much. Instructions are likely to be written before government officials have done much hard thinking about the interest of the other government or much creative thinking about possible ways of reconciling the differing interests of the two governments.

When discussions take place within a government in advance of an international negotiation, participants are likely to assume that their task is to reach internal agreement on something. Traditionally, that "something" is a position — a statement of what the negotiator will demand or the minimum that he or she has authority to accept. Frequently, such a position reflects an odd kind of compromise — one that adds up the desires of the different

parts of a government. In advance of U.S.-Soviet arms control negotiations, for example, the Air Force is likely to agree that the Navy can keep its new submarines so long as the Air Force can keep its new missiles. The Army and the Navy are each likely to take a similar stance in the internal negotiations. Each will agree to a position *only if* the interests of its department or agency are fully met. The result is likely to be a minimum position or "floor" that is floating far above the real world.

An alternative symptom, equally unsatisfying to governments, is to leave a negotiator with enormous discretion. A negotiator typically sees her job as reaching an international agreement consistent with her instructions. Of course, the more favorable to her government an agreement may be, the better the government will like it. But reaching any agreement -- even a poor one -- within instructions is likely to be considered a success, whereas failure to reach an agreement would be considered a failure. Further, a negotiator armed only with positions and arguments is unlikely to appreciate the interests of different elements of the bureaucracy. In these circumstances, there is a high risk that the goal of reaching agreement will cause a diplomat to settle for an outcome that is substantially short of the best that might have been attained. Giving a negotiator wide discretion thus runs the risk of making it too easy to reach agreement -- so easy, in fact, that an agreement does not serve a government's interests as well as it might.

Faced with this choice, a government tends to limit discretion. Our hypothetical negotiator will find her hands safely tied. If she later wants to make a concession, she can ask authority to do so, and the government can later decide if that concession is justified. The result is that international negotiations often involve three layers of positional bargaining:

- \* one among the different interests groups within each government;
- \* one between each negotiator and his or her own government; and
- \* one between the two negotiators acting on behalf of their respective governments.

Such a process is hardly conducive to wise joint problem solving. Analytically, what is wrong with the process? How might it be improved?

#### **Analysis: Four Possible Causes of Difficulty**

To reduce the destructive impact that internal negotiations have on external ones, we will need some hypotheses about what is going wrong. Let me advance four. It appears that the possibility of reaching a good outcome in external negotiations is handicapped to the extent that:

- (1) Throughout the process the focus is on the single element of commitment;
- (2) The perceived function of the external negotiator remains fixed over time;

- (3) Internal and external negotiations are compartmentalized -- they are viewed as separate and distinct functions; and
- (4) Negotiators see their role as simply being partisans.

Each of these hypotheses deserves analysis. Each also suggests a proposition about what might be done to improve the process.

### Focus Negotiations on More Elements than Commitment

The first hypothesis is that there is an undue focus on the single element of commitment. At the Harvard Negotiation Project, we organized much of our thinking on negotiation around seven elements:

1. The **INTERESTS** of the parties -- their needs, wants, hopes, fears and concerns of all kinds such as for security, profit, recognition, or status.
2. The **LEGITIMACY** of an agreed outcome as measured by precedent, law, practice, or other external criteria of fairness that are persuasive to one or both parties.
3. The **RELATIONSHIP** that exists between the parties and between their negotiators. The better the working relationship, the easier it will be to produce and outcome that well serves the interest of all.
4. The **BATNA's**. The Best Alternative To a Negotiated Agreement that each party has. (What is the best each can do by walking away?)
5. The **OPTIONS** on which they might agree, some of which, it is hoped, will be better for each party than its BATNA.
6. The **COMMITMENTS** of the parties -- statements of what they will or won't do, made during a negotiation or embodied in an agreement.
7. The **COMMUNICATION** between the parties. The more effective that communication, the more efficient the negotiating process is likely to be.

In general, in most interactions between internal and external negotiators, too much attention is paid to the single element of the commitments to be made and the authority to make them, and too little attention is paid to what the negotiators could be doing with respect to each of the other six elements. A suggested approach to deal with this problem would be for those within a government -- or any other organization -- to develop instructions that say something about all seven elements.

Good outcomes tend to be more likely when negotiators fully understand a problem before committing themselves or their organizations to a particular solution. This means that

better results will usually be achieved if the making of commitments is postponed until after the negotiators:

- \* have established a good personal working relationship;
- \* have developed easy and effective communication;
- \* have come to understand the interests of both parties;
- \* have explored precedents and other possible criteria of fairness that might be persuasive to one government or the other;
- \* have fully understood their own alternatives to a negotiated agreement and have estimated those of the other side; and
- \* have considered a range of possible options that might form a basis for agreement.

To the extent that this premise is correct, instructions from an organization to a negotiator should reflect the fact that much work should be done *before* either of them decides on the commitments that ought to be made.

During the early stages of a significant negotiation, communication between a government and its negotiator should be concerned with interests, options, and criteria of fairness. Beyond standard instructions regarding establishing effective communication and a good working relationship, a government would be well advised to instruct its negotiator about the interests at stake in the negotiation, the government's current thinking about the relative priority of those interests, and possible tradeoffs among them. Internal negotiations might also produce a number of options that the negotiator could explore with the negotiator from the other side. Further, early internal negotiations might be directed toward finding and evaluating precedents and other external standards of fairness that would be both highly satisfactory to "our" government and persuasive to the other side.

This means that, instead of establishing "demands or "positions," early instructions should limit the authority to commit. There is an ironic contrast between power and authority. The more power that a diplomat has to make commitments, the more tightly a government is likely to confine the exercise of that power -- and the less practical ability that diplomat is likely to have to engage in constructive work. An ambassador is typically "plenipotentiary." Vis-a-vis another government, an ambassador has full power. Under international law, any commitment that an ambassador makes is binding on his or her government. Even an oral statement by someone with full powers can have serious consequences. In 1933, for instance, the World Court held that when the Norwegian Minister of Foreign Affairs had said that his government "would not make any difficulties" in the settlement of the Greenland question, it placed Norway "under an obligation to refrain from contesting sovereignty over Greenland as a whole."

Because of this extraordinary power, governments typically give an ambassador instructions that set firm limits on what the ambassador is allowed to do. For fear that

something a diplomat might say would constitute a commitment, the diplomat is instructed not to discuss any issue on which the government does not wish to be committed. Such instructions preclude a diplomatic negotiator from engaging in the kind of exploration of interests, options, and criteria of fairness that are useful, and will sometimes be essential, to reaching a sensible agreement.

This suggests that, in addition to requesting an external negotiator to explore those elements, it might be well -- during the early stages of a negotiation -- to make clear to one's own representative, to the representative of the other side, and perhaps to the press and public, that the representative has no authority whatsoever to make a substantive commitment. He or she has full authority to *discuss* anything, can make personal commitments, and can commit the government to procedural issues like agreeing on an agenda or a date for the next meeting, but may not make any substantive concession or commitment until different instructions have been received and explained to the other side.

### The Functions of a Negotiator Should Change as a Negotiation Proceeds

Traditionally each round of talks in a negotiation is seen as having essentially the same task -- to deal with positions. A government beginning a major negotiation that will continue over a period of months or years is aware that the instructions it gives a diplomat will be changed over time. At the outset, they may authorize an extreme opening position designed to provide plenty of "negotiating room." Later, that position may be changed. Nonetheless, it seems to be true that the successive instructions tend to cover the same ground, authorizing a negotiator to advance, defend, or revise proposed commitments in an ongoing game of positional bargaining.

Yet the role of a negotiator should not be treated like that of a dog on a leash, with the length of the leash being gradually extended. Rather, a negotiator should be treated more like a handyman who is asked to undertake different tasks at different times. As a negotiation progresses, the work to be done changes, and so should the instructions.

Both internal and external negotiations will be more effective if there is an ongoing interaction between them with respect to understanding each other's interests, generating a wide range of options, evaluating them in the light of persuasive criteria, and the making of commitments. The character of the instructions should be expected to change during the course of a negotiation, focusing at first on interests and options and later exchanging views on possible commitments.

This does not mean that each side should disclose its innermost secrets to the other. A corporation, for example, may rightfully fear the consequences of disclosing business secrets. It may also fear that if it discloses how keenly it wants some particular thing it may be forced to pay a lot for it. Further, it may not wish to disclose how desperately it wants to reach agreement in view of the absence of any attractive alternative.

It is difficult to solve a problem unless the negotiators understand what that problem is. It is also difficult to reconcile interests if they remain unknown. However, it is possible to disclose the nature of one's interests without disclosing the intensity of one's feeling about them.

### Internal and External Negotiations Should Become an Interactive Process

People tend to see internal negotiations as a process that is wholly distinct and separate from the external negotiations that may be taking place on the same subject. In a typical big negotiation, a large number of people with different perspectives, differing interests, and different talents will be involved. Some of these people will be working within one organization, some within another, and some will be the negotiators themselves or their staffs. Outside experts and people from other organizations or governments might also have a contribution to make. One who will be conducting external negotiations will often participate in the internal discussions as well. In fact, negotiators often play a significant role in the drafting of their own instructions. But the internal negotiations on each side are likely to be compartmentalized and kept quite apart from the external negotiations.

A highly structured division between internal and external negotiations tends to restrict the contributions of knowledgeable people to what each can do within a carefully prescribed role. If an all-knowing God were considering an international problem in which, say, 22 people were involved, each of whom knew different things and represented a particular point of view, and if His objective were to produce an optimal outcome -- one that could not be better for one country without being worse for the other -- it is unlikely that He would design the current model. He would not put ten people in one room and ten people in another, each group to issue positional instructions to its diplomat, the two of whom would then meet and bargain. Even without divine guidance, we should be able to design a process that will do better. Such a rigid and adversarial structure is unlikely to be the best way of engaging multiple parties with diverse interests and skills in successful joint problem solving. We will want to use a process that permits people to build on each other's knowledge and skills.

The talents of all of those involved, whether a member of an "internal" team or a "negotiator" -- whether within one government or another -- should be orchestrated to produce the best possible outcome. This means that the structure of the negotiations should be flexible and open, with substantial use of prenegotiating sessions and nongovernmental experts. Contacts among all of them should probably be planned and encouraged rather than discouraged. Subcommittees, joint fact-finding teams, brainstorming sessions, and small working groups of specialists from both sides (such as military officers, lawyers, or technical experts) should be put to good use.

### Every Negotiator Has a Dual Role: Both Partisan Advocate and Co-Mediator

A negotiator may understandably have a bias in favor of his own side. In fact, a diplomat may correctly perceive his mandate to behave as a zealous advocate of his nation's interests. But arguing in favor of one set of interests is less than half his job. Two

diplomats negotiating on behalf of their respective countries also have the joint task of efficiently producing a workable agreement that reconciles as well as can be the interests of the two governments in a manner that is acceptable to both. Although each negotiator's task can thus be seen as that of a co-mediator, the normal relationship between internal and external negotiations does not make it possible for two negotiators to use the tools and techniques that a skilled mediator might employ. Instructions to negotiators should maximize the chance that they can function effectively together and jointly develop a solution that will be acceptable to their two governments. One particular tool that they should be able to use is the "One-Text Procedure," based on the concept of a single negotiating text.

When using such a text, two negotiators, without seeking or obtaining commitments from anyone, jointly prepare a rough draft of a possible agreement and then, in the light of comments from knowledgeable people in both governments, revise and refine successive versions of that draft until they can make it no better. At that time, they jointly recommend the draft as a proposal to their two governments.

### **A Way to Begin**

A useful way to think clearly about how best to relate internal negotiations to external ones is to try to draft some standard clauses for instructions that might be given to all international negotiators. Despite the magnitude of the task — in fact, because of it — it may be worthwhile to get started. Here is a first attempt:

#### **Some Possible Standard Instructions An Illustrative Draft**

1. **Unclassified.** Although you will also receive some confidential instructions, this part of your instructions is open. You are free to show these instructions to the other side, and are encouraged to do so. Thereafter they may be made public.
2. **Authority.** You have full authority to discuss any issue relevant to the subject matter of these negotiations about which either you or the negotiator with whom you are dealing wishes to talk.

You also have authority to make procedural commitments with respect to agenda, the time and place of meetings, etc.

Further, you may make personal commitments of substantive recommendations that you will make to your government, but are encouraged to be cautious in doing so. You should emphasize that such statements are your recommendation to the government, not necessarily the action the government will take.

You will be given explicit authority to make substantive commitments at an appropriate time. If at any time you believe that such authority would be helpful to you, please request it. In the meantime, knowing that what you say

will not commit the government gives you great freedom to pursue the tasks necessary to generate an agreement that will well serve the interests of this government as well as serving the legitimate interests of others involved.

3. **National interests.** You are negotiating in order to advance the national interests of your government broadly conceived. These interests, in their normal order of priority, are as follows:
  - (a) *Building and maintaining a good working relationship with all other governments.* Our security is enhanced to the extent that problems and incidents that involve other governments and peoples can be solved acceptably at a professional level without the risk of escalating into political or military crises. The contrast between war and peace lies in how governments deal with their differences. The more serious our differences, the more important it is that we deal with them in a practical, businesslike way.
  - (b) *An orderly international regime based on respect for international law and for our rights under international law.* In general, the way we reconcile our many substantive interests with our interest in peace is to pursue our substantive interests within a framework of international law and order.
  - (c) *The prestige and reputation of our government.* We want to be widely regarded as a good government with high ideals and values, one that is honest and reliable. Honesty does not require full disclosure, but what you state as fact should be so. Consistent with that reputation, we would also like to be respected as a strong government, one that will listen to reason and be open to persuasion, but also as one that will not back down to threats or pay blackmail.
  - (d) *Particular interests.* Your confidential instructions for each negotiation will more particularly spell out the relative priority of particular concerns of the government and the tradeoffs among them.
4. **Personal working relationships.** You should seek to establish a problem-solving climate in which you and the negotiator from the other government see each other not as adversaries come to do battle, but rather as professional colleagues working side-by-side to deal with a practical situation in which your two governments have differences.
5. **Effective communication.** The better the communication between two negotiators, the greater will be their joint ability to deal well with international differences. You may not disclose classified information to the other negotiator as a means of building personal confidence in yourself. On the other hand, within your discretion you may respect confidences and need not report to the government everything that you have been told.

6. **Functions.** Before committing yourself or your government to any particular solution to the problem about which you are negotiating, you should do your best to satisfy yourself that you fully understand that problem. This means that you should:
- (a) understand in some detail the interests and concerns of the other government, as they perceive them to be, and demonstrate to the other negotiator that you do understand them;
  - (b) explain our basic interests honestly, and make sure that the other negotiator understands them (Do not disclose secret information nor should you disclose the value we place on some particular interest if that will make us vulnerable.);
  - (c) tentatively establish a proposed scope for a substantive agreement that lists the subjects and issues to be covered;
  - (d) generate a range of options that might conceivably be acceptable to both governments and might meet their interests as well as they can be reconciled;
  - (e) identify different standards of fairness, equality, or reciprocity that might provide a sound basis for satisfying the leaders and constituents of each country that it is being fairly treated in an agreement; and
  - (f) revise and improve those options that either negotiator believes hold promise of meeting the legitimate concerns of both governments.
7. **Structure of meetings.** You should feel free to design your own negotiating sessions in a variety of ways: sometimes formal, sometimes informal; sometimes in a private meeting and sometimes with other invited to join you; sometimes in "brainstorming" sessions designed to generate fresh ideas, and sometimes in sessions designed to evaluate and improve ideas that have been generated. You should feel free to invite people from either government and nongovernmental experts to join you as you and your fellow negotiator may decide.
8. **Subcommittees, consultants, and facilitators.** You and your fellow negotiator may find it useful to ask specialists on each side to form a subcommittee for the purpose of gathering information, developing new options, or studying and refining some proposal. If a part of the negotiation involves secret information that one side or both is reluctant to disclose, you may find it helpful to obtain the assistance of a trusted neutral who could speak with each side in confidence and recommend ways to proceed. Such a neutral third party might also play a useful role in facilitating meetings where progress is otherwise difficult.

9. **Propose work for the government.** The work that you are doing with the other negotiator and the internal work being done by your government constitute a single, ongoing, and interactive process. Whenever you would like help in clarifying interests, generating options, gathering data, suggesting appropriate criteria, or performing any other function that might lead to a good agreement, please inform the government.
  
10. **Request revised instructions.** As the negotiations proceed, we will all learn more about the problem and about possible solutions. The government expects to revise your instructions from time to time as we move from the exploratory and creative phases of the negotiation toward the commitment stage. One of your responsibilities is to do your best to see to it that the government has the full benefit of your experience, wisdom, and judgment not only in implementing instructions but in improving them. As time and circumstances permit, please propose additions or revisions in your instructions.



## RELATIONSHIP MAPPING

### INTRODUCTION

Most important negotiations are with people with whom we have negotiated before and will negotiate again. Under such circumstances, strong working relationships empower parties to deal well with their differences. Any transaction should therefore improve, rather than damage, the parties' ability to work together again. To this end, "relationship mapping" is a useful tool for better dealing with relationships in a multiparty negotiation.

Relationship mapping has proven successful in situations where the client is confronted by multiple, interconnected parties. These parties, because of or despite their interconnectivity, have widely disparate interests, and negotiations and agreements with one party inevitably impact the negotiations with others. Consequently, common agreement or consensus among all parties seems almost impossible, as no single agreement with one party can satisfy the key interests of all parties.

Faced with this challenge, relationship mapping helps you to design an effective strategy for approaching multi-party negotiations. It helps you identify the parties with whom you should negotiate, offering some guidelines as to the sequence in which you should negotiate and to what end. The guidelines can help you to deal with the uncertainties of a changing political landscape or concealed, inaccurate or vague information about players' interests, relationships, and alternatives to agreement, thus increasing your chances of achieving your goals.

### A COMMON APPROACH

Frequently, whenever big problems erupt in a multiparty negotiation, the instinctive reaction is to either try to solve it with the largest available concession or to resort early to the BATNA,<sup>1</sup> where a single player can exert the most pressure immediately. As often as they are applied, these responses to complex problems tend to present unproductive consequences, such as a negative impact on working relationships and a failure to build long-term, sustainable capacity to prevent or efficiently solve future problems.

### AN ALTERNATIVE APPROACH

In contrast, relationship mapping allows the negotiator to be proactive. Through preparation, relationship mapping maximizes the value of negotiations by systematically organizing and clarifying the diffused and complex network of players. This organization and clarification can be done by sorting out the multiple players' motivations, namely, their interests,

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<sup>1</sup> Alternatives – Alternatives are the walk-away possibilities that each party has *if an agreement is not reached*. In general, neither party should agree to something that is worse than its BATNA – its Best Alternative To a Negotiated Agreement – away from the table.

alternatives to agreement, and key relationships. Once that is done, relationship mapping serves as an instrument to exploit or re-engineer the network to increase the probability of short- and long-term success in the negotiation process.

Relationship mapping is comprised of several steps, each of which is outlined in detail before:

- Clarify and prioritize *your own interests*;
- Map all relevant *players*;
- Identify all *players' key interests*;
- Identify and characterize *relationships* among the players; and
- Plan and implement a *sequence of one-on-one negotiations* to leverage and/or reshape the relationship map to serve your interests — both in the short and long term.

## 1. CLARIFY YOUR OWN INTERESTS

In the negotiation process, parties frequently formulate their strategy by taking a *position* — a statement of what they want out of the negotiations. By taking a position, the negotiators then characterize the process as a win-lose situation, rather than expanding opportunities to create value. Underlying the positions are the needs, concerns, desires, hopes, and fears that motivate the parties' to negotiate: their *interests*. It is through a thorough understanding of your own and the other parties' interests that value can be created at the table.

Interests can be divided into three categories:

- Short-term interests (e.g., accessing humanitarian supplies *today*)
- Mid-term interests (e.g., knowing that you'll be able to access humanitarian supplies without delay *next month, next year*)
- Long-term interests (e.g., strategic vision, sustainable operating structure)

Knowing that your interests might be different and that they can be categorized by time, by issue (transportation lines; distribution channels; supplies; etc.), or other parameters will help you to identify and clarify them. After doing such a categorization, identify tensions among these interests and prioritize them. The result should be a list of your interests in order of value, and arranged in a way that will give you flexibility as you bring them into the negotiation process.

## 2. MAP THE RELEVANT PLAYERS

After identifying your own interests, you will begin to create a map of all relevant players. Everyone who could be influenced or affected by the outcome of the negotiation or its implementation should be included. Of course, this does not require that every single individual in the country be called to participate, but you should attempt to include all representative groups of interests, even if they are not directly related to the subject of the negotiation. This precaution will help to prevent surprises from arising in the middle of negotiations, as unanticipated groups and their interests may be introduced into the process.

Listing the players does not necessarily mean that they are equally important, but rather are relevant to the negotiation process. An organization's or individual's relevancy is measured subjectively by the party undertaking the relationship mapping process. Having clarified your own interests in advance will help you to define your goals for the negotiation and discern who should be involved in the process of achieving those goals. These parties may play roles as either allies or as obstacles.

With this list in hand, a diagram can be created that will illustrate all organizations, individuals within them, independent stakeholders, and, finally, your place amongst those stakeholders. This diagram should give you a fairly good idea of everyone who is involved in the negotiation process or who may impact the process in some way.

### **3. IDENTIFY THE PLAYERS' KEY INTERESTS**

The next step in the process is to analyze the parties you've listed and identify their key interests. In the same way you clarified your interests at the beginning of this process, you should do the same for each player on your list. The same process can be followed here, though it is clear that identifying the other parties' interests poses a different challenge. In many cases, you will be making assumptions as to what the parties' interests are. A suggestion to manage this challenge is to assess the mapped players' key needs, concerns, fears, etc., based on what you currently know about them and about others in their same relationship positions, circumstances, etc. It is also helpful to understand their expectations for the negotiation process, their idea of success, and their resources and capabilities. In light of others' interests, alternatives, and capabilities, review and refine your own interests and priorities.

In this process, it is very important to beware of unquestioned assumptions based on cultural stereotypes and generalizations. After double-checking your assessment of the interests and testing your assumptions, record the players' key interests on the diagram.

### **4. MAP RELATIONSHIPS AMONG THE PARTIES**

Up to this point, you have determined who is relevant to your negotiation and their interests. You should now begin to identify all existing relationships among the mapped parties; some examples of the relationships between individuals, organizations or departments might include alliances, partnerships, business contacts, hierarchical structures, friendships and family connections. The nature of these relationships should now be analyzed and you should seek to identify different patterns amongst them.

Professor James K. Sebenius of the Harvard Business School has created three characterizations of different relationship patterns.<sup>2</sup> These patterns include deference, influence or antagonism. While acknowledging that this is just one of many ways to categorize relationship patterns, it is an important place to start. In addition to adapting these patterns to your particular case, it is very important that you don't get trapped simply tracking formal

<sup>2</sup> Sebenius, James K. "SEQUENCING TO BUILD COALITIONS: WITH WHOM SHOULD I TALK FIRST?" Sept. 1994. unpublished.

relationships, as this may transform your relationship mapping into a formal tool with no applicability to reality. Thus, you should take care to identify the real (and many times informal) patterns that rule the relationships between the parties, as well as the more formal ones.

#### “DEFERENCE”

*Deference* is a relationship pattern where Party A *will almost certainly* do what Party B does, or at least do what Party B advises, asks or directs Party A to do. In these cases, Party A *defers* to Party B’s opinion or interest. There are many sources of deference, including personal respect or admiration, mentorship, sponsorship, political power, raw strength, seniority, expertise, status, reputation, etc. Patterns of deference may carry different weights, so it can prove useful to add them into the relationship mapping in order to build a more accurate model. One way to identify patterns of deference among the mapped players is by asking yourself or your group: “Who, if anyone defers to whom?”

#### “INFLUENCE”

*Influence* is a relationship pattern where Party A is likely to follow Party B’s lead, or, yet again, do what Party B advises, asks or directs Party A to do. There are many sources of influence, such as trust in judgment, good intentions, a successful track record, or shared interests. The patterns of influence might also carry different weights and, if it seems appropriate, they should be applied to the map, remembering that they are totally independent from patterns of deference. Patterns of influence can be identified on your map by posing the question: “Who, if anyone, can help secure agreement with others?”

#### “ANTAGONISM”

*Antagonism* is a relationship pattern where Party A will *not* follow Party B’s lead, or do what Party B advises, asks or directs Party A to do. There are many sources of antagonism, including mistrust of judgment, an unsuccessful track record, or conflicting interests. A question that can be asked to identify “patterns of antagonism” among the mapped players is: “Whose agreement, if anyone’s, would prevent or preclude agreement with others?”

In addition to the different values that can be added to make the model more accurate, other patterns can be created just for a particular case in study, such as patterns of *opposition*. Opposition encompasses the characteristics of the patterns of antagonism and it includes a larger spectrum of reactions. In a pattern of opposition, a more radical reaction is expected from Party A, where whatever is Party B’s opinion on the subject matter, Party A will seek to have the opposite and conflicting view of Party B. Therefore more than antagonizing Party B, Party A also directly opposes Party B.

Finally, plot and label all relationships on the diagram, so that you can visually understand the complexity of the whole structure.

## 5. IDENTIFY COALITIONS

Now that the players and the relationships are mapped, you have enough information to begin to identify the various coalitions that exist. To do so, you must first identify groups of players, with shared or dovetailing interests, with whom you might reach agreement. These agreements should be made in a way that forward your interests directly, improve your alternative, or worsen your opposition's alternative. No agreement should be made without first determining a clear coalition building strategy. Simply including more people in your group will not necessarily increase your power; it might well dilute the power of your coalition or weaken it with internal disputes.

To avoid this and other problems, it can also be helpful to identify groups of players, who might undermine your interests, worsen your BATNA, or seek to improve the other parties' BATNAs. These players should be treated in a very careful manner, maybe isolating them from their potential allies or aggregating them to your coalition, in order to have better control of them. The decision to isolate or aggregate will depend on the party, its interests, the options on the table that might satisfy those interests, the party's alternatives, and its long-term relationship with you and the other parties.

To help you to identify the parties in relation to their coalition potential, you might want to pose the following questions:

1. Who, if anyone, has the capacity to further your interests?
2. Who, if anyone, lacks the capacity to directly further your interests?
3. Who, if anyone, has the capacity to directly hinder your interests?

In each case, in answering these questions, you will also want to determine where your interests are shared, complementary, and/or opposed. This information will help you to design an effective coalition building strategy.

## 6. ANALYZE THE RELATIONSHIP MAP

Once you identify the possible coalitions, analyze them and the overall relationship map. The best way to do this may be to ask yourself a series of questions as you survey the relationship map. These questions include:

- Which player's (or players') agreement will advance your short, mid- and long-term interests?
- What are *their* key interests?
- What are their alternatives to agreement? Do any of those alternatives serve your interests?
- Are they part of a pattern of deference, influence or antagonism?
- Might existing or potential coalitions effect their alternatives to agreement? Your alternative?

- Which party(ies) have the ability to influence others, perhaps to the point of deference?
- Which party(ies) might be inclined to facilitate, improve or worsen another's alternative?

The answers to the questions outlined above will assist you in better situating the parties on the relationship map, clarifying their motivations, needs, and constraints in the negotiation process, and understanding your role within the web of interconnected relationships. The final relationship map lends some critical insight into the different approaches that might be undertaken to build relationships with each of the parties in order to most effectively achieve your own goals in the negotiation process.

## 7. PLAN A SEQUENCE OF NEGOTIATIONS

Finally, use your understanding of parties' interests, their alternatives to agreement, and the patterns of deference, influence and antagonism to create an optimal negotiation *sequence*. This sequence should be informed by the data drawn from the relationship map. Each negotiation in the sequence should be a step towards helping you to achieve your goals in the negotiation process and should positively impact the next negotiation in the sequence. The following are examples of sequencing strategies.

### "BOOTSTRAPPING"

In using this strategy you move you from "easier" parties to "harder" ones, exploiting the different relationship patterns (deference, influence, etc.). Try to create forward momentum in the process by aligning the "easier" parties by your side and strengthening your coalition until the point at which the "harder" parties feel more comfortable or have no other choice than to commit to the proposal. The "easier" parties are usually your natural allies or people that defer to you, and the "harder" parties are normally farther down the relationship chain and are not readily influenced by you or may be in an antagonistic relationship with you.

### "BACKWARD MAPPING"

This process involves moving backwards from the critical "deal breakers" to yourself, exploiting overall relationship patterns (deference, influence, etc.). Analyze the patterns of deference between the "deal breaker" you want to influence and those who defer to him or her. Repeat this process until you can find a connection back to yourself. You now begin to influence these people in sequence until you reach the desired level of influence. Pay attention not only to the individual relationship pattern, but also to the joint value that your coalition might have in influencing the final decision-making process.

### "PYRAMIDING"

Pyramiding is a strategy that initiates with "hardest" and most impactful parties and moves downward. This strategy allows you to ally yourself with parties that have enough influential power over the others so that, once you have them by your side, you are almost

assured of having no opposition. On one hand, this strategy might be riskier than the preceding ones because you are seeking to first influence the parties who may potentially offer the most opposition to your proposal. On the other hand, it can save you time and effort if you manage to align some of the "hardest" parties in your coalition right from the beginning of the process.

## CONCLUSION

At the tactical level, there are a few issues that one should pay attention to when building a relationship map. First, sequencing helps you to conceal or reveal information; since some coalitions can only be made publicly, it is good to take this fact into consideration when sequencing the different negotiations. As the confidentiality of your coalition building can be one of the important tools for success, you want to think about how to deal with general information, along with the specific information around which you are building a coalition and/or a proposal. In fact, it is sometimes important that your opposition not know that you are preparing a coalition around a certain subject.

Secondly, it is important to specify that you are building a coalition either *in favor* of a proposal or *against it*, as your coalition-building strategy and the preparation emphasized in your relationship mapping process will differ according to your perspective. Therefore, you can benefit from knowing if you want to sequence negotiations to create a supporting "coalition" that best serves your interests, or to sequence negotiations to block or break down coalitions that undermine your interests.

Finally, try to be aware to the internal and external negotiations that impact the process of coalition building. Sometimes, you need to build a strong internal consensus before initiating the external negotiation process. (Internal can mean inside an organization or among a group of related organizations.) At other times, it can be a better strategy to build external coalitions in order to pressure internal opponents towards your objective.

When attempting to organize a complex, multi-lateral negotiation process, the relationship mapping tool provides some excellent guidelines for structuring the strategy you use to approach the various parties in the negotiation. As outlined above, these guidelines can help you decide with whom you should negotiate and to what end. Having a clear strategy and a well-defined set of goals will greatly increase your chances of achieving those goals, resulting in a successful negotiation process.

## Selected Bibliography

The following books and articles offer insight into certain areas of interest to CMI's clients. Our professionals can recommend other books in areas of particular interest to you. The Program on Negotiation Bibliography (item no. 18) is another excellent source of information.

### General Advice on Negotiation:

1. Breslin, J. William and Jeffrey Z. Rubin (editors). *Negotiation Theory and Practice*. Cambridge, MA: Program on Negotiation Books, 1991. (see #18 for ordering info.) 460 pp. A collection of articles originally published in the *Negotiation Journal* covering a wide range of negotiation topics.
2. Fisher, Roger, William L. Ury, and Bruce Patton. *Getting to YES: Negotiating Agreement Without Giving In*. 2nd ed. Penguin Books, New York, 1991. 200 pp.
3. Fisher, Roger and Scott Brown. *Getting Together: Building Relationships as We Negotiate*. Boston: Houghton Mifflin, 1988. (Paperback edition published by Penguin Books, New York, 1988. 216 pp.) This sequel to *Getting to YES* offers practical advice on how to build the kind of "working" relationships that allow negotiators to deal well with their differences and make the most of their opportunities.
4. Fisher, Roger, Elizabeth Kopelman and Andrea Kupfer Schneider. *Beyond Machiavelli: Coping with Conflict*. Harvard University Press, Cambridge, MA, 1994. 160 pp. Using international examples, the authors offer concrete tools to enable the reader to think systematically when trying to manage conflict effectively.
5. Fisher, Roger and Danny Ertel, *Getting Ready To Negotiate: The Getting to Yes™ Workbook*, Penguin Books, New York, 1995, 193 pp. With this book, CMI introduces a step-by-step guide to preparing for any negotiation.
6. Lax, David A. and James K. Sebenius. *The Manager as Negotiator: Bargaining for Cooperation and Competitive Gain*. New York: Free Press, 1986. 395 pp. Drawing on economic and game theory, this book investigates the analytic underpinnings of negotiation.
7. Raiffa, Howard. *The Art and Science of Negotiation*. Cambridge, MA: Harvard University Press, 1982. 373 pp. Raiffa utilizes game theory and numerous case studies to present an analytic approach and practical guidelines for resolving conflicts and getting "the best out of bargaining."

8. Ury, William L. *Getting Past No: Negotiating With Difficult People*. New York: Bantam Books, 1991. 161 pp. This brief book offers a five-step approach for dealing with difficult negotiators that is largely consistent with the ideas and advice developed by CMI.

#### Classics of the Genre:

9. Cohen, Herb. *You Can Negotiate Anything*. Secaucus, N.J.: L. Stuart, 1980. 255 pp. The funniest, if not the best, of the anecdotal how-to books.
10. Machiavelli, Niccolo. *The Prince*. 1513. Trans. Mark Musa. New York: St. Martin's Press, 1964. 112 pp. This how-to book written for monarchs and statesmen offers a provocative and still-relevant perspective on matters of persuasion and leadership.
11. Schelling, Thomas C. *The Strategy of Conflict*. Cambridge, MA: Harvard University Press, 1960. 309 pp. Schelling applies rigorous thinking to the perils and pitfalls of conflict in the nuclear age, and succeeds in generating widely applicable lessons.

#### International:

12. Salacuse, Jeswald W. *Making Global Deals: Negotiating in the International Marketplace*. Boston: Houghton Mifflin, 1991. 185 pp. A quick read on how to think about, plan for, and conduct international (especially business) negotiations.

#### Mediation:

13. Fisher, Roger and William L. Ury. *International Mediation: A Working Guide—Ideas for the Practitioners*. Cambridge, MA: Harvard Negotiation Project, 1978. 159 pp. Nominally addressed to international mediators, this handbook offers a wide range of strategies, techniques, and analytic tools that any mediator (whether operating formally or informally) can use.

#### Legal and Corporate Dispute Resolution:

14. Ertel, Danny. "How to Design a Conflict Management Procedure that Fits Your Dispute." *Sloan Management Review*. Summer 1991. pp. 29-42. Rather than choose from the standard menu of dispute resolution processes, Ertel argues that managers should consider building their own, and offers a series of steps for doing so.
15. Fisher, Roger. "He Who Pays the Piper." *Harvard Business Review*. March-April 1985. pp. 150-159. A chief executive seeking cost-effective dispute resolution writes a hypothetical letter to a lawyer whose firm handles his company's major litigation.

### Creativity:

16. De Bono, Edward. *Six Thinking Hats*. Boston: Little, Brown & Co, 1985. 207 pp. This easy-to-follow book fosters more focused and creative thinking by defining key elements of the thinking process.

### Meetings:

17. Doyle, Michael and David Straus. *How To Make Meetings Work: The New Interaction Method*. New York: Jove Books, 1976. pp. 299. A guide to the Interaction Method of facilitating meetings. Much of the advice is consistent with what is taught and used by CMI.

### Gender and Negotiation:

18. Gilligan, Carol. *In a Different Voice: Psychological Theory and Women's Development*. Cambridge, MA: Harvard University Press, 1982. pp. 1982. While attempting to refocus what she regards as psychology's persistent misunderstanding of female personality, the author provides many insights into women, men and the differences between them.
19. Kolb, Deborah M. "Her Place at the Table: A Consideration of Gender Issues in Negotiation." *Negotiation Theory and Practice*. Ed. William J. Breslin and Jeffrey Z. Rubin. Cambridge, MA: Program on Negotiation Books, 1991. pp. 261-277. This piece examines how women approach negotiation and conflict in order to explore how this may impact behavior and shape others' perceptions.

### Bibliography:

20. Tannen, Deborah, Ph.D. "You Just Don't Understand" *Women and Men in Conversation*. New York, Ballantine Books, 1990. pp. 330.
21. Kim, Sung Hee. *Conflict, Negotiation and Dispute Resolution: Annotated Bibliography*. Cambridge, MA: Program on Negotiation Books, 1991. 73 pp. This and other PON publications may be ordered by calling (617) 495-1684 or writing to: The Clearinghouse, Program on Negotiation, 519 Pound Hall, Harvard Law School, Cambridge, MA 02139. (simplifying the process both of inventing options and deciding jointly on one. (See next page for specific instructions.)

# Best Practice Notes

Experience is a powerful tool for learning skills in negotiation and problem solving. This sheet helps convert your experiences in this workshop into usable lessons that you can then apply to appropriate situations in the future. The "stories" are an integral part of your ability to recall and use each lesson.

Recording "Best Practice Notes" is a two-step process:

- 1) Write down the relevant details of an interaction or disputing experience that gives rise to a lesson; and
  - 2) Explain the importance of that interaction or experience (i.e., describe the skill, strategy, tactic or other lesson you learned).
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1. Interaction or experience:

Lessons, skills, strategies learned:

2. Interaction or experience:

Lessons, skills, strategies learned:

3. Interaction or experience:

Lessons, skills, strategies learned:

4. Interaction or experience:

Lessons, skills, strategies learned:

5. Interaction or experience:

Lessons, skills, strategies learned:

9. Interaction or experience:

Lessons, skills, strategies learned:

10. Interaction or experience:

Lessons, skills, strategies learned:

11. Interaction or experience:

Lessons, skills, strategies learned: