

Learning material on negotiation concept

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1. Tentative to define the concept of negotiation

In the current literature it is extremely difficult to identify a unique and universally accepted formal definition of negotiation. Indeed, this difficulty reflects the variety across disciplines in which the term has been defined and theorised, such as economics, law, international relations, psychology, sociology and conflict management.

For this reason, it is important to clarify the theoretical background of the project. The negotiation concept adopted within the ENACT project takes inspiration from the Integrative approach of Negotiation (Walton and McKersie, 1965; Fisher and Ury, 1981; Zartman and Berman, 1982) which is based on cooperative processes, rather than competitive-distributive processes.

The terms distributive and integrative were first introduced and developed by Walton and McKersie within the field of collective bargaining and labour negotiations in the 1970s. Today both terms are commonly used in all discussions regarding negotiation theories and processes. Distributive bargaining refers to a negotiation method in which two parties strive to divide a fixed pool of resources (e.g. money), where each party tries to maximize its portion of the distribution. The distributive approach is also defined as a fixed-sum game, as the outcome involves dividing up a fixed amount of limited resources (also called as a fixed pie) between parties. This approach is also termed a zero-sum process because one party loses whatever amount is gained by the other. The integrative approach, also involves “making concessions” to reach an agreement, although its specificity regards searching for reciprocal mutually satisfying solutions. It is also called an expanded-pie approach (in comparison to the distributive fixed-pie approach) because parties search for better and alternative solutions than the obvious proposal that meet only one party’s personal interests. In other words, parties cooperate to maximise benefits by integrating their interests into an agreement that can satisfy both parties. The integrative approach is often also refereed as a Win-Win paradigm (Covey, 1989). However we prefer the term integration instead of win-win because of the misuse and the overuse of the latter, that

although suggests some form of competition, sometimes is used to describe lack of conflict, sometimes a form of compromise between parties, and other times is identified with the integrative style of handling conflict episodes.

In particular, we are interested to the concept of negotiating as the process of effectively communicating back and forth (constructive feedback process), in order to identify a joint view or solution about differing needs or ideas. In this view, within a conflicting situation it is important to learn also to adopt others' positions, by looking at the other side as a partner (rather than an opponent): by working together, parties have an opportunity to craft a solution that could be beneficial to both sides. This approach is different from the distributive approach to negotiation, where parties compete to get the best deal. That is, each party is battling for getting the greatest advantage and leave the other side with the smallest possible outcome. The other party, the "opposite" side, is regarded as an adversary rather than a partner. In a distributive approach, each side tends to adopt an extreme position (assuming that it will not be accepted), and then employs a combination of guile, bluffing, coercion and manipulation in order to concede as little as possible before reaching a deal. Simple everyday examples would be the negotiation process involved in buying a car or a house.

A simple, explicative example may be the following: let's imagine a couple of friends that needs to decide on a movie to rent. If they use a win-lose, or distributive strategy, one of the two individuals would likely say and think something like: "This is the movie I want to see. Let's take it or I would rather prefer going to the pub". There would be no real discussion about the wants and interests of both parties. The resolution would be reached either by dictate or after some fierce arguing, displeasing and disappointment. There will not be many opportunities for creativity or for enlarging the scope of the negotiation.

As specified above the integrative approach focuses on developing mutually beneficial agreements and solutions based on the "interests", needs, desires, concerns, and fears that are recognised as important for both parties involved (Fisher & Ury, 1981).

Effective negotiation processes involve effective communications skills, and related selfawareness. Indeed, there is a general consensus among authors and practitioners that negotiation is only possible through effective communication. For example Fisher and Ury claim as feeling understood can be a key interest for both sides in a negotiation.

Effective communication can change attitudes, prevent or overcome impasse and misunderstandings and helps to improve relationships. Moreover, good communication skills are essential to cogently relay your message, and to thoroughly understand the message of the other side (Wondwosen, 2006). In addition, integrative approach stresses the importance of sharing information as a means of exposing interests, and of helping parties to explore common problems or concerns. Still, negotiation is frequently hampered by common communicational barriers. For example parties may concentrate only on their own responses and forget to listen to what the other side is saying. Listening provides important information about the other side and demonstrates that you are being attentive to the other side's thoughts, and respectful of their concerns (Alfredson & Hopkins, 2008). The integrative approach focuses on building mutual trust relationships between parties

and this is exploited through effective communication attitude: proactivity; active listening; empathy; assertiveness; giving and receiving effective feedbacks; and seeking to understand before seeking to be understood. All those skills are crucial for any effective negotiation process.

When using the integrative approach both parties try to achieve their objectives without either feeling they have lost. The goal is to collaborate and generate one or more creative solutions that are acceptable to both parties. The process takes more time and effort than the distributive strategy. However it allows you to continue on a long-term relationship with the other party, long after the negotiation process.

By entering the negotiation with a win-win approach one person shows the other party that s/he truly cares about their objectives, and that you are striving to find a solution that can satisfy both parties.

Paraphrasing Covey (1989) the integrative win-win paradigm is a frame of mind and heart that constantly seeks mutual benefit in all human interactions. Win/Win sees life as a cooperative, not a competitive arena (assertive behaviour), and brings to the creation of alternative and new solutions (the Third Alternative, Covey, 2011).

Let's take again the example of the above mentioned couple of friends trying to decide on a movie to rent. By using the win-win approach, they would begin by drawing up a list of "only" those movies that are interesting to both of them. They would then discuss the available choices, and choose a movie to see from that list, rather than arguing in favour of a movie that only one of them wants to see.

Moreover, we might also consider that when we are trying to pick a movie to see with our best friend, sometimes we can choose a movie that we don't really want to see. That will make our friend happy, without making us feel "we have lost". In that situation, our priority, our biggest WIN, might be just the pleasure of sharing some time with our best friend. We might feel that the most important thing concerns the long-term needs and relationship with our friend.

This highlights how a win-win attitude will never survive in a climate that does not support and promote open communication, as without it we will never learn the needs of the other party.

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