

NEGOTIATING AGREEMENTS WITHOUT GIVING IN.

Most of us have to negotiate problems. Whether it is in family, work, or community settings, people invariably have to solve problems through some form of negotiation. It is a fact of life. You have to negotiate with your partner, children, and boss. Solicitors, trade unionists, politicians, and parents all have to be negotiators. You negotiate with your husband about where to go on holidays or with your teenagers about when to go to bed.

Although negotiation takes place every day, it is not easy to do successfully. You usually find that you have two options – either to be a hard negotiator or a soft one.

In soft negotiation you want to avoid personal conflict and so makes a lot of concessions in order to reach agreement. If you are one of these you tend to want an amicable solution but often end up feeling exploited or that you have been taken advantage of. In hard negotiation you tend to see situations as a contest of wills in which the side that takes the strongest position and holds out the longest wins. Yet you will find that you often end up feeling exhausted and damaging the relationship with the other person. Most often you will fall somewhere in-between soft and hard, but each involves an attempted trade off between getting what you want and getting along with people.

There is a third way to negotiate problems, which was pioneered originally by the Harvard Negotiation Project, which is both hard and soft. They called this **PRINCIPLED NEGOTIATION**. This process aims at deciding issues on their merits rather than on haggling. It looks for mutual gains where possible, and where interests it insists that the result be based on some fair standards independent of the will of the parties involved. This method of negotiation is hard on the merits and soft on the people. It employs no posturing or manipulation in trying to obtain what is needed while it still emphasising being decent to the other person. It also enables people involved to be fair while protecting them from those who might take advantage.

Principled negotiation can be employed by parties involved in the Good Friday Agreement, by diplomats involved in arms control talks, by third-world aid representatives involved in negotiations for funding, or by a mother who is wanting to sort out difficulties with her 16 year old.

PRINCIPLED BARGAINING is different that **POSITIONAL BARGAINING**. Positional bargaining starts with each party taking strong positions that they feel are right. The trouble is that when you take a strong position then compromises are felt to be concessions. Surprisingly this kind of approach is not recommended because it tends to produce unwise agreements, it is inefficient, and it can damage the relationship between the parties. **DON'T BARGAIN FROM POSITIONS!**

However, when you hold onto principles, then there are many creative ways of finding win-win solutions. When in a negotiation the best strategy is not to **TAKE POSITIONS** but to **CLARIFY PRINCIPLES**.

The Harvard Negotiation Project outlined four simple principles for their method of PRINCIPLED NEGOTIATION.

Goal 1. Separate the person from the problem.

This is very important because your ego gets identified with your position and when you take a position on an issue you invariably make it personal. When you bargain over your positions both of you begin to get defensive because you feel you have to let go something personal to you. What you need to do instead is create a situation where both people are working side by side attacking the problem and not each other. This is what the Good Friday negotiations tried to achieve.

Goal 2: You should both focus on interests and not problems.

When you focus on adopting your negotiating position it often obscures what you really want. Compromising often does not take care of the human needs that generated the problem. Therefore you avoid having a bottom line and are open. In the Good Friday Agreement negotiators continue to focus on the goal rather than the problem.

Goal 3: You must invent options for mutual gain.

Don't try to come up with the one right solution. Think up a variety of solutions that advance shared interest. So before trying to reach agreement come up with options for mutual gain. In the Good Friday Agreement, though quibbling over the airwaves, negotiators kept looking for new options.

Goal 4: Try to use objective criteria to reach a result.

This means you are being open to reason and therefore yielding to principle and not pressure. In the Good Friday Agreement the intervention of George Mitchell as an independent mediator was critical.

Negotiation that is based on these principles is far more likely to succeed than negotiation based on arguing from fairly rigid positions. It is the same whether you are negotiating a ceasefire or arguing some critical point with your spouse.