

Lesson 2.7

The Process of Negotiation



Rationale

Negotiation is a regular part of everyday life, though it can be difficult to do well. Negotiation skills are extremely valuable in helping people with both shared and opposing interests to reach an agreement. In this lesson, students will learn basic negotiation methods by exploring the difference between positions (what people want) and interests (what people need). Looking to parties' interests instead of their positions can make it possible to find a solution.

Objectives

1. To define negotiation.
2. To identify the difference between positions and interests.
3. To identify characteristics of a successful negotiator.

Standards

- ◆ Individual Development and Identity
- ◆ Power, Authority, and Governance

Time: 60 minutes

Materials

- The Orange Worksheet*
- Personal and International Conflict Worksheet*
- Creating Options Handout*



60 minutes

Procedures

Defining Negotiation

Note: USIP's Peace Terms defines negotiation as follows: The process of communication and bargaining between parties seeking to arrive at a mutually acceptable outcome on issues of shared concern glossary.usip.org.

Quick Activity: Creating Options

This is a quick activity to practice the process of brainstorming, which is helpful in generating creative solutions.

1. Ask students:
 - ◆ What does brainstorming mean? How would you describe the process?
 - ◆ How do you think brainstorming can be used in the process of negotiation?
2. Distribute the *Creating Options* handout to the students.
3. Remind the group of the ground rules for brainstorming:
 - a. All ideas are encouraged
 - b. Record all contributions without discussing their merits
 - c. Avoid judging any options
 - d. Avoid focusing on differences between ideas
 - e. Combine related ideas
 - f. Do not attach names to ideas
 - g. Encourage creativity
 - h. Keep the flow going for as long as possible

Note: It is often difficult for students to avoid commenting, either positively or negatively, on various ideas. Try to discourage students from doing so. Remind them that after all ideas have been expressed, they can discuss the merits of each.

4. As a whole class, brainstorm for creative ideas: How would you help the truck drivers decide what to do?

If not suggested, add a possible solution: they could deflate the tires a bit, so that they can drive through without damaging the top.

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1. Ask students to share with a partner a time when they tried to negotiate for something; maybe they tried to negotiate with their parents for a later curfew, maybe they tried to negotiate with a teacher for additional time to hand in an assignment. As they share their story, have them share the following:
 - ◆ How happy were you with the outcome of your negotiation?
 - ◆ What did you learn from the process?
2. Have a few volunteers share their stories. Ask the class to identify similarities in the stories.
3. Based on the similarities in the stories, as a class come up with a group definition of negotiation. In a conflict setting, a negotiation takes place only when the parties in the conflict both agree that there is a conflict and that negotiating, or working together, will have a better result than acting alone.
4. Explain that the process of negotiation includes several key points:
 - a. preparation
 - b. relationships
 - c. positions and interests
 - d. creating options

Preparation refers to gathering all of the information you can about the conflict, through conflict analysis (see lesson 2.2), to make sure you understand the conflict from all perspectives.

The idea of **Relationships** refers to the importance of knowing the person with whom you are in conflict, their history, and their culture. When negotiating with a person whom you know, it is important to focus on preserving the relationship. When negotiating with a person whom you don't really know, it is important to develop trust, partly through honest communication, so the other party will want to work with you to find an agreeable solution (see lesson 2.1). This doesn't mean you have to like each other or become friends; rather, it means that the trust provides assurance that each of you will follow through on your agreements.

Positions and Interests

1. Now we're going to talk about the third element. Write **Position** and **Interest** on the board. Read the first paragraph of *The Orange Worksheet* to students. Ask them to identify what each brother was demanding, or what he wanted. Write this on the board next to **Position**. Then ask them *why* each brother wanted what he wanted. If students are stuck, ask them what each brother did with his half of the orange. Write their answers on the board next to **Interest**.
2. Explain that when people are in conflict and want something, they tend to state what they want as a position or a demand, e.g. "I want a million dollars," "I want you to leave this land," "I want clean drinking water." Positions often are not flexible, and can make negotiating difficult. Interests are usually underlying and often are not even clear to the person making the position statement. Exploring the underlying interests (or needs) and how to meet these interests is a key skill in managing conflicts. By getting at the interests or *why* the person is making the demand, you can find common ground between parties in conflict, which can open up possibilities for a creative solution.

3. Distribute the *The Orange* Worksheet and as a class fill out the chart, identifying parties, positions, interests, and actions.
4. Distribute the *Personal and International Conflict* Worksheet. Have students return to their pairs from the beginning of class and together they should fill out a chart for their own personal conflict. They should discuss both of their conflicts but they only need to fill out the chart for their own conflict. Ask a few volunteers to share their conflicts and charts.
5. Lead a class discussion using some or all of the following questions:
 - ◆ How did looking at your interests help you think about different solutions?
 - ◆ Why do we often look only at people's positions?
 - ◆ Why is it sometimes hard to look for interests?
 - ◆ How can using active listening skills help you identify positions and interests when in a conflict situation?
6. Tell students that now they are going to apply the same skills to an international conflict. Return to the Uganda backgrounder you used in Lesson 2.3 and as a whole class exercise, have students identify the positions and interests of the parties in the conflict. You can have students use their conflict analysis worksheets from that lesson to remind them of the parties.

Alternative: You can provide background on the Northern Ireland conflict (<http://www.bbc.co.uk/history/recent/troubles/>) and show USIP's witness video of George Mitchell describing his role mediating this conflict (www.buildingpeace.org) and have students identify positions and interests of the various parties.

7. Lead a discussion using some or all of the following questions.
 - ◆ How might analyzing positions and interests in a personal conflict be different from analyzing positions and interests in an international conflict?
 - ◆ How might the other elements of negotiation in international conflicts be harder, for example, building trust and building relationships?
 - ◆ What about the negotiation process do you think would be the same regardless of the context of the conflict?

Assessment:

Completed formal/informal negotiation charts; pair and whole class discussions

5. If you have time, you can move past the brainstorming phase to the analysis phase in which people talk about the advantages and disadvantages of each idea, as way of eliminating those that won't work and narrowing the possibilities.

6. Lead a class discussion using some or all of the following questions.

- ◆ Was it difficult to list options without evaluating or analyzing them as you went along? If so, why?
- ◆ Did you have more ideas as a group than you would have working individually? Why?
- ◆ What is the value of creativity in the negotiation process?

Note: Not all conflicts can be negotiated. Some conflicts require negotiation as well as other tools. And sometimes people negotiate simply as a way to maintain positions, with no intention of finding a collaborative solution.

Extension Activity 1

If you did not show USIP's witness video on Betty Bigombe, who helped negotiate peace in Uganda's civil war (www.buildingpeace.org) in Lesson 2.3, have students view the video and add to the chart based on the information in the video.

Extension Activity 2

Have students research ongoing international conflicts, e.g. Congo, Afghanistan, Colombia, Iraq, Mindanao, Kashmir, Israel-Palestinian Territories, etc., and identify the positions and interests of the various parties. Have them share their findings with the class.

Extension Activity 3

Look back to historical conflicts you have studied with your students and identify positions and interests of the various parties.

Lesson 2.7 WORKSHEET: THE ORANGE

Scenario: Two brothers found an orange on the table and they started arguing over who should get it. One of them said, "I should get the orange, since I'm older." The other one said, "No, I should get it, since I saw it first." They fought for a while about who was right, and eventually they decided to split the orange in half. One of them peeled the orange, ate it, and threw away the peel. The other one took the pulp, threw it away, and brought the peel to their mother, who was baking a cake.

Directions: Complete the chart using the information from the orange scenario.

	Parties: Who is the conflict between?	Positions: What are the parties demanding?	Interests: Why does each party want what they are demanding? What do they need?	Action: What could each side do in order to get what they want?
Party 1 (name)				
Party 2 (name)				

Lesson 2.7 WORKSHEET: PERSONAL AND INTERNATIONAL CONFLICT

Personal Conflict: Complete the chart based on a personal conflict.

	Parties: Who is the conflict between?	Positions: What are the parties demanding?	Interests: Why does each party want what they are demanding? What do they need?	Action: What could each side do in order to get what they want?
Party 1 (name)				
Party 2 (name)				

Lesson 2.7 WORKSHEET: PERSONAL AND INTERNATIONAL CONFLICT *(continued)*

International Conflict: Complete the chart based on the conflict in Uganda

	Parties: Who is the conflict between?	Positions: What are the parties demanding?	Interests: Why does each party want what they are demanding? What do they need?	Action: What could each side do in order to get what they want?
Party 1 (name)				
Party 2 (name)				

Lesson 2.7 HANDOUT: CREATING OPTIONS

Scenario:

Two truck drivers are driving on a highway to deliver a shipment of humanitarian aid (food, water, medical supplies) to a village that has been devastated by violent conflict. While driving, the drivers pass beneath a bridge. The top of the bridge is not high enough, so their truck gets stuck and the top of the truck gets badly damaged. Cars slowly begin to back up behind the truck, and the line is almost 2 kilometers long. One of the truck drivers thinks that they should continue going forward and force the truck through the tunnel, even if they will damage the top and some of the aid. The other truck driver thinks that they should reverse, even if the traffic behind will make it very difficult.

- ◆ What else could they do?