

Effective negotiation and conflict resolution

[Life](#), [Emotions](#)



Tamaris Purvines Assignment Three LDR 404 07/29/2012 Assignment Three
Part One There are several different processes, ideas, and efforts that go into the overall practices of effective negotiation and conflict resolution. Yet no productive negotiation could be possible without the valuable use of skills. Two types of skills can help a successful negotiator. The first type is hard skills, which are guidelines, strategic measures, or anything that can be copied down onto paper and taught. The second type is soft skills, which are the skills acquired through practicing negotiation that can't necessarily be taught.

To get a better idea of the definition and examples of each type of skill, it is better to discuss them each individually in more depth. **Hard Skills** Several authors have written books and articles about what methods are beneficial for successful negotiation. A great example of an author who knows a lot about effective negotiation methods that benefit both sides of the negotiation is Bernard Mayer. As an author of several books, a professor at the Werner Institute and Creighton University, and a founding partner of CDR associates, Bernard has a lot of accomplishments in the field of conflict.

He also has been working in the field of conflict for over forty years as a mediator, facilitator, researcher, and consultant. In his book *Dynamics of Conflict: A Guide to Engagement and Intervention*, Bernard discusses in depth unique ideas of looking at negotiation that benefit negotiators. In one section of the book he mentions a way of looking at conflict that helps the negotiator determine the source of the conflict at hand. He uses the Wheel of Conflict to demonstrate various aspects of interaction, personal life, and outside forces that can be the cause of a conflict.

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The outer layer of the wheel contains personality, data, culture, and power. The second layer of the wheel contains emotions, values, communication, structure, and history. The inner circle, and final layer, of the wheel are basic needs broken down into survival needs, interests, and identity needs (Mayer, 10). When in the negotiation process it is beneficial to look at these different layers of the Wheel of Conflict to help determine the source of the conflict at hand. Being able to first acknowledge the root of the problem is a great way to start the process of working through it.

Three authors collaborated on the book *Getting to Yes: Negotiating Agreement without Giving In*. These authors are Roger Fischer, Bruce Patton, and William Ury. In this book, they describe a method of negotiation that helps keep the discussions on track throughout the entire negotiation process. The method is broken down into four parts that help keep the negotiator and the parties involved focused on resolving the issue. The first part is “separate the people from the problem” (Fischer, 19). This allows the problem being faced to be the focus of discussions rather than the people as individuals.

The second part is “focus on interests not positions” (Fischer, 42). Focusing on the position rather than the interests causes the individuals to get stuck in something they may or may not end up wanting in the end. However, if the focus is on the interests of each side, then it is possible to come to a solution that is beneficial to all sides. The third part is “invent options for mutual gain” (Fischer, 58). Obviously it is in the best interest of both parties to come up with a solution that is mutually beneficial.

Finally, the fourth part is “insist on using objective criteria” (Fischer, 82). The use of objective criteria insures that no side is trying to hoodwink the other. If the information is objective, then it is impossible for one side to claim that it is unfair to their cause. Each part of this method provides a structured negotiation process that is beneficial to all parties involved. Soft Skills While the above-mentioned hard skills are highly helpful in aiding a negotiator in their negotiation process, there are some skills that are unable to be broken down into categories or methods.

Throughout the process problems arise that are situation specific. Knowing when one party is bluffing or trying to trick the other party are skills that come with learning through experience. The delivery of statements and ideas are definitely situation specific. Discussing an issue with a church group may not be the same type of discussion that may be necessary with a theater group. Individuals respond differently to how phrases are stated. Only through working with similar groups does a negotiator learn how best to phrase their ideas to parties in any given situation.

Learning how to best reframe a harsh or inappropriate statement into the truth of the statement is also a soft skill that is highly beneficial to negotiators. The only way to learn how to accomplish this difficult skill is by practicing it. It takes years of practicing and using this skill in negotiation processes to truly learn how to effectively hone it. Being able to determine the best possible solution to the problem for both parties involved in a negotiation is also something that cannot be learned. Each negotiation is going to be different and have different circumstances.

Even after years of working with groups in negotiation or mediation situations, it is still difficult to help both sides create a mutually beneficial solution to their problem. This is something that almost comes as a talent to negotiators. It takes a certain gift to be able to achieve positive outcomes for everyone involved every time. Sometimes it may not be possible to come to a full solution. Maybe the situation has progressed, but perhaps the negotiator cannot take the parties any further in their differences.

Whatever the case, negotiators have to have the experience to know when the right time is to be finished with the negotiation or when to keep trying. This knowledge can't be taught or learned in a classroom. It is clear that it takes more than just book knowledge and methods to produce a great negotiator. Part Two Learning how to be an effective negotiator is a long process that requires patience and understanding. It takes time and effort to learn all the different processes, methods, and procedures that can be helpful in the negotiation process.

However, no matter how much work and effort you put into learning good methods for negotiation, there will never be a "perfect" negotiation. To further understand the complications that may arise during negotiations, it is good to look into two fairly common areas that negotiations are often required in. Many challenges arise during this process whether it is in a business situation or a personal situation. Difficulties Faced in Business Many various complications can arise in business negotiations. Often times businesses are working with other businesses to determine a solution to a problem or are defining a contract.

Many of these negotiations take place in multi party discussions. It is often very easy for one party to start feeling attacked by the other party, to feel cheated of something they believe they deserve, or to communicate in a way that the other party may not understand. For example, when two businesses are trying to settle a problem, each side is trying to gain something the company needs. In this effort it is easy to start putting blame on the other party for what has taken place. When this happens it causes a lot of strain in the negotiation because the focus is no longer on the problem at hand.

This can create major setbacks in the process, and cause the negotiator to have to start back at the beginning to try to show each side how they can mutually benefit from a solution if they work together. Sometimes the parties may feel as if the problem has caused too much harm to the companies, and may decide to quit the negotiation process altogether. The same results can be said of two businesses attempting to create a contract. Frequently one company or the other will feel as if they are being cheated out of something that can be beneficial to them. It can also be difficult to overcome cultural differences in business.

One company may base their business practices on the cultures surrounding them. The other company may do the same in a different region. When this occurs, it becomes difficult for the two to effectively communicate to each other. The negotiator then gains the task of having to interpret the differences, and show both parties how they are similar rather than different. While these are all complications that can come up during negotiations, the negotiator soon learns how best to overcome these issues and work toward

mutually beneficial solutions. Difficulties Faced in Personal Life Negotiations can arise within personal situations as well.

While it may not be establishing a mutually beneficial contract, difficult situations occasionally occur in personal relationships. Relationships such as romances, friendships, and family members can encounter problems or difficult situations that require a solution. When this happens, the individuals involved enter into a negotiation. In all relationships it becomes easy to attack the other person for disagreeing, having opposing needs, or feeling neglected. As this starts to happen both individuals become negotiators for what they determine to be the truth or best solution for the situation.

It is very easy for each party to feel hurt, take everything personally, and get angry. What is not easy to do is assess the situation in a calm state, and restate any negative statements into the truth of the situation. All too often individuals start saying things out of anger and hurt, and the negotiation quickly turns into a personal attack or fight. While it is difficult to focus on the needs of both sides, to keep personal feelings at bay, and work at finding a positive solution, a successful negotiator must learn to do this. Conclusion

Negotiation is a process that requires lots of learning, hard skill techniques, soft skill techniques, and experience. Quite often complications arise that can deter the process or completely end the negotiation altogether. Successful negotiators learn as much as they can from mentors, education, books, and whatever other sources they may find on conflict resolution and negotiation. They then take that knowledge and apply it to then hone hard skills they can take into negotiations with them. Once they start to

experience working as a negotiator, they gain the knowledge of soft skills that work for them.

And while all of this takes place they constantly run into complications. However, they overcome these complications and gain knowledge from them. Throughout the process of negotiation, whether as a professional or just in everyday life, negotiators learn how to establish and maintain relationships through effective communication. Works Cited 1. Fischer, Roger, Bruce Patton, and William Ury. *Getting to Yes: Negotiating Agreement Without Giving In*. New York City: Penguin Group, 2011. Print. 2. Mayer, Bernard. *The Dynamics of Conflict: A Guide to Engagement and Intervention*. San Francisco: John Wiley & Sons, Inc, 2012. Print.