

Essay on negotiation and conflict management

[Technology](#), [Development](#)



The main and the most difficult task for the person, who is negotiating is making the other party to accept the correctness of his arguments. Often, the other side is reluctant to cooperate and it is showing signs of distrust during the negotiations. In order to succeed in that field the negotiator should know how to establish good relations with the other party, how to prepare for the negotiations and present the idea and how to set the mutual understanding between parties.

In order to persuade the other party to his side, the negotiator needs to understand the principles on which negotiations should be based on. At first, during the negotiations on any issue, we often encounter people who do not accept the point of view of another person. They are constantly under the influence of their own entrenched views and they cannot look at the problem from a different angle. You also need to remember that people absolutely aren't want to change their lifestyle. This should be considered when you need to persuade the interlocutor to take this or that decision.

Statistics confirm that in an attempt to convince a person to change the usual way of living even a direct threat to life is not a valid argument for him. It is known that 90% of people who have had the heart bypass surgery and should change their lifestyle do not change anything. Contrary to popular opinion, the crisis or fear does not always give people the motivation to change their views. You cannot also rely on strong and convincing arguments because bringing facts is not effective for persuasion the interlocutor because our mind clings to the familiar vision of the subject and does not tend to change under the influence of inconvenient arguments. A mindset is the powerful filter through which an individual (or an

organization) tends to see things. Everyone has his or her personal outlook. It is usually formed by the information that a person perceives. Such components as the values that the individual upholds, his beliefs, habits and innate cognitive inclinations are also important for the formation of the mentality of the person.

We should keep in mind that a group of people usually shares the same point of view. When everyone holds the same mindset, it becomes self-reinforcing or so-called “groupthink”. Like a single person, the group of people don’t accept a different view, and did not question it’s own one. This group rejects and ignores the arguments that do not comply with its general line of conduct.

To overcome this barrier, we need to adhere to certain principles in dealing with individuals who need to win over to our side. Aristotle (329-323 BC) already showed that we need a combination of “reasoning”, “passions” and “style”. Firstly, the persuasion of others must be based on a demonstration of rational arguments. Secondly, it is necessary to make influence on the person by means of emotions. And third, your own behavior can influence the decision of others.

Sometimes in order to determine the tactics of negotiations the negotiator needs to understand that the other party treats him negatively. Such individuals often try to prejudice his sense of worth and his competency. They will knock him off balance and compromise his self-image. The interlocutor may not demonstrate such clearly aggressive behavior. In this case, the he usually is “trying” to listen, he does not focus on the negotiator, and thinks about abstract issues.

Cooperation is one of the necessary conditions for the accepting one's arguments by the opponent. Encouraging a joint search for facts and the use of the information that would be acceptable to both parties is one of the forms of such cooperation. The negotiator should also recognize the risks of an activity that is the subject of the negotiations and to minimize its possible negative consequences for the other party. Such tactics allow to earn the trust of the other party and the opponent will feel a fair treatment. It is also better to compensate even the consequences, which are judged unlikely, even impossible. It is necessary to build a good and long relationship with the other party and not to give unrealistic promises to him or her.

The representatives of the parties on the negotiations must always stick to its scope of authority. Also, prior to the negotiations, he must make sure that the representative of the other side is also empowered to take decisions there. If the representative, who did not have the necessary powers, signs agreement, it could be invalidated. Before the formal negotiations, the representative must hold informal meetings with the other party and the other representative in order to establish some level of relations, and he should have least some working relationships with them by the time of negotiations.

The stage of preparation for the negotiations also includes familiarization with the persons, who are interested in the outcome of negotiations. It is necessary to take into account all the interested parties, even if they are not directly involved into the negotiations. Knowledge of such persons can be used for future partnerships, as well as the understanding of who may enter into an alliance with the other party. It is necessary not only to show

empathy to your direct interlocutor representative of the other side, but also to understand the interests of the party.

While presenting the idea the negotiator should use visual methods of conveying the information. He may use symbols and theses that reflect his point of view. The negotiator need to set accents correctly to report the necessary information. The presentation of some point of view should be clear and have an understandable structure. The party that is presented on the negotiations has to be showed as one, which is capable of winning. The negotiator also has to be persistent in convincing interlocutor and never give up. It is remarkable that the individual is able to take the other's view if it is fair to him, even if he is not able to accept it.

The representative should also not keep in mind the issues of organization of the negotiations, such as: where they are carried out, is there any special protocol for the negotiations, who will be attending them? Parties appreciate the negotiators, who are willing to share the risks with the other party, who can bring new proposals and find solutions of the problems.

It is essential to have a mediator during the negotiations. Mediation - is a facilitating the process of reaching an agreement between the two parties, which is carried out by a third party. He is appointed by the mutual choice of the parties and facilitates the interaction between them, he or she negotiate, participate in the elaboration of mutually acceptable solutions. Mediator promotes constructive debate of contentious issues and contributes to the mutual understanding of the parties, especially through the introduction of certain procedural rules, the formation of the agenda of the negotiations, the psychological impact on the atmosphere in which the negotiations are held.

For the parties, the mediator is an independent witness who can testify about the free will of each of the parties. This build confidence and mutual trust between the parties, and as it has been said, it is the most important condition for coming to the overall understanding.

The mediator - a professional negotiator. Unlike many of executives, who are bound to this particular case, he is able to eliminate the influence of emotions during the negotiations and he is able to listen to the interlocutor. Mediation allows the parties to obtain information from the other party in the reformulated and reframed form. Also, the mediator is always competent in all areas of activity of the parties, which eliminates the possibility of a misunderstanding between the parties. Usually, he knows the typical options of resolving the the difficulties during the negotiations, and is ready to offer an effective solution. Sometimes, the mediator helps the conflicting parties to overcome the negative stereotypes about each other and the negative impact of the various phenomena of perception.

It is better to use mediator in the case where the parties have no established strong business relationships. Also, the mediator is a good solution when the problem is too complex for parties, for example, in the case when the one party has a lack of expertise in the field of activity of the other one. The mediator can help the parties to reach an agreement if negotiations came in a stalemate.

Thus, as a mediator's functions can be generalized as:

- he is the focus and the generator of mutual trust;
- he promotes confidentiality and understanding among the parties towards each other;

- he encourages the negotiators to look at each other as at possible partners;
- he promotes an atmosphere where emotions can be expressed, but also kept under control;
- he assists to clarifying the issues which are discussed, presents alternatives and orients the parties to express what they need and what they can offer clearly.

At the first stage of negotiations with the participation of a mediator, the introduction stage, a climate of trust and cooperation is created. The stage includes problem definition, the parties involved, their positions and interests, and the discussion the rules of the negotiations. The mediator explains to the parties his own role at the negotiations. He reports that he is not an arbitrator, and helps the parties to come to a mutually beneficial agreement. Together with the parties, he is forming the intermediary range of issues for discussion and the procedure for the consideration of issues from the agenda. The mediator's task is also to adjust the sequence and duration of performances while avoiding the priority of one or the other party, he must ensure the equality of the parties during the negotiations. Then, while setting the problem, parties present their facts and understanding of the problem in the agenda. While the first party is explaining its version, the mediator should use active listening to make sure he understand it and the other party listens to it. After there can be some questions or disagreements from the other party. Then the first party should review the facts once more stressing the most problem issues.

After the parties become acquainted with each other's positions during the

negotiations, the mediator shall determine for himself what is important to each party, he draws the attention of the parties to what is common in their interests, he helps to detect interests, which do not intersect. On this basis, the mediator guides the process of adoption of the mutually beneficial solutions. One of the best ways to provide the solution is to brainstorm. The mediator asks both parties to try to propose options, including crazy ideas great for the other side. While the brain storm there should not be any criticism or evaluation.

Before deciding mediator explains that now the parties will try to find options that will satisfy both of them and say that if none of these options work, parties can always resort to their alternatives. Then parties should propose their solutions but the mediator always must have few alternatives if there is no common solution. After that, the mediator offers the general formula of a possible agreement.

At the end of negotiations, the mediator should recall what parties have agreed on. If there are some other question the parties should discuss, there can be an agreement to meet again. In the case, if the negotiations were successful, the mediator takes the control of the implementation of the agreement. The agreement should be put in writing and both parties must sign it.

Thus, while taking part in the negotiation, a party have to establish or keep a quality relationship with the other party. These relations have to be built on the ground of mutual trust, overall profit and fair attitude. The entitled negotiator have to be totally prepared for the negotiation and understand the interests of the other party. The mediator will help to provide mutual

understanding between parties and will find the way to mutual agreement and present some alternative solutions.