

Conflic negotiation



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Assignment Two 1Negotiation and Conflict ResolutionAssignment Number:
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2The identified steps to a negotiation that incorporate several stages can be represented by the following milestones often encountered in traditional negotiation cycles: Identification for necessity, creation of an attentive platform for each party, completion of agreement (reconciliation process), and finally the follow up process (evaluation and validation of successful implementation). Many times during the revelation that a negotiation must occur, the identification of a problem and possible resolution must be visualized. Each party will have to forge a relationship with its counterpart and ultimately orchestrate a partnership that can hopefully work together in order to resolve the dispute amicably. The identification of a problem and the formation of supporters to champion the implementation of the proposed solution for the dispute is the genius for the negotiation process. Once the item or items have been identified, it is the onus of the originating party to seek and interface with the opposing party in such a manner to wield and ultimately persuade the counter point holders to concede or assist with equitably negotiation attempts. The mature phase of the negotiation process is usually achieved by reframing the approach to the negotiation efforts many times and hammering out a resolution that involves a settlement or meeting of the minds.

The terminal end of the negotiation process is referred to as the follow up or review mode of the operation. It is here that the final blessing or re-negotiations process must commence. The mere agreement of a settlement is not enough to afford both parties the benefits of conflict closure??;it is the

test of the agreed upon agenda that must be reviewed for success. The process of resolution might have gone through on limited information that once truly exposed and applied to the arrangement could alter or change the intended results. Assignment Two 3There are four specific phases of the negotiation process according to ??? The Negotiation Experts???, Creative Value Incorporated. These phases are: ??? Pre-Negotiation- Determine whether there is actually any reason to negotiate at all??;be clear on the specifics we want to negotiate about. ??? Conceptualization- Develop the foundation of the Agreement by framing the issues. ??? Setting the Details- This phase sees the completion of the agreement.

The use of external specialist (lawyers/ wordsmiths) to complete the details of the venture that both parties are about to mutually embark upon. ???

Follow up- Any aspect of any contract may need to be re-negotiated.

(Creative Value Incorporated 2010)An example of this type of conflict might be best described by the following real time scenario: The B. P. oil spill in the Gulf of Mexico.

The process and practice of offshore deep water drilling has been a concern for environmentalist for many years. The recent activities in the Gulf of Mexico that catastrophically led to one of the worst oil spills in environmental history resurrected a platform for environmentalist to champion their view point to the highest branch of government with great impact. The problem now identified under review would expose the limited regulation and supervision of the large oil companies of the world in regards to their oil drilling process in the world??™s environmentally sensitive zones. The framing from the point of the environmentalist would be hopefully one of

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understanding for the industry and the need to encourage fostering environmentally friendly practices by these oil moguls. The frames of perception for years have been drastically different and little to no resolutions could be achieved due to the drastic demands made by the opposing parties. This delay in Assignment Two 4 processing an equitable resolution caused the disaster that both sides now struggle with in an effort to remedy the effect of pollution and correct the damage inflicted to the wild life and environment along the Gulf Coast. The reconciliation process now resides in the hands of the legislative body; however, specialist and conservationist will definitely be considered as points for data collection.

This process will allow both the environmentalist and the oil moguls to amicably resolve this dilemma and work constructively together in harmony to prevent future occurrences. The follow up process would ultimately be reviewed when the proposal hit the record keeper's office and realistic shortfalls are discovered; therefore, requiring further amendments and concessions to commence all under the watchful eye of the United States Federal Government. Concessions and mediation resolutions could have been successful in the past and might have allowed B. P. Inc. to circumvent this colossal disaster if they had joined and maintained a successful partnership with the environmentalist along the way.

If Environmentalist could have recognized the necessity of the oil industry and the importance it plays within our economical society, it might have shared a more liberal relationship with the oil giants and played a greater part with corporate America in regards to regulation and moderate controls over this industry. Neither party would concede; therefore, both continue to

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operate against each other and ultimately helped precipitate the disaster that occurred. This stalemated negotiation between the oil industry and the conversationalist has been expedited to the highest level of mediation and now will be resolved under Federal Mandate. A successful negotiation will be handed down from the courts and the parties involved will have to concede to the decisions rendered by the legislative bodies that implement laws and regulations. Two types of framing that can be reviewed within the ramification of the oil spill and the negation efforts that failed prior to the disaster are: Identity and Characterization. Environmentalist claimAssignment Two 5membership to world conservation attempts and adhere to a conduct of behavior that often finds conflict in the exploitative efforts of industrial enterprise. Oil companies often view these conservative ??? tree huggers??? as trouble makers that get in the way of progress and profitability.

In conflict, identity frames (of self) tend to be positive; characterization frames (of others) tend to be negative (Lewicki 2007). The process of framing these two opposing sides as enemies in the world of negotiation led to a locked negotiation process that yielded little to no progressive efforts toward successful conflict resolution. The environmentalist viewed the oil companies as money making devices that profited off exploiting and damaging the fragile eco systems throughout the world.

However, they view themselves as protectors of the world??™s delicate habitats. These two groups inability to reconcile mediation efforts was partly due to their framing approach and their inflexibility. The lines were created and a battle occurred??;creating a distraction that allowed both parties to

continue to operate with little recognition of each other's agendas. The side effect of non-negotiation due to irreconcilable differences ultimately resulted in lax regulation and supervision of the oil industry and frustrated conservationist sitting by the sideline promoting reform and change from nonresponsive companies that practice exploiting the world's limited wildlife sanctuaries for profitability. Three different cognitive biases that can be overcome or navigated through by skillful negotiators are: Irrational Escalation of Commitment, Availability of information and Reactive Devaluation.

Each bias is formed and can lead to major conflicts along the way to a successful negotiation attempts. Irrational Escalation of Commitment can best be described as a blind commitment to a perceived solution surrounding an ongoing conflict. This type of maladaptive behavior is exhibited by individuals or parties that simply are too stubborn to concede and will allow all things to be destroyed unless they get their way. The example of the environmentalist and the oil industry is a perfect example of this type of practice. The environmentalist would not concede or establish concessions to allow the oil companies to operate within the world's various habitats. The recognition for the need of oil and the commitment to acquiring this limited resource within safe boundaries was not implemented in time due to the inflexibility of both parties. The environmentalist want all drilling stopped and the industry shut down; the oil industry is maintaining a quality of life for Americans that creates profitability and wealth.

The solution would have been founded in a reframing effort made by both parties in an attempt to save the integrity of the world's ocean sites now

in jeopardy. The environmentalist should have recognized the need for maintaining a balance between oil exploration and enterprise, but allowed for some flexibility during this process to foster safety regulation. The oil companies should have embraced regulation and safety maintenance as a necessary process in order to legally harvest oil from the earth.

This amendment to their profitability agenda would have saved billions in damages and cleanup efforts that was the result of blind capitalistic business methods gone adrift. Availability of information is a type of cognitive bias that results from recall of data that was presented in an easy format and becomes the anchor of data that binds the group in a data ??? sink hole???. This information is easy to recall if presented in simplified methods and will usually trump presentations that become analytical or complex. The tendency to rely heavily on data that can be manipulated with the originator??™s perception prints. This flaw can lead to gravitating around data with limitations and avoidance of complex solutions that offer realistic opportunities.

Avoiding this pitfall can be simply circumvented by recruiting or hiring independent professional or trusted neutral parties that are commissioned to collect a present data without discrimination or admiration for one side or the other. Assignment Two 7Independent data collection points can help minimize the effect of relying on data that has been crafted to render certain manipulative results within a negotiation effort. Reactive Devaluation results in discriminating against an opposing party??™s platform simply because the group is not liked. This approach to negotiation attempts will almost always lead to conflict that must be reframed many times before reconciliation can

occur. Devaluation can be offset by reframing objectives in a manner that focuses on resolution and successful mediation practices in an effort to settle the dispute. This approach is an obvious decision when the need for closure outweighs the perception of inferiority within outlying opposing parties. The idea of trying to see the other party's views and reframing your own to more equitably align within the negotiation structure can minimize the impact of devaluation.

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