Colleen J. Burnham

Mr. Russell Lee

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<div align="center">The Effective Negotiator</div>

There are several significant factors at work as a negotiable issue is identified, processed, and finalized. Thompson (2004), Borisoff and Victor (1998), Fisher and Ury (1977), and Fisher, Ury, and Patton (1981, 1991) all agree that the primary requirements of a successful negotiation and its negotiator are: the implementation of *principled* tactics; an accurate and *dynamic* BATNA (**B**est **A**lternative **T**o a **N**egotiated **A**greement); an *acute awareness* of the intent, requirements, and tactics of the other party (i.e., the other party's BATNA); and a *solid, conscious understanding* of human nature. The traditional Social Psychology literature lends credence to the new Conflict Management literature by virtue of its empirically based study of human behavior toward predicting outcomes of interaction(s). Indeed, the basis for the majority of theory espoused within the considered new field of Negotiation and Conflict Management can be found in the work of psychologists such as Milgram (1963), Skinner (1968), Festinger (1959), Aronson, Darby, and many others. As is often the case in the general field of [the] Social Science(s), many of the same phenomena have been studied and determined across several different and specific fields; the vocabulary changes at the whim of a particular scientist, while the predictability and manifestation(s) of particular phenomena remain relatively static. Such is the case of effective negotiation and conflict management; the psychological theories have simply been re-applied to the particular venue of negotiation. As I progress through this analysis of my particular "negotiation", I will occasionally attempt to fuse the two fields of study toward predicting the generalizability of the tactics, which have been discussed within the context of a course specific to the management of conflict and negotiation, to all venues of interaction.

The first and presumably most important factor toward a successful negotiation is the clear identification of the actual problem being addressed; it is in the best interest of both parties associated

with any discussion surrounding a negotiation to remain conscious of the problem itself. The human tendency toward egocentrism dramatically impacts the intent of objective assessment (or *problem-centered* negotiation) by default. We, as humans, naturally view the world through our own perspective in order to participate in our respective worlds; interaction is by its nature a personal event. The technique for avoiding the confound of egocentrism is to actively and intellectually separate the person(s) from the problem(s). Rather than falling victim to the human tendency to address an issue with a person-centered (egocentric) view, the effective negotiator forces the interaction through an intellectual sieve, *per se*, removing the person from the problem, while maintaining a personable demeanor (Rogers, 195-202).

Fisher and Ury define the process of problem-centered negotiation as *principled* negotiation (3); this is in sharp contrast to the human tendency to argue *positionally* (4). The positional negotiator is one who tends to attack the other party as s/he states a need and or request, rather than to remain focused on the reasoning behind a particular request. The positional negotiator generally will work with a sort of "me first" tactic, holding tight to his or her specific requests regardless of the acquisition of further or more meaningful information. The positional negotiator is the party that stomps away from the table unhappy with the results (Fisher, et al., 21)

The principled negotiator is one who is able to emotionally step back from the table in order to be an objective examiner of the complete package; s/he is the practiced reductionist who looks to the *purpose* of a request, rather than simply an impact of a potential *implementation* of a request (Fisher, et al., 21, 83). The principled negotiator essentially takes on the role of mediator or educator by virtue of his or her constant questioning of the purpose *and* practical implication of the many and varied components of the particular situation. Skinner, quoting Polya (1945) in the context of program learning, names the teacher as one who "'*…ask[s] a question or indicate[s] a step that could have occurred to the student himself…' Such questions are 'equally useful to the problem solver who works by himself*'" (1968, 141). Thompson describes the process of diagnostic *questioning*, which sets the stage for collaboration as the two parties reduce the bigger issue to smaller components that can be prioritized according to purpose (79). Borisoff and Victor make the general statement in support of the principled style with: "*By*

acknowledging the source of the problem… and a willingness to work jointly toward a new solution…
[one is] far more likely to initiate a more productive interaction than would be possible in an atmosphere
charged with accusations and defensiveness." (50). There is not a consensus in the professional literature
as is suggested by Jandt and Gillette, who argue that the principled, or objective and educative, approach
is idealistic, that the party who takes on the role of "*…educating a recalcitrant opponent… …is*
patronizing and condescending..." (139).

In addition to viewing a bargaining situation objectively, the effective negotiator develops a
powerful, dynamic BATNA by generating creative and realistic alternatives to reaching the particular
agreement toward which s/he is working (Fisher & Ury, 1977, 1981, 1991; Thompson, 16). While the one
party should not feel as though s/he has the power to *manipulate* the other's BATNA, it is crucial to the
process of coming to an agreement that one's BATNA is *dynamically impacted* by virtue of the process of
negotiating. The **B**est **A**lternative **T**o a **N**egotiated **A**greement is the tacit alternative that one would feel
comfortable accepting in lieu of the spoken target. One's original BATNA represents the research one has
done in anticipation of entering a situation of negotiation; it is a dynamic conceptualization by virtue of
the perpetual gathering of information that must occur through the process of a positive interaction
(Thompson, 16).

Constant and efficient gathering of information through the process of negotiation includes the
gleaning of the particulars built into the other party's BATNA. Ideally, the other party is also working
with a realistic alternative, and is also actively attempting to gather a more accurate assessment of the
one's acceptable alternative; synergy is implied by the very process of two separate parties attempting to
strengthen his or her own position at "the table".

The final critical component toward a positive negotiated result (that I will address in this paper)
is a solid understanding of human nature, and the indicators implied and or inferred by particular
behaviors, as well as the ability to react appropriately to particularly negative behaviors exhibited by both
parties - oneself *and* the other. The effective negotiator is able to read tacit manifestations of the other
party's intention(s) and attitude(s), while monitoring his or her own potentially negative "indicators" in

order to prevent unnecessary misunderstanding (Borisoff & Victor, 104). Fisher and Ury refer to this

ability as *Negotiation Jujitsu*, or the ability of the one to refuse to react to accusations and or negativity

expressed by the other party (1991, 108). The jujitsu stance employs the techniques included in the

previous explanation of principled negotiation, allowing the one to encourage the other to explore shared

expectations or interests throughout the bargaining process. Just as the dynamicity of BATNAs is

synergistic, the manifestation of a principled negotiation technique is symbiotically dependent upon

experienced, objective, and constant awareness of tacit and overt human traits and characteristics.

<center>The Original Intended Result</center>

I initially stated the problem in an email as follows.

"My primary current conflict is one of loyalty et al. Tomorrow I begin a new institutional

affiliation that competes - in my own brain - with the affiliation that I still feel with and to the

school that I am concurrently employed by. Simply: I'll be working for both Thomas and Colby

for the next 9 months, have been consistently loyal and faithful to Colby, and at the same time

realize that I must (and want to!) build a loyalty for/to Thomas. While I traditionally haven't

allowed a competition or conflict between the two schools to exist (outwardly or in my own self),

I am acutely aware of the potential for one to evolve. EG: I've heard a significant number of

temporary faculty say "well, at ___ we always did ___" as they attempted to transfer institutional

loyalties and processes. From that I recognize that there will be many opportunities for me to

make similar statements as I begin at Thomas. I also know, first hand, how that feels on the

"home court", i.e., it feels like conflict; it feels like judgment; it feels like the person is trying to

present him/herself as superior. As someone who's studied human behavior for the last 20 years, I

am able to objectively assess that new person's behavior as a sort of defense mechanism based in

fear of the new situation; it's something all humans do. I am not, however, confident that I will be

able to recognize the behavior in myself." (9.25.2005).

I almost immediately reduced the bigger issue of re-aligning my loyalties as I transition to a new institution, to a smaller piece of the process that seemed more easily examined in the context of this paper.

> "…is expectations-stereotyping that I have noticed in myself for procedural protocol that's implemented primarily by Thomas students. (my expectations and stereotyping are based in the "student" part, rather than the *Thomas* student...The "fix" (*or potentially negotiable point*) is going to be my ability to implement new, slightly different procedures at the administrative level, … rather than giving in to the "gut" inclination to remind the students that I am the adult. I'll also have to be able to quell that set of expectations that make me want to be "the mother" and [to] tell them so… That is to say, I'm going to have to somehow cause these new [to me] students to feel as if they are participating in the new process(es) as I try to keep "what I'm used to and expect" off my reservation point "list"." (9.27.2005)

While this issue could certainly be resolved in a therapeutic or mediated setting, I chose to work this problem *internally* using the processes of *introspection* and personal *Socratic Dialog*. It is valuable to note that identifying, testing, and re-aligning the stereotypes that I hold about Thomas students is only a small, yet significant, piece of the whole process that I initially identified. Equally noteworthy is the acknowledgement that the component that I have named "re-aligning expectations" is not a win-win potential by itself; while it is certainly possible that my personal and internal "negotiation" will end positively (that is, I will successfully eliminate negative stereotypes), it is equally probable that those others who are affected by my process will not accomplish a positive result with regard to their respective premises and perceptions. Additionally, *even if* I am successful, *and* those others are successful, the bigger issue of a complete transition will still exist. As a significant factor in the process of transition, my success or failure may only *predict* the final outcome, rather than *determine* a complete and positive transition.

An Assessment of My Initial Assessment

Initially, I was aware only of the existence of my own personal negative stereotypes about the Thomas Students. It became obvious, soon after I began the process of re-aligning my perceptions, that the members of the Thomas College Community employ their own set of negative expectations of members of the Colby College Community. What had begun as an *internal self-examination* became a process of *reciprocal debunking*; that is, not only did I need to consciously process what I experienced as I interacted with the students, I had to remain acutely aware of the impact my own behavior was having with regard to reinforcing the students' perception of me. While this realization didn't require a change in my overall method, it substantially increased the importance of self-monitoring, debriefing, and reflection, as well as the need for principled negotiation – both internally and while interacting with the student community.

Was My BATNA Accurate?

My original BATNA centered in my ability to re-align the stereotypes and premises that drive my expectations of performance on the part of Thomas College student workers. My target student worker, Student AB, is the manager of the student-staffed Thomas College Library HelpDesk. I recognized the existence of negative stereotypes in my perception of Student AB, as well as the potential negative impact those stereotypes could have on current and future interactions between Student AB and myself.

> "The best alternative agreement (BATNA) would be that of my own tacit acceptance of whatever procedures et al. the Thomas College students seem to feel able to amend based on my input, with a gradual realignment of responsibilities and expectations. The very least change (or *reservation point)* that must ultimately be manifest is a courteous exchange between the helpdesk students and me; there cannot be any sense of "difficulty" or "power" at either a conscious or less than conscious level." (Burnham, 1)

As I progressed through the process of redefining my perceptions of the students, my BATNA dynamically morphed into a more specific hope that I would come to have a more *realistic* expectation-set relevant to the Thomas Student Population, rather than simply eliminating the existence of specific

negative stereotypes. The stereotypes that I identified initially were difficult to debunk as I often observed evidence that many (of those stereotypes) were based in fact. Indeed, my "current BATNA" is directed more with the intent to remain a professional while reassessing the actual behavior of the students as they exhibit those behaviors that seem to reinforce my negative perceptions.

<div align="center">Realistic Strategy Readjustment or Just a Flexible Negotiator?</div>

My planned strategy was to basically ignore those behaviors which reinforced the negative stereotypes, and to emphasize those positive behaviors which clearly debunked preconceived expectations. I incorporated techniques of persuasion (Aronson, 100; Milgram, 1963), resolving cognitive dissonance (Aronson, 136), and general professionalism (i.e., ethical behavior). Additionally, I actively and intentionally forced myself through the exercise of internal Socratic Dialog toward a conscious awareness of *the reality of events*, as they might compare to what *seemed to have occurred*.

Because my first encounters with Student AB were very positive, my original strategy seemed appropriate and effective for a week or two; however, as I progressed through the process, it became necessary to add techniques associated with certain management styles, such as, imposing my authority (Baron, 344), positive reinforcement for ideas, and modeling thinking behavior (Baron, ch. 2). By adding management theory to my behavior, my intended internal dialog was forced to include the general environment overtly. While I was able to continue to consciously convince myself that my impressions were not necessarily accurate, I also began to actively educate Student AB in a way that was (is) noticeable to him in order to augment my original scheme.

I did struggle with this transformation as it seemed I had slipped away from *manipulating my own thoughts* to a *covert* attempt to *manipulate another's thought-processes*. By intentionally attempting to force Student AB to conform to what I hoped were a more accurate set of stereotyped behaviors, I actually was offered a wider variety of negative behaviors, which indeed verified my original expectations. As Student AB was managed (by me) more deliberately, he exhibited more of the behaviors that I had originally hoped were *not* fact-based, effectively confounding my initial assessment.

How Everything Turned Out

Ironically, without any intent on my part, this exercise has enhanced not only my ability to interact effectively with Student AB et al., but also my ability to assess the needs of the position for which I have been hired. By virtue of Student AB's actual behavior, and my acknowledgement of its existence, I have been able to identify weaknesses in the Thomas College curriculum and life-training plans which will help me to be a much more effective instructor of information literacy.

By applying the technique of *jujitsu negotiation* (principled discourse) internally, I have been able to present a practiced management style to those with whom I must interact at Thomas College, including students, staff, administrative staff, and instructors. My technique of internal dialog has become much more efficient as I have been forced to "practice on the fly" in order to effectively interpret the behaviors and words of Student AB.

With regard to eliminating those negative stereotypes, I have been able to accomplish at least an *impression* of high expectations of the students by essentially working with the truth-based stereotypes in a way that does not manifest itself as judgment or impatience; rather I try to skew the occurrence of negative behavior toward reinforcing the positive pieces inside the collections of behaviors.

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