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**NEGOTIATION SUCCESS IN A VUCA WORLD**

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**ABSTRACT**

Understanding the fundamental building blocks that comprise a successful negotiation is an imperative that reaches farther than the business community. The ability to purposively and consciously apply those same concepts and principles is a learned skill that produces successful outcomes and benefits individuals and organizations. This article describes five key factors that impact every negotiation and then suggests six key insights for more effectively applying those factors. The paper provides a useful road map to approach the negotiation process and to navigate that process successfully.

**KEYWORDS:** Negotiations, negotiation process, strategy, trustworthiness.

**INTRODUCTION:**

It is a world of “sharks” and deals, according to a highly popular television show in which entrepreneurs seek funding from would-be financial investors. Those successful entrepreneurs on that television show often achieve their desired objectives because they are able to negotiate effectively. They are clear about what they are trying to accomplish and highly skilled at conveying their message. In today’s world of volatility, uncertainty, complexity, and ambiguity (VUCA) the ability to negotiate effectively and the skill to present information in a convincing way are essential to establishing value, resolving a dispute, and achieving an intended result. Although negotiations occur on a daily basis in many facets of life, the challenge is to consciously recognize when a negotiation is taking place, and to understand how to utilize the skills of negotiating to obtain satisfying outcomes and build effective relationships.

The focus of this paper is on identifying five common factors involved in a negotiation and the powerful contribution of six negotiation-related insights that are often overlooked as participants struggle to obtain desirable outcomes in today’s complex world. We begin the paper by briefly defining the negotiation process and identifying five factors that contribute to virtually every negotiation transaction. The six insights to understanding how to negotiate more effectively are then briefly summarized and integrated with the five factors and the paper concludes by identifying four contributions that this paper makes to the negotiation’s literature.

**Defining Negotiations**

Negotiations are a problem-solving means of addressing the mutual interests of two or more parties as

they seek to achieve related goals associated with their fundamental purposes. The negotiation process involves the sharing of information, the establishing of value, and the exchange of resources as the parties pursue an outcome that meets their needs. Although the interests of the negotiating parties may be integrated in the pursuit of a suitable outcome, the parties also may have conflicting interests. As part of the negotiation process, the parties are 1) affected often by their interest in maintaining an ongoing relationship, and 2) aware that they have obligations to and relationships with other stakeholders besides the parties with whom they are engaging in a negotiation transaction.

### **Five Common Negotiation Factors**

It is well established that a negotiation involves five common factors that influence and ultimately determine the scope and content of a transaction. Each of these factors affects the parameters of the negotiation and is critically important in the achievement of desirable outcomes. Although these factors occur in virtually every negotiation, the participants in a negotiation rarely formalize the roles that these five factors play – although the contribution of each role is likely to be implicitly acknowledged by the parties.

As a result of the decision of participants to not formally articulate the role of these five factors, it is common for a negotiation process to modify key goals of the negotiation and for these five factors to be redefined as the transaction proceeds. The modifying of the changes in the five factors often goes consciously unnoticed during the negotiation process but the modification of each of these five factors may nonetheless have a significant impact on the agreement between the parties. The following is a brief summary of the five factors, along with an identification of problems that may arise when changes made by the five negotiation factors occur.

### **Formalizing the Purpose**

As an individual or organization strives to accomplish its mission and purpose, it makes decisions to acquire resources, products, or services from other parties to achieve intended objectives. The defining of goals associated with an organization's fundamental purpose initiates the negotiation process by identifying how necessary resources can be obtained to achieve desired outcomes. Typically, these goals are stated in general terms and it is this lack of precision in identifying the purpose of a negotiation and the exact outcomes sought that can undermine a party's ability to optimally achieve a specific desired outcome.

In contrast, formalizing an organization's purpose and goals is much more likely to result in lower levels of job ambiguity, role conflict, and work alienation while generating and higher levels of organizational commitment. Translating a negotiation's purpose into the pursuit of specific outcomes demands clarity of insight, discipline, and a high level of understanding about the precise needs to be

met that are required to best serve an organization or individual.

The parameters by which to assess a desired purpose provide a touchstone of comparison for the final result achieved by a negotiation. Assessing that outcome retroactively can subtly result in a retrospective bias about what was originally intended in the negotiation. Rationalizing or justifying the final outcome of a negotiation can be psychologically compelling and can cause the parties involved to create a historical fiction about their original intentions. Notwithstanding that after-the-fact rationalization may frequently occur, the negotiation process is distinctly purposive and outcome oriented.

### **Assessing the Opportunity**

Once the purpose of conducting a transaction is identified, a second negotiation factor involves determining the interests of one or more other parties from whom resources can be acquired and with whom negotiations can take place. That assessment of opportunities is often based upon established relationships which can unnecessarily limit choices about parties with whom an individual or firm will choose to negotiate. The choice of the other negotiating participant is made ostensibly to result in the best possible outcome and to identify a participant with which one has complementary mutual interests.

The exchange relationship associated with identifying the negotiating opportunity makes it possible to create a valuable interdependent bond between the parties involved. A negotiation is likely to result in a more favorable outcome when the parties share a common beneficial interest. An unequal relationship can allow another party to have a dominant position and can make an individual or organization vulnerable to that other party. Assessing the opportunity can be most effective when multiple negotiating partners are available. For example, having several partners with which one can obtain a product can make it easier to avoid being overly dependent upon one single supplier.

Assessing the opportunity and the risk in conducting a negotiation is nonetheless a subjective process in which the partner to the negotiation may be chosen for reasons other than achieving an ideal economic objective. An individual or firm may choose negotiation partners for a multiplicity of subjective reasons – ranging from past history with the party to perceived prestige derived from entering into a partnership with a highly regarded partner.

### **Gathering Information**

Negotiations require the acquisition of information in order to make the best possible decision. From a practical standpoint, “doing the homework” required in obtaining accurate and timely information can be difficult and expensive. A common problem in gathering information is related to identifying what constitutes the best available data. Information that is available may be incorrect, in the wrong form,

incomplete, or non-existent. The problem of bounded rationality, or incomplete information, exists when information is no longer current or is not readily accessible.

Knowing how to gather information is complicated by the challenge of understanding exactly what kind of information is needed to make an accurate decision. In every negotiation process it is also critical to understand whether the information provided by the other party is accurate and complete. Disclosing information and being both transparent and forthcoming can build trust between the parties. Information gathering and verification are universally recognized as the means of determining important criteria about the nature and cost of available resources whenever a decision is made. Relying upon information provided by the other party can be a questionable practice, especially when the parties involved in the negotiation have a short-term conflicting interest and do not intend to do business together again.

**Determining Strategy**

Determining the negotiation strategy ideally occurs prior to beginning a negotiation and involves both parties determining their negotiating positions. A Zone of Possible Agreement (ZOPA) for entering into an exchange is identified by the overlap between those positions. For example, in the accompanying diagram, Figure 1, the overlap between the Seller’s acceptable selling price and the Buyer’s acceptable buying price is indicated as the ZOPA and shown in purple.

**Figure 1: Diagram of Zone of Possible Agreement**



If the Seller’s lowest selling price is above the Buyer’s highest buying price, no agreement is likely. Making no agreement is a preferred option to both the Buyer and the Seller when the other party’s acceptable range does not overlap. Where there is no overlap between acceptable ranges, there is little

likelihood of an agreement occurring that benefits both parties. The decision not to enter into an agreement that is outside of a party's ZOPA is known as a Best Alternative to a Negotiated Agreement (BATNA). However, the strategic decision to enter into an agreement deemed unprofitable in the short term can nonetheless be possible if that short-term decision is part of a longer-term relationship when the loss can be recouped – thereby resulting in a long-term beneficial advantage that compensates for the short-term loss.

### **Conducting the Transaction**

Negotiations can be either formally conducted and legally ratified processes or can be conducted informally. When a negotiation is formalized it involve the creation of a formal offer which one party presents to the other. How that offer or proposal is presented is often a function of whether there is an established relationship between the parties, the nature of the industry or context in which an interchange exists, the cultural backgrounds of the participants, the roles and expectations of the parties involved in the interchange, and the strategic intent of the party proposing the offer. Examples of formalized offers include construction bids, real estate offers, bids submitted by vendors and suppliers, automobile purchase offers, and business merger proposals.

In negotiating relationships, much that occurs is subtle and a function of the respective parties' perceptions about how social interchange should take place within the context of the transaction. Typically, these perceptions and the accompanying actions of the parties are implicit and subconscious – but nonetheless vital to the negotiation relationship. If queried, the respective parties would be likely to acknowledge the factors that affect the unspoken ground rules of the relationship. Cultural artifacts accompany virtually every social interchange and can never be taken for granted. The duties, roles, and power relationships that are common to human interchange affect the style of negotiations, individual motivations, strategies selected and perceptions about the negotiation process and its outcome.

A negotiation offer is responded to 1) an acceptance, 2) a counter-proposal, or 3) a rejection of the offer. When an offer is accepted, a formal agreement is usually summarized in writing to document the mutual understandings of the respective parties. Formalizing an agreement is an attempt to protect both parties' interests and thereby build trust between the parties in recognition of their interdependency.

It is common, however, for the formalization of a negotiation transaction to nonetheless lack clarity, be incomplete, or fail to address factors that are assumed to exist in the relationship between the parties. The “psychological contract,” or the assumptions and expectations about duties left unaddressed and unarticulated, can become a matter of dispute between the parties. If not handled with care, this breakdown about the perception of that which was guaranteed in the contract can lead to feelings of mistrust and can cause irreparable harm to a relationship.

These five factors, while not all encompassing in defining the process of negotiations, are widely acknowledged as important parts of transaction agreements. Whether the negotiation involve the hiring of a new employee, the repair of the fender of a vehicle involved in an accident, or the purchase of a new home – or any other commercial or business-related transaction – these five factors are universal and this brief description provides the basis for presenting the six insights that are described in the remainder of this paper.

Figure 2: Diagram of the Five Factors of the Negotiation Process



### Six Insights for Improving Negotiations

Although the purpose of any negotiation is to add value in the quest to achieve important objectives, those who interact with others in the pursuit of their goals frequently underperform in obtaining results that could otherwise benefit them and their organizations. Six important elements of every negotiation are shown in Figure 3. In this section, each of these six elements are briefly summarized and integrated with the five factors just described.

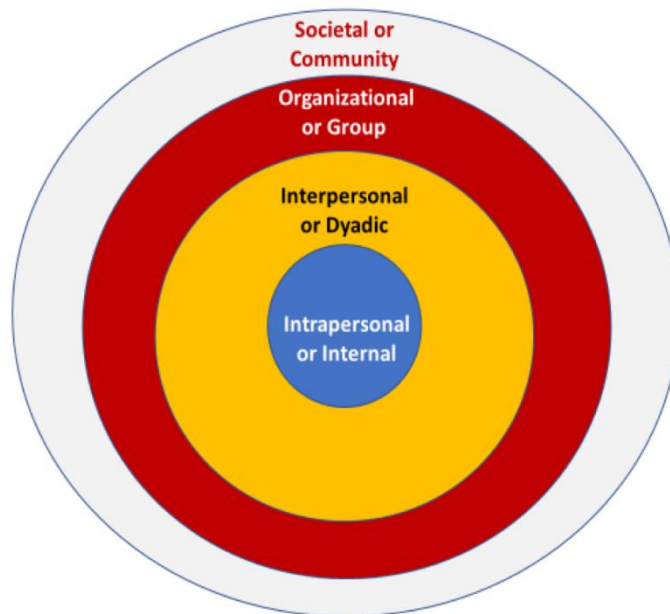
Figure 3: Six Elements that Affect Negotiation Factors



*Formally Define Levels of Analysis*

Levels of analysis refer to the multiple parties or stakeholders who are affected by a negotiated transaction. For example, Figure 4 is a visual representation of the four different levels of analysis that typically come into play when a negotiation transaction occurs.

Figure 4: Levels of Analysis Impact of a Negotiation





This identification of multiple levels of analysis is similar in its approach regarding the impacts of behavioral decision-making to the social-ecological model. As indicated by this model, negotiations are highly complex in their impacts on relationships and on stakeholders. Each level of analysis in understanding a negotiation provides insights about the nature of the priorities and values of the participants. This model also adds insight about how the process followed can ultimately impact the consequences of the negotiation transaction. Every negotiation affects each of these levels of analysis and examples of those impacts are briefly outlined in Table 1.

**Table 1: Levels of Analysis Impacts on the Five Factors**

<b>Levels of Analysis</b>	<b>Formalizing the Purpose</b>	<b>Assessing the Opportunities</b>	<b>Gathering Information</b>	<b>Determining Strategy</b>	<b>Conducting the Transaction</b>
<b>Intrapersonal or Internal</b>	Personal perception of goal priorities influence defining purpose.	Individual comfort level and perceptions of the trustworthiness of others impact decision.	Knowledge of sources of information and preference for type influence information chosen.	Personal values and self-interest perceptions impact approach to the chosen strategy.	Individual style, personal identity and integrity play a major role in how the negotiation evolves.
<b>Interpersonal or Dyadic</b>	Identifying stakeholder's influences purposes to fulfill and relationships to honor.	Considering options is socially impacted and also reflects personal preferences and perceived duties.	Access to specific others, confidence in participants, and personal past experience apply.	Knowledge of others and how they think and interact impact chosen strategy.	Others' responses have a significant impact on the negotiation as it takes place.
<b>Organizational or Group</b>	Impacts on other group members and on the organization impact purpose.	Group norms influence how opportunities may be perceived and affect choices.	Group members may influence sources accessed and preferences.	Strategy is often influenced by group pressures and priorities.	Organizational and group resources can contribute to how the transaction is conducted.
<b>Societal or Community</b>	Social responsibility factors may affect the purpose of the negotiation.	Stakeholders from the community may help in the process of identifying unconsidered options.	External resources within the larger community may contribute to the data gathering process.	Considering externalities and impacts on society can substantially influence the strategy adopted.	The impact of outcomes on society may be a determinant of the ultimate strategy implemented.



As suggested by the information in this table, levels of analysis are integrated into all five factors of the negotiation process. Examining how levels of analysis can affect the negotiation process can be a powerful means of understanding a negotiation. Because negotiation principles affect every person’s life on a daily basis, keeping this levels of analysis model in mind in assessing individual transactions and daily interactions can also be a means of attaining greater self-knowledge.

**Clarify Negotiation Parameters**

The process of defining negotiation parameters implicitly reflects one’s individual values, moral priorities, and personal identity as well as the culture, values, and mission of organization. The parameters of a negotiation that are important to distinguish are both instrumental and normative and involve both the context and the content of the negotiation transaction and the desired outcomes.

Instrumental issues are goal-directed and outcome-oriented – typically focused on what is to be accomplished or resources to be acquired. Normative issues are values-based and may include perceived ethical obligations. Context issues include the setting of the transaction, the time frame and antecedent events involved, existing agreements, past experiences, and the participants who play a role in the negotiation process. Content issues are the substantive elements of the transaction – including the intended actions to take place, resources involved, and the specific language proposed and/or agreed upon by the respective parties. Table 2 identifies how each of these four issues correlates with the five common factors.

**Table 2: Clarifying Parameters and the Five Factors**

<b>Parameter Criteria</b>	<b>Formalizing the Purpose</b>	<b>Assessing the Opportunities</b>	<b>Gathering Information</b>	<b>Determining Strategy</b>	<b>Conducting the Transaction</b>
<b>Instrumental Issues</b>	Identifying instrumental objectives of a negotiation is often articulated in financial terms and in quantitative achievements.	Assessing opportunities often involves instrumental issues, deciding the amount of time involved in working with a specific party or making a decision-based upon short-term costs rather than long-term results.	The time and cost required to gather information often involves a calculated assessment of likely returns on that expense. The timeliness of information can also be a factor.	Strategies that are entirely utilitarian and are made solely on the basis of costs and benefits can result in the selection of options that may not generate the objective of long-term value creation.	Completing a negotiation by a specific date may cause a party to make premature decisions that are detrimental and that underperform in achieving desired outcomes.

<b>Normative Issues</b>	Pursuing a desired outcome may include the underlying values implicit in seeking those outcomes.	Making decisions to interact with parties based upon their normative values may have costs and benefits that are not financial.	Tracking key information and knowing which sources of information are most aligned with specific values and qualifications may limit how information is gathered.	Normative issues can guide the understanding of how to negotiate and how to influence outcomes.	Treating others with dignity, respect, and high regard can build high trust and influence the relationships of those who negotiate.
<b>Context Issues</b>	Past history and current conditions can profoundly impact expectations and negotiations goals and purpose.	Context may impact options and choices that have restricted criteria for meeting acceptable standards.	The context of information gathering and the sources available directly affect information gathering efforts and their outcomes.	Present conditions and the status quo greatly impact the decision process. Context impacts expectations and influences negotiation tone.	Where and how a negotiation will take place can substantially influence the negotiation outcome.
<b>Content Issues</b>	Emphasis on content aligns with the purpose of the negotiation, but content issues may vary as the transaction evolves and options are identified.	Content priorities can affect the choices of those with whom to conduct a transaction, based upon how those other participants are perceived as being capable of meeting the desired outcomes of the transaction	The choices of information sources and the priorities associated with information gathering are closely aligned with the goals sought.	Content clearly has a profound influence on the strategic approach to the negotiation. The desired outcome may influence the willingness to expend resources and extend the Zone of Possible Agreements.	Perceptions about content may evolve as new information affects the negotiation. Choices about outcomes will then be affected in significant ways.

Before initiating any negotiation, identifying realistic goals and the resources necessary to achieve those goals are essential elements in achieving desired outcomes. Keeping in mind the implications of the clarifying parameters that inevitably impact transactions makes it possible to monitor the evolution of the negotiations process as that process unrolls.

**Recognize the Role of Emotions**

According to the Theory of Reasoned Action, interpersonal actions are affected by attitudes and emotions. Each person’s intuitive desires, emotional responses, and subjective perceptions have a major impact on their actions and behaviors. Attempting to conduct a negotiation at a purely unemotional and logical level rarely is successful because emotional responses and subjective feelings inevitably play a part in decision-making.

Understanding the depth and nature of emotional responses can help a negotiating party to prepare for the negotiation process by addressing how emotional responses can be controlled and utilized as part of the interaction with the other party participating in the transaction. Emotions can be managed, they can

be beneficial, and can be an asset -- but those emotional factors and attitudes must also be acknowledged as a part of the process of negotiating. The human brain often functions on an unconscious emotional level in making decisions and the role of emotions can sabotage a transaction, undermine a relationship, or result in a poor result if the impact of emotions is not taken into account.

### **Opportunities for a Third Alternative**

Einstein is reputed to have declared that “creativity is intelligence having fun.” The ability to be creative and to develop solutions that are synergistic and mutually beneficial is often overlooked as the two parties seek their own perceived self-interests – but applying that creative skill to find a better “third alternative” can be not only rewarding but exciting. As negotiating participants seek their preferred outcomes, they quickly recognize that their goals appear to be in conflict with the objectives of their negotiating partner. Compromising, or seeking a middle ground between the interests of the two parties, commonly occurs in an effort to reach an agreement, and compromise requires that both parties sacrifice a part of what they really want in the quest to obtain what they absolutely need.

The ability to create a third alternative which can fulfill the needs of both parties at a higher level than originally contemplated requires an openness to possibilities not previously considered, a willingness to engage collaboratively rather than competitively, and a persistent determination to explore potential opportunities. Identifying and obtaining agreement about such an alternative can create a powerful bond between the negotiating parties. Dr. Stephen R. Covey, the advocate of this third alternative approach, emphasized the “win-win” nature of resolving apparent conflicts and explained that the key to achieving previously unanticipated preferred options required an “abundance mentality.” That abundance mentality was based upon the belief that cooperation can result in value added that resulted in “a bigger pie, rather than requiring the parties to divide an existing pie.”

The third alternative approach acknowledges that working together with another party can generate insights about new opportunities and unlock human potential that often is lost when individuals see the world through a short-term, self-serving, and myopic lens that distorts or overlooks the implications of alternatives that have a broader potential impact. Being open to the pursuit of creative ways to solve problems enables individuals and organizations to redefine the ground rules of relationships and changes assumptions about the purpose of negotiations and the process by which transactions are entered into.

### **Acknowledging the Movement of Factors**

The goals of the parties involved in negotiations evolve as the parties communicate about their expectations and exchange information. These movements in the positions of the parties are sometimes referred to as “turning points” in the negotiation process and ultimately reflect the ability of the

negotiation participants to be flexible. The willingness of a party to demonstrate respect for and to accommodate the needs of the other party can be the determining factor that leads to a negotiated agreement.

Even when there is a distinct disparity in power between the parties of a negotiation, the stronger partner can benefit by pursuing a solution that accommodates the needs of the transaction partner. Factors of a negotiation move because the participants recognize that they are in a relationship that demands the pursuit of mutual benefits. Where there is no “win-win” benefit for both parties, there is typically “no deal” as well.

The failure of a party to recognize that it is a participant in a relationship that involves the recognition of others’ needs can cause that party to be inflexible in its negotiating position. The dysfunction of inflexibility is that it fails to take advantage of possibilities that may not have been considered. Movement in a bargaining position may not be necessary in a one-time “take-it-or-leave-it” relationship. However, when a relationship is expected to continue over an extended period of time it is rare that a party will be inflexible and unwilling to explore options that may require that it modify its assumptions about factors of the negotiation.

### **Acknowledge the Ethical Implications**

As is the case with virtually every other human interchange, the underlying factors of a negotiation are replete with complex ethical assumptions and implications. The ability to create and maintain a long-lasting relationship is often directly related to the perceived trustworthiness of the parties. The integrity in which the parties communicate, their performance in honoring commitments, and the transparency of the information that they provide to their negotiating partner affect how parties are perceived and confirm or disconfirm whether a party is worthy of being trusted .

An often-misunderstood ethical perspective associated with negotiations is a party’s understanding of the Ethic of Self-Interest. Although a negotiation is intended to enable an individual or organization to pursue adding value for itself, the Ethic of Self-Interest emphasizes that acquiring resources and relating with others in the pursuit of adding value and living a more abundant life are sometimes misperceived. The pursuit of short-term self-interest that destroys a relationship or that inhibits the ability to achieve long-term objectives is self-defeating. The Ethic of Self-Interest advocates that each individual must keep both long-term and short-term consequences in mind when making choices. Applied to the negotiation process, a party that is perceived as unethical or overreaching in the short-term can severely impact its ability to accomplish its long-term purpose in dealing with others.

A broad range of ethical perspectives affect the human interactions associated with negotiations,

especially including the impact of transactions on the larger community or on society at large. The perspective of Milton Friedman that individuals and organizations only had a moral responsibility to maximize wealth creation is now acknowledged to be out of date in a world where social responsibility has been accepted as an obligation of everyone.

### **Contributions of the Paper**

Understanding negotiations and its many components enables individuals and organizations to represent themselves more effectively in the pursuit of goals requiring interaction with other parties. As we have addressed the complexities of the negotiation process, this paper makes four significant contributions to the scholarly literature.

1. We affirm the importance of the five factors of negotiation. We note that these five factors are often understood at the subconscious level and we emphasize the need for taking that understanding to a more formalized conscious perspective.
2. We identify the importance of four levels of analysis. The process and consequences of negotiations have individual, interpersonal, group, and societal implications. Examining those levels of analysis in the negotiation process can be a useful means of identifying the importance of each of those levels in crafting desired outcomes.
3. We affirm the importance of the pursuit of collaborative third alternatives. As individuals and organizations pursue cooperation in developing their negotiation strategy, the likelihood of achieving a third alternative that is actually better than the initial position of either party is more likely to occur.
4. We emphasize the importance of ethics and values in negotiations. The long-term best interests of individuals and organizations are served when the parties demonstrate that they are worthy of trust and are committed to the interests of their transaction partner as well.

Each of these four contributions has practical significance as organizations and their leaders strive to accomplish their objectives. Negotiating to obtain the “best possible” outcomes is enhanced by understanding the complex nature of negotiations.

### **CONCLUSION**

Negotiations involve elements of both an art and a science and occur in virtually any context. As discussed, a thorough understanding of how the five factors and six insights contribute to achieving a successful negotiation can be a powerful asset in today’s volatile world. Sharing information, establishing mutual interests, identifying conflicting objectives, and honoring obligations to stakeholders all play important roles throughout a negotiations process.

The six insights presented in this paper provide richness of depth in understanding the nuances of human relationships that are present in every transaction. Carefully applying the six insights affects the the entire negotiation process and can enhance the ability of the parties to develop high trust – a critical element for a mutually beneficial long-term relationship that can benefit all parties.

Understanding and properly utilizing the five factors and six insights in a negotiation can not only increase the likelihood of a satisfying outcome but also enhance the negotiator's confidence in establishing relationships and creativity in developing solutions that best meet the parties' needs. The purposive and conscious practice of incorporating these five factors and six insights in transactions with others can also strengthen the skills of critical thinking and create a higher level of understanding about the most effective ways to respond to a world that is volatile, uncertain, complex, and ambiguous.

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