CONFLICT & DISPUTE RESOLUTION

Focusing on Interests

As you read the material for our next class, keep the questions below in mind. To answer these questions you will have to reflect critically on what you have read and possibly re-read important passages. Keep in mind that there are two basic kinds of information that you need to look for in the reading:

1. What are the main points or conclusions that an author accepts with respect to a particular issue?
2. What are the reasons, important considerations, and evidence that lead the author to accept that conclusion?

For our purposes, *it is information of the second sort that will be our primary concern* since our most basic task is to *evaluate the reasons and evidence* that are offered to support accepting one possible conclusion about an issue, rather than another.

Although I strongly suggest that you write out brief answers to these questions, you do not have to turn in written responses. You do, however, need to be prepared to speak intelligently about these issues at our next class meeting.

Reading

- Fisher, R., Ury, W., & Patton, B. (2011). Focus on Interests, Not Positions. In *Getting to Yes: Negotiating Agreement Without Giving In* (3RD ed., pp. 42–57). New York: Penguin Books.
- *Optional:* Bazerman, M. H., & Gillespie, J. J. (1999, September-October). Betting on the Future: The Virtues of Contingent Contracts. *Harvard Business Review*, 77(5), 155–160.

Questions

1. Generally speaking, what is the difference between a position and an interest during a conflict?
2. Throughout this reading, Fisher *et al* present a lot of tactics for focusing on interests instead of positions. What tactics can you use in preparing for a negotiation to better understand both your interests and those interests of the other party during a negotiation?
3. What tactics can you use during a negotiation to better understand the interests of the other party and effectively communicate your own interests to them?
4. Why does focusing on interests instead of positions allow you to "be hard on the problem and soft on the people"? How does this also help resolve the tension between assertiveness and empathy, which we discussed a few weeks ago in the course?
5. Putting all this together, why does focusing on interests instead of positions better encourage wise agreement?

Sometimes the parties to a negotiation will share interests, and yet disagree over whether future events will threaten those interests. The optional reading by Bazermand and Gillespie suggests that instead of arguing over whose predictions are right, the parties should turn this uncertainty into a gamble.