

CONFLICT & DISPUTE RESOLUTION

Positional Bargaining

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). Don't Bargain Over Positions. In *Getting to Yes: Negotiating Agreement Without Giving In* (3rd ed., pp. 3–15). New York: Penguin Books.
- *Optional*: Galinsky, A. D. (2004, July). Should You Make the First Offer? *Negotiation*, 7(7), 3–5.

Questions

1. Fisher *et al* provide three criteria for assessing a method of negotiation, one of which is to arrive at a wise agreement. Explain each of these three criteria, being sure to clearly explain what is meant by a wise agreement.
2. What is positional bargaining?
3. What is Fisher *et al*'s argument that positional bargaining often fails to meet the three criteria for a negotiation method?

This class will focus primarily on developing your abilities in principled negotiation and not positional bargaining. However, you will sometimes find yourself in situations where positional bargaining is unavoidable. The optional reading by Galinsky addresses the most common concern for such situations: Should you make the first offer?