

CONFLICT & DISPUTE RESOLUTION

Positional Bargaining & Distributed Negotiation

Instructions

When doing the reading for this class, there are the two basic kinds of information you need to understand:

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 position on an issue, rather than another.

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? (Note that what Fisher *et al.* call “positional bargaining” is often called “distributed negotiation” in more recent literature.)
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 distributed negotiation. However, you will sometimes find yourself in situations where distributed negotiation is unavoidable. The optional reading by Galinsky addresses the most common concern for such situations: Should you make the first offer? (That said, Galinsky's findings do apply to situations outside of distributed negotiation as well.)

To answer these questions you will have to reflect critically on what you have read and possibly re-read important passages.

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.