

Legitimacy & Fairness

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?

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). Insist on using objective criteria. In *Getting to yes: Negotiating agreement without giving in* (3rd ed., pp. 82–95). Penguin Books.
- Shell, G. R. (2018). Authoritative standards and norms. In *Bargaining for advantage: Negotiation strategies for reasonable people* (3rd ed., pp. 41–55). Penguin Books.

Questions

- According to Roger Fisher, William Ury, and Bruce Patton, why is it better to deal with conflicting and competitive interests with objective criteria rather than with strength of will?
- 2. Based on what Fisher et al. say about fair standards and procedures, what is it exactly that makes objective criteria *objective*? Put differently, what is the difference between objective criteria and subjective criteria in a negotiation?
- 3. What examples of fair standards and procedures do Fisher et al. and G. Richard Shell give? How do these standards and procedures work? Why are these objective and not subjective?
- When discussing objective criteria with the other side, Fisher et al. suggest that you "focus on objective criteria firmly but flexibly" (p. 89).
 - What does that mean? How do their "three basic points" (p. 89) go about doing this?
- 5. Meanwhile, Shell suggests that standards and norms rely on the *consistency principle* for their power.
 - What is this principle, and how can it be used effectively during negotiation?
- 6. Putting all this together, why does using objective criteria tend to encourage wise agreement?

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.