The Harvard Negotiation Project: “Principled Negotiation” Process

Objectives

Reach a reasonable agreement that meets the legitimate interests of the parties and stakeholders involved:

- Agreement should be better than a negotiator’s Best Alternative to a Negotiated Agreement (BATNA).
- Negotiations should be efficient, in terms of effort level involved in communications between the parties.
- The negotiation process should improve, or at least not damage, the relationships between the parties.

How can this best be accomplished?

“Principled negotiation” is different from the more common “positional bargaining” experience:

- Positional bargaining involves using “hard” or “soft” bargaining techniques or a combination of both. Soft bargaining seeks to preserve the relationship between the parties, while hard bargaining seeks to win. “Compromise” often fails to fully realize potential gains and fully satisfy compelling desires of the parties.
- Principled negotiation focuses on satisfying broad, underlying interests rather than specific positions taken by parties. Positions are narrow and incomplete reflections of important interests of negotiators.

In principled negotiation, participants work together to solve problems in a candid, respectful manner:

- Separate the people from the problem — address substantive and interpersonal issues separately.
- Focus on interests, not positions — discover the key drivers behind the positions of the parties.
- Invent options for mutual gain — creatively expand “the pie” of possible satisfactory outcomes.
- Insist on using objective criteria — select reasonable standards to evaluate and allocate “the pie.”

What steps are involved in the process of principled negotiation?

- Thorough research to develop alternatives and select BATNA, improving BATNA wherever possible; this becomes the reference point for evaluating if a potential agreement makes sense for the negotiator. A BATNA is also a source of negotiating power if it is attractive. However, BATNAs generally should not be disclosed to other negotiators or agents because they establish a new anchor point that may limit gains.
- Advance consideration of others’ interests and BATNAs; what priorities would a good agreement satisfy?
Careful planning to anticipate negotiating topics and issues in both the “people” and “problem” categories.

Brainstorming or “brainwriting” to creatively develop a range of possibilities to satisfy mutual and separate interests of negotiators; individuals generally are best at generating ideas, while teams generally are best at evaluating ideas. The goal is to imagine and capture possibilities first, then refine them afterwards.

Careful investigation of mutual and separate interests, unbundling them to identify opportunities to satisfy those interests through “logrolling” trade-offs in priorities and most-desired attributes of an agreement.

Avoidance of specific positions as long as possible, instead suggesting examples of plausible solutions. Active listening and consideration of others’ feedback is vital; but acknowledgement is not agreement.

Persuasion based on merits of proposed ideas and objective criteria, rather than imposing terms based on subjective standards, positional entrenchment, power, manipulation, or attacks. Skill is required to redirect positional bargaining behavior, address or ignore inappropriate remarks, and reframe issues. A third party may be helpful to include in discussions to validate understanding, facilitate progress, and diffuse conflict.

Periodic breaks or separation of the parties during the process to enable negotiators to communicate with stakeholders or trusted others, identify and weigh emerging alternatives, and “recharge” personal energy.

Successful outcomes achieved through rationally driven approaches and emotionally intelligent conduct. “Emotional intelligence” includes personal competence (self-awareness, self-regulation, and motivation) and social competence (empathy and social skills).

Helpful resources on principled negotiation and emotional intelligence as summarized above

