



Course Director:  
Prof Manie Spoelstra



INTERNATIONAL NEGOTIATION ACADEMY

*Negotiation: The Genesis of Management*



# Negotiation Skills Training

- Managers at senior, middle and junior levels
- Labour Union Negotiators
- Conflict dispute resolution mediators
- Sales Negotiators
- Buyers
- Hostage & Crowd Control Negotiators
- Facilitators

Newsletter May 2005  
Issue 26

## The Mutual Gains Approach to Negotiating Difficult Cases

Sun Tsu said 2000 years ago that the smartest strategy in war is the one that allows you to achieve your objectives without having to fight.

The philosophy behind MGN is to move towards a process of in-depth discussion, with an emphasis on side-by-side problem solving, (as opposed to face to face confrontation).

Mutual Gains negotiating (MGN) is a pro-active negotiation strategy that could be used by negotiators that are set on establishing and maintaining **long-term relationships** with opposing parties.

Labour-management, buying-selling, and many other negotiating interactions are traditionally fraught with an “**us and them**” approach. MGN allows for a healthier and more productive climate of negotiating. MGN is a method of bargaining designed to dramatically improve the quality of solutions, and increase the possibilities of co-operation between the parties, ultimately benefiting both sides.

### FOUR DAY DIPLOMA IN NEGOTIATION SKILLS

*COURSE DATES FOR 2005*

**NEW! 27 – 30 JUNE  
(KAROO RETREAT)**

**01 – 04 AUGUST (LONDON)  
15 – 18 AUGUST (MIDRAND)  
05 – 08 SEPTEMBER (MIDRAND)**

**Book in Time!  
Phone 0860 833 555**

The following is a basic introduction into the philosophy behind the concept and process of using a MGN approach.

### The Concept

Often negotiators find themselves distracted from their intended purposes and, because of various emotional and other reasons, become engaged in

**ideological conflict.** These situations often result in unacceptable results, with neither side really getting what they needed.

With traditional bargaining, negotiating opponents approach the negotiations with their own preferred solutions and then haggle over whose proposal is best. Negotiators will develop and **defend their positions** on issues, table inflated proposals to each other, and argue insistently. The outcome of this position arguing leaves both sides with one of four possible options:

- ✍ "I win, you lose,"
- ✍ "You win, I lose,"
- ✍ "We both compromised, and lost", or
- ✍ "No deal."

Eventually the outcome is determined by a series of **power struggles**. Mutual Gains Negotiating is a different way of judgment. With MGN, both sides understand the need to focus on **interests** before positions.

It is also not an answer to all ills and conflict. It is rather a process that can provide a better way to get things done.

The mutual gains process focuses negotiating teams on interests rather than positions. As simple as the concept might appear, it's often critical that parties go through some formal **training** before they decide to embark on the mutual gains road. Often too much distrust exists between the groups, so that when a sudden attitude change is detected, it **increases distrust** and the relationship runs the risk of slipping back into the old conflict spiral.

### The Process - The Mutual Gains Approach

The mutual gains approach as postulated by Suss kind and Field (2000) has six basic principles.

- ✍ The first principle is to try to see matters from the **perspective of others**, and to
- ✍ understand and acknowledge their concerns.
- ✍ Second, to encourage **joint fact-finding** in order to generate information credible to both.

- ✍ Third, - to offer contingent **commitments** to minimize impacts if they do occur.
- ✍ Fourth, to accept responsibility for mistakes and to **share power**.
- ✍ Fifth, to act in a **trustworthy** manner in order to allay suspicion and build trust within the negotiating process.
- ✍ Finally, to focus on building long-term **relationships**.

There are a number of key factors in making MGN negotiations successful:

#### ✍ **Stick to the Process.**

Both sides should be committed to MGN. They should communicate with each other, understand each other's needs and interests, and pursue answers that benefit both groups. Sharing of Information to Build Trust. Sincerity, **Transparency**, and Honesty are fundamental in building trust.

#### ✍ **Isolate the Problem from the People.**

Often people tend to link the problem with the people, and a **conflict of personalities** emerges. Some people will not accept a new approach due to personality clashes. Parties should remind each other when this occur and re-affirm their commitment to the MGN process.

#### The Benefits

For both sides, the primary question centres on what cooperation will mean for both in the short and long run.

For example, in the case of Unions, the benefits include increased access to information, pre notification of changes in work arrangements and technology. Increased input, which helps management avoid errors or decisions that would hurt union membership. **Work satisfaction** may

**ADVANCED DIPLOMA IN  
NEGOTIATION SKILLS**

*COURSE DATES FOR 2005*

**18 – 20 JULY  
(KAROO RETREAT)**

**11 – 13 JULY (MIDRAND)**

**16 – 18 NOVEMBER (MIDRAND)**

**Book in Time!  
Phone 0860 833 555**

increase. Members concerns are resolved more quickly and fully. Skill levels increase.

Management's benefits include: Improved management effectiveness. Increased organizational flexibility. Improved working environment. Enhanced **productivity**.

(Written by Dave Harris and based on: Lawrence Suss kind and Patrick Field, Dealing with an Angry Public: The Mutual Gains Approach to Resolving Disputes, New York: The Free Press, 1996).

## How good a negotiator are you?

**Test yourself** and determine if you need any development in this important life skill.

Circle one alternative for each question below. Then transfer your circles to the "scoring table"

Add your circled scores and read the final 'results'.

**Be Honest!**

### **1. If someone have insulted you in public; will you**

- a. Avoid contact with him/her in future
- b. Say something insulting back
- c. Plan retribution later
- d. Confront the person privately
- e. Try to forget about it

### **2. If you have to do an important speech or presentation tomorrow, will you**

- a. Brake out in cold sweat at the thought
- b. Prepare as good as possible
- c. Take calming drugs
- d. Look forward to it
- e. Get someone else to do it

### **3. If, in an antique shop, you see an object that you have been looking for a long time and really desire, yet the price is way above what you anticipated; will you**

- b. Search for a similar object elsewhere
- c. Negotiate for a lower price
- d. Make a 'take it or leave it' offer
- e. Pay it off or get a loan

### **4. If you differ with the proposal of the autocratic chairperson of a meeting, who is also your boss, will you**

- a. Keep quiet out of fear for his reaction
- b. Gossip about it with others later
- c. Express your opposing views
- d. Try to defer the decision
- e. Use diplomacy

### **5. If you have said something, during an emotional upsurge, that hurt someone accidentally, will you**

- a. Avoid the person in future

- b. Ask someone else to talk to him
- c. Apologize to him
- d. Joke about it the moment you realize it
- e. Feel guilty and try to 'make good'

### **6. If you made a statement that you believe is correct, yet someone differ with you totally (e.g. your friend, husband, wife, colleague), will you**

- a. Never admit that you could be wrong
- b. Encourage joint fact finding
- c. Bet on the outcome
- d. Call an expert to adjudicate
- e. Say: 'He must be jealous of me'

### **7. If you applied for the position as coach of the SA Soccer Team and you have to attend an interview with the selection panel, you will**

- a. Dress in you best 'Sunday suit'
- b. Go dressed in 'coaching slacks'
- c. Dress in an 'African outfit'
- d. Not care much about your clothing
- e. Have an expert dress you

**CUSTOM MADE  
IN-HOUSE COURSES IN  
NEGOTIATION SKILLS**

**CONTACT US AT**

**Phone 0860 833 555**

**8. Your brief offer to purchase a house has just been accepted. The agent asks you to sign a more detailed three page document to 'make it legal'. Do you**

- a. First read the document word for word
- b. Ask the agent to explain every heading
- c. Take the contract to your lawyer
- d. Sign it . "These are standard stuff"
- e. Read some basics and then sign

**9. Your child asks for you to buy her a scooter for her birthday. You say no, it is too dangerous and costs too much. She blows her top and shouts and screams at you. You say:**

- a. "Now you will never get a scooter"
- b. "Let's sit down and let me explain"
- c. "It is dangerous, I love you too much"
- d. "Apologise or you will get nothing never"
- e. "If you can convince me I will consider it"

**10. Your girlfriend/boyfriend broke up with you after a party where you danced 'too intimately' with someone else. You now realize that love your friend sincerely. Do you**

- a. Accept it and wait for a miracle
- b. Go and see him again and explain
- c. Date someone else as soon as possible
- d. Take drugs and threaten to kill yourself
- e. Let him know you will wait for him

	A	B	C	D	E
1.	2	1	4	5	3
2.	3	5	2	4	1
3.	1	2	5	4	3
4.	2	1	4	3	5
5.	1	4	5	3	2
6.	1	5	3	4	2
7.	5	3	2	1	4
8.	3	2	5	1	2
9.	2	4	3	1	5
10.	3	5	2	1	4

### Scoring:

**40– 50:** Not bad. If you also felt that you had some better ideas than the alternatives provided, you could consider some form of Advanced Negotiation skills training.

**30 – 39:** You could do well honing you skills with an intensive skills course in negotiation.

**20 – 29:** Give some consideration to first find out what type of mind shift will be required from you before enrolling for any training course.

**10 – 19:** By analysing your reaction to the above questions, one could perhaps explain why you seem to be constantly in conflict with someone around.

**0 – 9:** It could be a good idea to review each question with you, although the chances that you will change your mind is quite remote.

**Manie Spoelstra**

**Tel: 0860 833 555**

**Fax: + 27 49 892 5772**

**E-mail: negotiate@telkomsa.net**

**Web site: www.negotiation-academy.com**