

# **Technology Negotiations and Dispute Resolution Systems**

**ESD.141 – Session 1, Part A**

## **Course Introduction and Overview**

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*As conflict -- difference -- is here in the world, as we cannot avoid it, we should, I think, use it. Instead of condemning it, we should set it to work for us.*

*Why not? What does the mechanical engineer do with friction? Of course his chief job is to eliminate friction, but it is true that he also capitalizes friction. The transmission of power by belts depends on friction between the belt and the pulley. The friction between the driving wheel of the locomotive on the track is necessary to haul the train. All polishing is done by friction. The music of the violin we get by friction. We left the savage state when we discovered fire by friction. We talk of the friction of mind on mind as a good thing.*

*So in business, too, we have to know when to try to eliminate friction and when to try to capitalize it, when to see what work we can make it do. That is what I wish to consider here, whether we can set conflict to work and make it do something for us.*

– **Mary Parker Follett** (Bureau of Personnel Administration Conference, 1925)

# Course Objectives

- Build interactive skills associated with effective negotiations on technology, policy and logistics issues
- Understand the nature and operation of dispute resolution systems in the technology, policy and logistics context
- Develop analytic perspective on negotiations dynamics and the wisdom to establish constructive “rules of the game” in the technology, policy and logistics negotiations

# Our Reciprocal Commitments

- Be open to learning
- Expect mistakes
- Experiment
- Appreciate differences
- Build on past experience
- Use your head and your heart
- Work hard . . . have fun

# Traditional Bargaining

- Develop target and resistance positions in advance
- Overstate opening positions – lists of “I wants” and “give backs”
- Commit to these positions early and publicly
- Channel communications through a spokesperson
- Give as little as possible for what you get
- Never bargain against yourself
- Always keep the other side off balance
- Use coercive forms of power
- Mobilize support from constituents
- Divide and conquer the other side; protect against the same on your side
- An agreement reluctantly accepted is a sign of success

# Comparing Positional and Interest-Based Bargaining

**Positional Bargaining**  
A Sequence of Positions with a Limited Range for Negotiation and Agreement

One Side's Opening Position

Other Side's Opening Position

Many Underlying Interests Connect to a Broad Range of Options

**Interests-Based Bargaining**  
A Broad Range of Options Upon Which to Build Mutual Gains Agreements

# Simulation ground rules

- Take your role seriously
  - *From now on, during the simulation, this is who you are*
- Support others as they play their role
  - *Recognize that this is easier for some than others and that people may be experimenting with new skills or approaches*
- You may invent additional, consistent information
  - *Provided, of course, that it doesn't give you an unfair advantage*
- If you finish any phase early, use the remaining time to debrief with your partner