

For either positional or interest-based negotiators who want to move a counterpart with a more relational orientation in their direction:

- Accept that negotiations will probably take longer with these counterparts.
- Refrain from proposing or advocating hard positions early in negotiations.
- Take the initiative to demonstrate that you are a trustworthy and appropriate counterpart by reciprocating hospitality, identifying commonalities, affirming the relationship, and following through on promises or agreements, no matter how small.
- Spend more time doing informal sounding or making informal suggestions about the process and timing for discussion of substantive discussions.

FRAMING AND REFRAMING

Frames refer to the specific way that parties see or describe the situation in which they are involved. A frame includes how you see the problem or situation and your perspective on it. A party's description (frame) not only defines and assigns meaning to the broad underlying problem to be addressed and often the goals to be achieved, but also guides a negotiator's actions to achieve desired ends. Schön and Rein (1994) define a frame or a general frame as the story that a party tells himself or herself about a situation that for him or her is troublesome and needs to be addressed:

Each story conveys a very different view of reality and represents a special way of seeing. From a problematic situation that is very vague, ambiguous, and indeterminate (or rich and complex, depending on one's frame of mind), each story selects and names different features and relations that become the "things" of the story—what the story is about. . . .

Each story constructs its view of social reality through a complementary process of naming and framing. Things are selected for attention and named in such a way as to fit the frame constructed for the situation. Together the two processes construct a problem out of the vague and indeterminate reality that John Dewey calls a "problematic situation." They carry out the essential problem-setting functions. They select for attention a few salient features and relations from what would otherwise be an overwhelmingly complex reality. They give these elements a coherent organization, and they describe what is wrong with the present situation in such a way as to set the direction for its future transformation [p. 26].

A negotiator's frames lie behind the presenting problem or purpose of negotiations. In that sense, each party's framing of the purpose, issues, problems,

and interests remains relevant through the negotiation process. This concept is useful throughout the phases.

An example will illustrate how negotiators might frame a situation. In a divorce mediation, the wife might frame the process as, "How can I free myself from a destructive relationship?" while the husband might frame it as, "How can I make her suffer for leaving me?" And a mediator might frame the process as, "How can we restructure this family to bring closure to one set of relationships and establish workable new ones acceptable to the parties?"

In the Northern Ireland conflict, one side framed the extended negotiation process as addressing grievances related to basic justice and equality, while the other side framed it in terms of maintaining power and preserving a British identity. Both sides came from a minority frame, as the Catholics are a minority in Northern Ireland and the Protestants a minority in terms of the population of the whole island. For many years, it appeared that the two sides maintained incompatible frames. Only after considerable effort at reconciliation, a series of changed circumstances, and a gradual shift in public attitudes was it possible to construct a joint frame that allowed productive discussions to take place.

General frames for negotiations, or a negotiator's story, may be conscious and articulated, or unconscious, unspoken, or not even immediately recognized by the person or party holding them. Clearly it is easier to respond to conscious and articulated frames than those that are unconscious or unspoken. Note that several concepts are independent but all related: the context and general purpose of negotiations, the interests that negotiators hope to achieve, and negotiators' frames. In some situations, these may be virtually identical, and in others significantly different. As the concepts interact, how each is defined influences other definitions. Thus, the context of negotiations shapes the purpose. The purpose may shape the frame, and vice versa. Frames may shape and be used to attain specific interests (Schön and Rein, 1994). Although the definition of the purpose of negotiations and individual negotiators' general frames of the situation and goals are important in all talks, they can be especially so in intercultural transactions where culture can significantly influence the choice of frames.

Because of the importance of how parties describe the purpose of negotiations and frame the interests they hope to achieve, it is critical for them to be aware of possible conceptualizations and how they will influence negotiations. Negotiators need to be introspective throughout the process, trying to articulate, at least to themselves, how they define problems to be addressed and their underlying frames. They will then have to determine what should be expressed in negotiations, how their perspective (frame) can best be described to a counterpart, and what should be only privately acknowledged or remain unsaid.

In addition to understanding their own framing and implied goals for resolution of an issue, negotiators need to strive to understand the possible framings that counterparts may use in talks. In planning for negotiations, this often means extrapolating information about the other party from past encounters, written materials, or data from others who have had prior dealings with the counterpart. Once negotiations begin, negotiators have an opportunity to explore their counterpart's goals and framing for the negotiation process.

Coordinating Purposes and General Frames

In many negotiations, parties articulate and readily agree on the general purpose of discussions and have similar frames, or at least not mutually incompatible ones. Suppose that two parties agree that they want to complete a commercial transaction. One party advocates a relationship-building frame prior to moving to substantive discussions, and the other emphasizes a joint substantive gain frame (in which the parties try to understand each other's interests before reaching an agreement). They therefore have compatible, though different, frames, and productive discussions are likely to ensue, with agreements made.

In other negotiations, especially those initiated to resolve conflicts, parties often have frames that are at odds. In this situation, negotiators have to make efforts to coordinate their understandings of the purpose of negotiation and how they frame the process. In some cases, this requires redefining or reframing their views, so that they can conduct productive talks. (As we will see in Chapters Fourteen and Fifteen, an intermediary may also help parties to discover a joint frame or to reframe their views.)

SUGGESTED STRATEGIES FOR COORDINATION OF GENERAL FRAMES

- Avoid explicit presentation of your general frame until your counterpart presents his. If the other's description of purpose and frame is acceptable or marginally so, you can accept it as the premise for negotiations or modify it slightly to make it more agreeable.
- Advocate a purpose and underlying general frame and reject that of your counterpart, thus forcing him to accept your purpose and frame if he wants to reach an agreement.
- Advocate a general frame, and then, if necessary, adapt it to make it acceptable to all parties.
- Propose a general frame, listen to that of your counterpart, and, through mutual education, jointly shift to a totally new description of the purpose of negotiations and general frame.

As an example of this last point, imagine that one party in a negotiation initially describes the purpose of negotiations as a means to achieve revenge

and punish the other party for a past harmful action: "We want you to grovel in the dirt and acknowledge the losses and pain that you have caused us. You will pay us one hundred times the damages that we have incurred, so that you will never do this again!" The other party had not realized the damage that he had inadvertently inflicted on the other group or the depth of feelings engendered, and had initially framed the problem as finding a solution where each party would benefit equally. These two definitions of the problem and related general framings were mutually contradictory. What to do?

Generally one of the parties will need to understand the underlying framing of the other and take the initiative to determine whether an alternative and mutually acceptable framing can be developed. For example, the "revenge" framing might be reframed as "restoring honor and respect"—or, in more complex terms, the process could be framed as searching for a solution that is acceptable to all parties, in which there are consequences for actions, and parties that were harmed are made as whole as possible. This reframing of revenge to a possible functional equivalent, if acceptable to the aggrieved party, may make negotiations possible.

Framing Issues or Problems for Negotiation

In addition to overall frames that define the purpose or goal of negotiations, parties frame issues in specific ways that can either promote productive talks or escalate tensions. In general there are four ways to frame an issue: as a (1) neutral topic statement, (2) statement of a position, (3) statement about a party's interests, or (4) joint problem to be addressed, which incorporates descriptions of two or more parties' interests or needs.

Framing Through a Neutral Topic Statement. A straightforward, neutral statement can define an issue and set parameters for its discussion—what may and may not be discussed—for example: "We want to talk about the price for purchasing two million widgets," or "We want to talk about the priorities for use of economic development funds." This kind of framing is common in direct-dealing cultures, in many international business negotiations, at problem-solving conferences, or in negotiations in which parties have a low level of conflict.

Framing by Stating a Position or Proposed Solution. Many statements of position include a proposed solution that then becomes an issue for discussion: "We demand to talk about a 20 percent wage increase," or "I want to talk about why you have discriminated against me on the job." This kind of framing is common in conflict situations, especially in direct-dealing cultures in which

members are not afraid to verbally confront each other or overtly express differences. Subsequent problem solving usually involves discussion of the merits of the position, trying to discover underlying interests behind it, and developing either counterpositions or a number of jointly acceptable options. If the positional framing is particularly toxic, like the claim of discrimination, it may be necessary to reframe the topic before proceeding. For instance, the "discrimination" framing might be reframed as, "We need to discuss behaviors and actions by each party that have been problematic for the other."

Framing by Stating Interests. A statement framed in terms of interests identifies an individual or group's desires, wants, or concerns, but does not imply a specific solution to meet them. This approach depends on a negotiator's willingness to reveal information about specific interests—for example, "We want to discuss how authority can be delegated to people at lower levels in the organization, so that local people have a say in how the project proceeds." Or a union representative might say, "Over the past several years, certain categories of workers have received salary increases, while others have not. It's important to us to achieve greater parity."

Framing by Stating the Interests of Multiple Parties. This approach frames a joint problem statement in which more than one party's interests are identified along with a common or joint goal. The general format for this is, "We want to figure out a way that we can meet your interests pertaining to X and mine related to Y." For example, in a commercial negotiation, the parties might agree to this statement: "We need to discuss how to balance your need for timely delivery of the product with our need to ensure a quality product."

A classic case of reframing occurred in the 1975 negotiations between Israel and Egypt concerning the final status of contested territory and security issues in the Sinai Peninsula, which were the result of the Six-Day War. The Egyptians initially framed the issue for discussion as a position: "Israel must withdraw its troops from Egyptian territory." The Israelis responded with an equally positional statement: "We refuse to leave; only through control of the passes can we guarantee our security from future attacks." (These are paraphrased summary statements. The parties no doubt made longer and more complex arguments.) Eventually the issues were reframed as a joint problem representing both parties' interests, roughly: "How can Egypt regain sovereignty over its territory in the Sinai, and at the same time guarantee Israeli security so that they will not be vulnerable to attack from that region?" This framing allowed the Israelis and Egyptians to trade sovereignty and political control of the land for security and its demilitarization.

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To summarize the four ways to frame issues, using the Egypt-Israeli talks as an example, we see:

Neutral topic statement: "We will discuss the issues of territory and security."

Positional statements: "We demand return of our land." And, "We refuse to leave, as occupation ensures our security."

Statement of interests: "We must regain control over our sovereign territory and want to be treated with respect." And, "Any agreement must include provisions that guarantee our security from attacks through the Sinai."

Joint problem statement: "How can we enable Egypt to regain control over its territory, while at the same time guaranteeing Israel's security from attack?"

Untangling Frames Through Reframing

How an issue is framed affects whether a party is even willing to talk about it, much less engage in productive problem solving. When a party frames an issue in a way that is unacceptable to the other party, one or the other will eventually have to figure out a way to reframe the topic in a manner that refrains from attacks, removes reference to a fixed solution, and invites joint problem solving. Reframing offers a number of possibilities:

- Translation from a win-lose or distributional approach to looking for joint gains or an integrative approach that tries to meet all parties' needs:

Win-lose frame (cross-border water dispute): "The river rises in our mountains, and we have a right to use as much water as we need and want."

Integrative reframe: "We need to develop a formula that works in wet and dry years and ensures a fair allocation of water to both nations that share the river."

- Redefining issues in either more general or more specific ways that allow problem solving:

Overly general frame: "We need to discuss your treatment of people from our country."

Reframe (more specific): "We need to discuss how border guards treat people from my country, including delays at crossings and the use of strip searches."

- Adjusting time frames if they are too short or constrained or too long and unlimited:

Time-limited frame: "You promised delivery three weeks ago. The goods must be in our warehouse in three days or the contract is void."

Reframe: “We need to discuss the reasons for delay and consider appropriate actions, including possible compensation or price adjustments, based on late delivery.”

- Translate one-sided frames to address the concerns or interests of multiple parties:

One-sided frame: “The mining company never gives the peasants who live closest to the mine anything for all the disruption that it has caused. We demand that the peasant communities receive 50 percent of all mining profits to compensate for their losses.”

Reframe: “We need to determine appropriate compensation that the company will pay to all parties—the local peasants, their communities and municipalities—that have been adversely affected by mining operations.”

- Remove toxic, adversarial, or judgmental language:

Toxic frame: “These foreign managers are slimy little dictators. They shut the door in our face, never listen to our concerns, and sexually harass the women workers. They have got to go!”

Reframe: “We need to discuss ways to ensure that worker concerns can be addressed on a regular basis and develop rules of conduct in the workplace that apply to everyone. We also need to deal with cultural differences that may be making matters worse.”

WHO ENGAGES IN NEGOTIATIONS, AND HOW?

Another cross-cutting issue in global and intercultural negotiations concerns the people who are involved and the roles they play. This is also an area that displays considerable variation based on cultural norms, as well as the focus and circumstances of the specific negotiation process. Within the same culture, the size, composition, and roles of negotiation teams differ depending on whether the matter at hand is personal or familial, commercial, communal, governmental, or in the realm of international diplomacy.

Individual Negotiators or Teams

There are many possible configurations of negotiators or negotiation teams, including these:

- Individual negotiators, each representing himself or herself
- Individual negotiators, each representing larger entities, such as a community, organization, company, government agency, or national government