



Practising negotiation, persuasion and argumentation in a legal classroom setting.

Outline

- Definition, negotiating behaviour
- Negotiators and preparation (team, issues, priorities, values, settlement)
- Good negotiator
- Case study
- Feedback on case study and Assertive rights

Negotiation is

- ... a process through which two or more parties arrive at a mutually satisfactory solution to a problem or dispute.

(Julian Webb, Caroline Maughan, Mike Maughan, Marcus Keppel-Palmer, and Andrew Boon (2011) Oxford: OUP.)

Negotiating behaviour

- Form of communication where partners (individuals, small and big groups, nations, countries) try to **persuade** each other about rightness of their individual perspectives and/or change the course of negotiating.
- Diplomacy, international politics, business communication, justice etc.
- Rising interest in ethnic and racial conflicts all over the world

Definition of a conflict

- Latin *confligó, conflictum* - *clash*
- Conflict is **a state of discord** caused by the actual or perceived opposition of needs, values and interests between people.
- Is part of everyday life & is **normal**

Difficulties are meant to rouse, not discourage. The human spirit is to grow strong by conflict.



Conflicts and me

1. What does a word **conflict** mean to you?
2. What are your typical conflict situations?

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Conflicts and me

3. What do you feel in a conflict?

4. How do you behave in a conflict situation?

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Conflicts

- Two components:
 - Content (rational)
 - Emotional (irrational)

What do you feel during a conflict?

- **Negative feelings:**
 - Anger
 - Tension
 - Anxiety
 - Fear
 - Regret
 - Sorrow
 - Blame
 - Injustice
 - Aggression
 - Helplessness
- **Positive feelings:**
 - Relaxation
 - Satisfaction
 - Activation of power
 - Own power
 - Enjoyment



Describe your conflict as a Movie:

Title of the movie

- Script:

- Actors.....
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- Roles.....
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- Plot.....
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- Genre.....

What works in conflict:

- Break
- Understanding needs of the other
- Explaining the other my needs
- Summing up the situation
- Agreement, compromise, agree that disagree

How to make decisions

- Don't decide too quickly
- Write down all options
- Write pros and cons of each option
- Compare similar decision from your life experience
- Imagine consequences of your options in the future
- Make decision
- Accept the decision with all the consequences (no if)



Case study.



THANK YOU FOR YOUR ATTENTION