

NEGOTIATION SKILLS AND EFFECTIVE COMMUNICATION

**THE FRAME OF
REFERENCE TO
AVOID CONFLICT
ESCALATION**



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Now that we know the nature of conflict, we need to know how to prevent its escalation in a negotiation, through skills to change the frame of reference, “framing & reframing.” This concept forms part of the pillar of cognitive knowledge for the exchange of information in a negotiation. When it happens, we speak of the possible bias caused by a specific frame of reference and the need to change the frame of reference to avoid the escalation of the conflict and that the negotiation gets off track.

In his book *Getting Past NO* (2007), William Ury proposes a counter-intuitive model based on the dynamics of changing the frame of reference, “framing & reframing” that we summarize here:

Stage 1. Don't react

Your natural reaction is to be on the defensive or to react aggressively to hostile behavior from your counterpart. Don't react and “go to the balcony,” this is a psychological posture in which the negotiator keeps his distance, virtually leaving the interaction to put himself in “third position” and become an observer of his own behavior.

- Don't attack the aggressor.
- Don't give in to your counterpart's demands too quickly.
- Don't abandon the negotiation abruptly.

Stage 2. Disarm them

Don't get caught up in your counterpart's negative emotions, step to their side and disarm them. Let the emotions come to the surface and use your emotional intelligence skills to control them (not suppress them). Some mechanisms are:

- Active listening.
- Recognize his or her point of view without necessarily conceding or recognizing its validity and veracity.
- Identify spaces and points of agreement, however small, to use them as a foundation toward progressing in the negotiation.
- Acknowledge sincerely your respect for your counterpart's authority, sensitivity, and competence.
- Express your own points of view clearly and assertively.

Stage 3. Reframe (Change the frame of reference)

Change the game, don't reject but reorient the frame of reference (reframe) changing the perspective of the negotiation, the positions and interests.

- Formulate open questions and adopt a problem-solving focus.
- Modify the focus on “positions” to a focus on “interests.”
Paraphrase the counterpart's proposal and re-interpret it in less confrontational terms.
- Redirect attacks to the problem, avoiding detours.
- Negotiate about the rules of the negotiation process.

Stage 4. Make it easy to say “yes”

Facing the skepticism and suspicion, involve the other party in the search for solutions.

- Involve your counterpart in the design of an agreement that will include the interests of both parties.
- Satisfy the needs of your counterpart as much as possible, without risking or compromising your own.
- Show empathy for your counterpart’s personal and organizational challenges.
- Help your counterpart preserve his or her image in the organization and help with justifications for the changes in the negotiation.
- “Dress me slowly; I’m in a hurry” (Napoléon). Don’t try to accelerate the process of a complex negotiation until everyone is ready.

Stage 5. Make it hard to say “no.”

If your counterpart feels a loss of power, avoid at all cost that he or she resumes the competitive practices in the negotiation.

- Make your counterpart reflect on the consequences of not reaching an agreement.
- If it’s necessary, resort to his or her BATNA, without resorting to punitive tactics.
- Focus your counterpart on the benefits and the advantages that the agreement will bring to him or her.
- Develop a plan to follow up on the implementation of the agreement (effectiveness).

Let’s concentrate on the skill to develop changes in the frame of reference (framing & reframing) in the context of the counter-intuitive model of Ury, applied to the negotiation process.

First, we need to continue with the original concept of the frame of reference as a way to process and organize information. A frame of reference provides perspective for decision making when facing an issue or problem, based on the relative importance that exists between the data and the facts.

A frame of reference allows us to consider all the potential losses or winnings, as well as the options and alternatives for any situation (The Negotiation Experts).

People can react in radically different ways (in an identical situation) when the perspective or the frame of reference changes.



The result of a negotiation is influenced by the information that we bring, and the words we use, the phrases and the sentences that we express can create different interpretations of the same deal.

We can focus on the opportunities instead of the risks of the negotiation; we can focus on the net earnings instead of the cost of the sale. We can also introduce a frame of reference in a negotiation or we can suggest a change in our frame of reference to our counterpart.

According to R. J. Lewicki, B. Barry, D. M. Saunders (Negotiation, 2006), it is important to consider that frames of reference can change during the negotiation process. At the same time, conflict can appear when the negotiators' frames of reference don't coincide or are misaligned. Finally, the mechanics of a negotiation is influenced by the kind of frame of reference that is used.

We can conclude this section with the recommendations of Bernie Mayer, professor at the Werner Institute for Negotiation of Creighton School of Law, to modify the frame of reference when conflict is imminent or opportunities for value creation start to disappear. First, listen carefully to the original frame of reference; clarify the correct meaning by removing toxic language; then try to change the frame of reference by guiding the conversation toward interests in a balanced way (for both negotiators); and finally redefine the frame of reference in a participative environment.



Listen to the proposed frame of reference, clarifying what it means.



Try to change the frame of reference guiding the conversation towards the interests in a balanced way.



Redefine the frame of reference in a participative environment.

To know if the new proposal is better than the previous one, we need to know the characteristics of a good frame of reference. In order to be effective, the change in the frame of reference should be **interactive**, (a joint effort); **iterative** (redefining as many times as necessary to clarify things); also transparent (no secrets or hidden items, or bad intentions); it should be **strategic** (not referring to trivial issues of the organization but concentrated on key subjects of great importance); finally it is **respectful** (not ignoring the essence of the interested parties).

