Negotiation is a game of strategy. As with most games, making the right strategic choices is sometimes the result of luck, but more often it is the result of the expert movement of the game pieces around the board. Having thus far explored the board, the players, and the stakes in earlier chapters, it is now time to examine the range of possible moves in the game of negotiation—strategies and tactics used in the international arena.

Making moves that will further negotiation goals involves first devising a plan and then choosing tactics to implement it. In the initial stages of the North Korean crisis highlighted in chapter 1, for example, the Clinton administration’s strategy was to force the North Korean leaders to back down, discontinue their nuclear program, and allow inspections. The tactics used by both sides included the following: talk of a preemptive strike and other strong rhetoric, North Korean incursions into the demilitarized zone, missile tests, and the push for negotiations (in different forms) from both sides.

Although it sometimes appears that a particular negotiation outcome was obvious from the beginning, in fact a range of choices is available to each party at any point in a negotiation. This chapter will explore strategic choices, first by representing them through a number of simple games and then by examining the layers of complexity associated with real-world decision making. The chapter concludes with a comparative analysis of the primary strategic approaches to international negotiation and the tactics associated with each approach.
Modeling Strategic Choices

Negotiation models based in game theory illustrate the array of choices one actor has at any given moment, as well as how outcomes are dependent on the choices both or all of the negotiating parties make. Thus, the modeling of strategy and strategic choices is a good way to begin to understand this most critical of negotiation tasks. Because game models presume perfect or full information about the other parties’ preferences (see figures 5.1 and 5.2), they are by nature abstractions and simplifications of the real world, but they do help isolate the most important components of negotiation situations. The chapter begins by presenting simple constructions of available choices and then moves on to include additional factors to bring the models closer to real-world complexity.

Since it is important to develop an understanding of negotiation through game theory in a relatively straightforward way, the examples presented here focus on two main types of negotiation games: simultaneous games, which illustrate the interdependence of each choice on the choices the other players make, and sequential games, which reveal the mounting complexities inherent in action-reaction decision making. The intention is to get at basic mechanisms of choice as a means of explaining strategy.

Simultaneous Games

In all games, the decisions one player makes are affected by the possible decisions others will make. This issue is a very acute problem for decision makers who find themselves in simultaneous-game situations. It is also a problem, as illustrated later, in sequential games as actors move along the limbs of a decision tree, though not to quite the same extent or in quite the same way as in simultaneous games. This is why decision making in simultaneous games is called *interdependent* decision making. When decisions are made in an interdependent setting, high levels of uncertainty exist, and that uncertainty becomes the defining characteristic of the decision-making process during the negotiations. This section focuses on two simultaneous games—the prisoner’s dilemma game and the game of chicken—that have been widely applied to international relations situations.
Prisoner's Dilemma

In the classic story of the prisoner's dilemma, the police arrest two suspects for a crime they are alleged to have committed together. The prisoners are held in separate cells and are unable to communicate with each other. They are then individually presented with an offer by the police detectives who are interrogating them about the crime. If one prisoner turns over evidence and testifies against the other prisoner, then the one providing the testimony will go free and enjoy the full proceeds of the crime. Both prisoners realize, however, that if each remains silent, the prosecutors will not be able to make a case against them, and both will go free. Being thieves in the first place, both also know that their collaborator is not entirely trustworthy. Thus, there is a risk that the other prisoner will be the one to squeal, sending his or her colleague straight to prison.

Figure 5.1 illustrates the choices and respective numerical payoffs associated with each option available to the prisoners. Each prisoner is presented with two choices: remain silent or squeal on the other prisoner. If both prisoners remain silent, they both go free and ultimately split the proceeds from their crime (the payoff of +5 for each). If they both choose to squeal on the other, then both get a prison sentence of two years (represented by the payoff of –2). Each prisoner confronts the possibility that the other prisoner will squeal and produce a five-year prison sentence for the partner (the –5 payoff). Squealing may also yield personal freedom and the ability to lay sole claim to any hidden loot. Faced with this dilemma, the suspects squeal on each other, and both end up in prison for the crime in the classic ending to this story. This is an outcome both suspects could have avoided if they had trusted each other and kept silent. The problem is, however, that each prisoner can see that squealing is the better option, whether the other prisoner squeals or remains silent. In other words, it is the dominant strategy—better for the individual under both possible situations. Herein lies the difficulty: individually dominant strategies lead to worse outcomes—hence the conflict between individual and group rationality.

Many international negotiations, from cross-border environmental problems to disputes over markets and free-trade agreements, have been modeled as prisoner's dilemma situations (Kaul et al. 2003; Barrett 2003; Conybeare 1986; Sandler 1997). With environmental issues, for example, the comparison to the prisoner's dilemma rests in the fact that each country involved in the negotiations wishes to promote global environmental quality—in theory. However, no country entirely trusts the other countries involved in the negotiations or wants to bear the cost of implementing and enforcing environmental regulations within its borders. In addition, as discussed in chapter 4, there may also be powerful domestic groups pushing for the adoption of policy that favors their own commercial interests at the
expense of environmental quality. Thus, even though all have a basic desire for a healthy environment, many do not wish to bear the cost and in effect choose to squeal on the others by polluting. This collective squealing results in a negative outcome for the world community that might have been avoided if the game and its choices were structured differently and if the actors trusted each other to a higher degree. The possibility for cooperation in such instances will be discussed later in this chapter.
Chicken

The drama of the second simultaneous game, chicken, unfolds as follows: late at night, two drivers sit in cars facing each other from a distance of about half a mile. Someone on the side of the road swings a flashlight to signal both drivers to start driving toward one another as fast as they can. As they get closer, each driver hopes the other will swerve off the road and become the chicken in this test of wills. If neither swerves, the cars crash head-on and both drivers are killed in the high-speed collision. But, in a perverse way, a crash shows both drivers as strong willed and as winners. If one of them swerves, that driver is branded the chicken, humiliated in front of the onlookers, and seen as the loser, even though in a very real sense the chicken is the driver who spared the lives of both players in this game of survival, will, and humiliation.

Figure 5.2 lays out the logic of chicken, illustrating the possible choices and payoffs for each driver. The potential for disaster is manifest when both players drive straight, ending in death for both (–30 payoffs for both). Each player is faced with the decision to risk embarrassment and loss of the game, which, if experienced individually, has a negative payoff (–10). Alternatively, a player can choose to risk his or her life (payoff of –30) for the win (payoff of 10). Unlike the players in the prisoner’s dilemma, the players in chicken do not have dominant strategies (those better for the individual under both possible situations), so the outcome is not as predictable. In order to win, both players must calculate how strong willed the other player is and try to push the game one moment beyond where they think the other will take it.

Chicken is often used as a model for negotiations during international crises (Snyder and Deising 1977). Two or more states involved in an international crisis are engaged in a spiraling game of chicken that may escalate to war and ultimately threaten the survival of some or all of the actors. During a crisis, diplomats raise the ante by threatening the use of military force, imposing economic sanctions, and bringing many other tools of statecraft to bear to try to force the other nations to swerve off the chosen road of international affairs that formed the basis of the crisis in the first place.

The classic example of this type of brinkmanship is the 1962 Cuban missile crisis between the United States and the Soviet Union. In the early fall of 1962, when American U-2 spy planes photographed evidence of the installation of Soviet intermediate-range ballistic missiles on the island of Cuba, U.S. decision makers—under the leadership of President John F. Kennedy—engaged in a course of action that ultimately forced the Soviets to withdraw the missiles from the island. Tension between the superpowers was extremely high during this crisis, and Robert Kennedy, the presi-
dent’s brother and the U.S. attorney general at the time, later recalled that "the noose was tightening on all of us, on Americans, on mankind, and that the bridges of escape were crumbling" (1969, 97). In the end, after a series of transglobal negotiations between the White House and the Kremlin, the implementation of a U.S. naval blockade around Cuba, and a pledge by
President Kennedy to remove American missiles from Turkey, the Soviets swerved and agreed to remove their missiles from the island. The eventual resolution required that an additional issue—the U.S. missiles based in Turkey—be put on the table to defuse the crisis and give the Soviet Union an opportunity to save face and avoid the complete-humiliation payoff of the chicken matrix. This is issue linkage, as described in chapter 2.

The North Korean crises might also have been modeled as a chicken game, if they had ever escalated to a point where overt hostilities were imminent. Clearly, if the North Korean nuclear program were at the point where it could deliver a weapon to the south or to Japan or elsewhere, then the stakes of the game would be high enough to approximate the dynamics in chicken. Fortunately for the world, the North Korean case has thus far been mostly diplomatic bluster and a bit of military maneuvering with little overt potential for direct conflict. To follow through with the chicken analogy, the opportunity for the crisis participants to crash into each other has been averted thus far, with either or both sides veering off before catastrophe.

In simultaneous games such as those described here, each side must make choices at the same time as the other. This simultaneous decision-making setting means that an understanding of the preferences held by the other side is extremely important, even if information is difficult to obtain in any kind of definitive way. That is why research, intelligence gathering, and analysis have become such important parts of the negotiation process, as all parties to negotiations work diligently to understand the incentives and disincentives (game payoffs) that negotiating counterparts perceive when they enter the negotiation arena. The problem of understanding an actor’s negotiation preferences in more detail will be covered later in this chapter. Next, the discussion turns to sequential games and the different negotiation dynamics they present.

Sequential Games

If prisoner’s dilemma and chicken represent freeze-frame snapshots of the choices available to negotiators at any particular moment, sequential games illustrate how a series of choices plays out over time. Sequential games model action-reaction processes to reveal the ways international actors react to problems and other stimuli from international affairs. They also demonstrate how those reactions lead to other reactions by even more actors throughout the system.

Traditionally, arms races (Downs, Rocke, and Siverson 1986) and many conflict processes (Brecher and Wilkenfeld 2000; Wilkenfeld 1991) have been modeled in this way. Arms races, for instance, usually begin when one country feels threatened by the actions or military might of another
country. The threatened country decides to buy or build new weapons to increase its own sense of security. But as this country becomes more secure through a weapons buildup, the country that provided the initial threat will likely begin to feel less secure and in turn will want to build up its armed forces. So as both sides respond to the military threats their counterpart poses, neither side becomes more secure over the long term, and both sides engage in a conflict spiral. The 1998 detonations of nuclear weapons first by India and then by Pakistan reflect the rejuvenation of a spiral that had long been dormant. This arms-race cycle has traditionally been termed a *security dilemma*. Negotiation can play a part in changing the dynamics of an escalating process as both sides seek to reduce tensions—and expenditures on weapons—through negotiating limits to weapons buildups or reductions in weapons stockpiles. SALT and START between the United States and the Soviet Union during the Cold War resulted from their joint understanding of the folly of this spiraling arms race.

Sequential choices can be graphically depicted in a decision tree that lays out the options available to negotiators on both sides of the bargaining table at particular points in time. Figure 5.3 depicts a decision tree that models very simply the choices available to the United States and its allies versus North Korean decision makers during the series of nuclear crises starting in the 1990s and enduring until the present day. Clearly, it is not possible to present all the available options and decision points in the process, but this figure shows how a choice made at the first decision-mak-

---

**Figure 5.3 Possible North Korean Nuclear Crisis Decision Tree**

![Decision Tree Diagram](image)
This decision tree displays at time T1 the choices that the North Korean leaders faced in the early 1990s: continue to pursue the nuclear weapons program or discontinue it under Western pressure. As the tree shows, if they had chosen to stop the program at that decision point, the crisis would have terminated at the end of T1. As detailed in chapter 1, however, North Korea chose to continue its program and presented American and other Western countries with two basic choices at T2: to stand firm that the North Koreans should abandon their nuclear desires and allow international inspections or to back down and allow North Korea to develop an independent nuclear arsenal in a strategically important region of the world. Repeatedly, the stand-firm approach was chosen, leaving North Korea with (at least) the three possible outcomes listed on the top tree branches at T3. The exact outcome at T3 or T4 has not yet been determined, and negotiations continue toward the resolution of the crisis, with the United States standing firm on inspections and verification and the North Koreans continuing their occasionally threatening behavior. More than likely, when all the negotiations are finished on this issue, a choice not laid out in figure 5.3 will be adopted as the final outcome.

From the standpoint of negotiation strategy, decision-tree mapping of the options available to the negotiators provides a way to understand the progression of choices that might emerge from an initial decision. This type of strategic decision making can be done by evaluating a decision tree in the reverse direction. This method has been described as the "look ahead and reason back" approach to strategy in sequential games (Dixit and Nalebuff 1991, 34). In the context of the decision tree in figure 5.3 and the hypothetical options it displays, the negotiator must first look at the possible outcomes at T3 and T4 and rank those outcomes from best to worst. During the North Korean crises, American decision makers—and probably most others on the UN Security Council—would have ranked the options producing an end to the crisis in T3 as the most favorable to American and UN interests. Those outcomes are, in rank order of preference:

1. North Korea backs down.
2. North Korea allows limited IAEA inspections.

The third option in the top half of the decision tree at T3 (North Korea stands firm) is a less desirable outcome. Nonetheless, when looking at the set of possible outcomes in T3 and T4, the choices for the United States at T2 prompt the United States to choose the upper option, as it has a greater likelihood of producing a desirable solution to the series of crises. If the
lower option (U.S. and others back down) is selected, the crisis is more likely to persist, and a variety of undesirable outcomes is possible.

For the North Koreans, the desirable options would likely push their decision makers in opposite directions from the U.S. choices. As each side examines the potential outcomes and their preferences, negotiators try to make choices that push the other side in the direction of their own preferences. At T1, North Korea chooses to continue its nuclear program because that choice at least gives it some chance of winning the crisis. At T2, however, the United States chooses to stand firm on inspections, as this moves it toward choices that are less likely to benefit North Korea and more likely to produce acceptable outcomes for the United States and its coalition partners. Thus, by looking ahead to the set of possible endings to the negotiation episode, negotiators are able to make informed “backward looking” choices and adopt bargaining strategies that have the greatest likelihood of providing an optimal outcome for them.

As a result, it is necessary to gain enough information (or intelligence) about the preferences of one’s counterpart to be able to predict with a fair degree of accuracy what choice that opponent will make when faced with the options at any point on the tree. Both simultaneous and sequential games allow for the analysis of negotiation strategies. Figuring out how to resolve the game in a way favorable for one’s side depends on how well each side is able to manage the degree of uncertainty that exists during the playing of the game. The following section presents an examination of the strategies negotiation actors can adopt to manage uncertainty.

Weighing Strategic Choices

A variety of factors exert an impact on an actor’s choice when weighing the relative merits of a particular course of action during a negotiation. These factors include (1) how the actor defines the interests he or she represents; (2) the complexities of the negotiation situation and the ways it influences other relationships; and (3) the degree to which these complexities are linked to one another in ways that either provide opportunities to cooperate or sow the seeds of conflict.

Defining Interests

At the heart of all the games described earlier is the assumption that individuals act in accordance with their own rational interests. An actor is expected to make decisions based on what are perceived to be the best choices vis-à-vis needs for welfare, satisfaction, security, and other key values. To act otherwise would be irrational and run counter to many tradi-
tional conceptions of human behavior. To put this point in the context of
this book, negotiators and policy makers are assumed to make decisions
on the basis of the interests and values held by their constituents, whether
those interests are based in the nation-state or in the membership of some
nonstate entity, such as Greenpeace. Making this assumption about the
relationship between rationality and interests provides social scientists
with a way of understanding the logic of choice.

It is common in social science to utilize a rough dichotomy when con-
ceptualizing interests: a narrow view of national (or actor) interest and a
broader, or enlightened, view of national interest (Bobrow and Boyer 2005;
Lumsdaine 1993). A narrow definition of interest usually occurs when deci-
sion makers and negotiators are most concerned with how a particular sit-
uation affects political and economic forces at home. For example, at the
1992 Rio Earth Summit, President Bush declined to sign the biodiversity
and global warming pacts developed at that meeting. His decision was
based on the impact that these two accords were expected to have on American
domestic business interests; in other words, the Bush administration
was concerned primarily about the costs American companies would have
to bear in the form of pollution control and abatement, as well as other envi-
ronment-friendly practices, to abide by the agreements. This decision not to
sign, while rational from a domestic point of view, was very unpopular in
the international community. It was a strong blow against international
efforts to act on collective interests regarding global environmental quality.
Similar reasoning underlies the continued reluctance of many developed
countries to pursue the Kyoto restrictions actively, as they may hurt their
countries’ ability to compete commercially.

To return to the prisoner’s dilemma game, it is usually argued that con-
ceptions of narrow interests explain why the equilibrium—or natural—out-
comes in the game are negative or suboptimal ones (prison for both suspects
in the prisoner’s dilemma). In the traditional conceptions of the games, both
players are out to safeguard their own narrow interests and thus make their
decisions based on individual calculations. But if those interests are some-
how transformed from narrow ones to broader ones, then greater opportu-
nity for mutual benefit and positive outcomes becomes possible. This means
ending up in the upper-left-hand cell of the game, as displayed in figure 5.1.
In the prisoner’s dilemma, both would escape punishment for the crime.
(The box provides a contemporary example of these kinds of choices, with
their associated risks and potential payoffs.)

A number of forces prompt the development of broader conceptions of
interest among negotiation actors. Some of these factors depend on the ways
actors identify with others involved in the same games. For instance, it is
easy to imagine that members of an alliance that has endured over many
years will be able to define collective interests far more easily than will
A Kyoto Dilemma: An Economics-Environment Tradeoff?

It is commonplace for environmental politics and negotiations, specifically, to be placed within a prisoner’s dilemma framework. In most global environmental negotiations, decision makers are faced with the choice of pursuing policies that maximize their countries’ short-term economic self-interest versus policies that will help improve the global environment over the longer term. In the short term, states must absorb the economic costs of environmentally friendly policies (such as restrictions on CO2 emissions from fossil fuel consumption) while they are trying to compete with other countries for markets and other economic opportunities. This is the dilemma facing most countries as they consider the implications of the Kyoto Protocol. Why should one country impose restrictions on CO2 emissions if others might not? Wouldn’t such a choice put that country at a disadvantage economically? Certainly, the decision by the Bush administration not to submit the protocol to the Senate for approval is based largely on this set of choices.

The basic choices and possible outcomes of this prisoner’s dilemma-type quandary are as follows. We use the United States as the primary “prisoner” because it has played the most central “defection” roles in recent years on Kyoto (see the payoffs and matrix references in figure 5.1).

- Sucker payoff for the United States (the –5 payoff value): the United States decides to abide by Kyoto and few others do so; thus, the United States is left in a noncompetitive position internationally by having to absorb higher energy and production costs for nonfossil fuel reliance.
- Sucker payoff for the other countries (like the EU in recent statements) (the –5 payoff value): the EU decides to abide by Kyoto, the United States does not; the EU is left at a competitive disadvantage economically.
- Temptation payoff for the United States (the +10 payoff value): the United States sees the chance to pursue economic gains by pulling out of Kyoto while others stay within Kyoto.
- Temptation payoff for the other countries (the +10 payoff value): the EU and others see a chance for short-term economic gain and pull out of Kyoto.
- Optimal outcome (upper-left-hand cell): the United States and others abide by Kyoto; all compete economically on a similar footing, and gains are made on the global warming front.
newer groups of countries that have not had similar long-term relationships. At recent meetings of the Group of 8 (G-8), it became apparent that the expansion of the old G-7 to include postcommunist Russia had created some problems in group unity and purpose. The original seven members—Canada, France, Germany, Italy, Japan, the United Kingdom, and the United States—have benefitted over time from a significant degree of group cohesion derived from their common identification as the largest industrialized powers in the world and their acceptance of the norms of democratic capitalism. These commonalities resulted in shared interpretations of international events, which led to shared visions of an international agenda and the policy choices required to fulfill that agenda (Boyer 1999).

The common bonds were at no time more obvious than after Russia was admitted to the club. The lack of acceptance of the new member was evidenced at the first G-7 (now G-8) meeting that Russia attended in June 1997.

The Moves

- Suboptimal equilibrium outcome (lower-right-hand cell): the United States and others all decide to pull out of Kyoto; they can then compete on a similar economic footing, but environmental quality suffers now and into the future.

It is interesting to note that, for the moment, the world seems to have landed in a policy situation where the United States is getting the temptation payoff and others may be getting the sucker payoff. This situation could develop if the European Union, Russia, and others ultimately decide to abide by Kyoto, even if the United States and others refuse. In fact, large industrializing and developing countries, such as China and India, have also refused to take part in Kyoto.

Recently, however, the EU agreed to support Russian entry into the World Trade Organization if Russia would ratify the Kyoto global warming protocol. European Union support was considered the last major hurdle to WTO membership and signals a possibility that Kyoto might be implemented as well. As Russian president Vladimir Putin put it, “The EU has met us halfway in talks over the WTO and that cannot but affect positively our position on the Kyoto protocol. We will speed up Russia’s movement toward the Kyoto protocol’s ratification” (“EU Backs Russia’s WTO Membership,” 5/21/04, cnn.com).

In this way, then, the EU is linking economic incentives for Russia with environmental issues in a creative, possibly positive-sum, way. Whether this will force the United States and other large CO2 producers to reconsider its views on Kyoto or not is yet to be determined.
in Denver, Colorado. These summits had traditionally been viewed as forums for consultation on macroeconomic policies. The modus operandi had to be changed, however, when Russia’s presence demanded that the membership now deal squarely with the problems of transitional market economies. This has continued to be a difficult issue for the group discussions, but it may have also helped ease Russia into greater standing in the international community than it might have had without inclusion in the G-8 meetings. As a result, some would argue that inclusion of Russia yields a positive benefit of “socializing” the newly noncommunist country and its leaders into the ways of Western collaboration.

Broad conceptions of interest have also been positively influenced by the creation of international institutions and the development of international norms that govern behavior in some issue areas, as discussed in more detail in chapter 3. The identification of collective interest in relation to nuclear non-proliferation is one such example. The norms and procedures developed since the 1968 signing of the Nuclear Non-Proliferation Treaty show evidence that narrow national conceptions of interest have increasingly become subordinate—for most states—to the desire to safeguard humankind from the proliferation of weapons of mass destruction. The international outcry in response to India’s testing of four nuclear weapons in May 1998—and Pakistan’s subsequent detonation of five—demonstrates the degree to which international sentiment has turned against the national right to possess such weapons. There is, of course, still a great deal of tension between the narrow and broad interests in this case and others like it. The continued furor over North Korean nuclear efforts is a case in point. Many leaders, including those in Pakistan and North Korea, still argue stridently for national interpretations of defense, prosperity, and other key values, but no one can deny that interdependence has grown in the international system over the last century and, with it, so have institutions for collective problem solving.

Finally, the determination of narrow or broad interests can also be influenced by the time frame that is considered to be important to decision makers and negotiators. Distinctions between short-term and long-term perspectives are constant factors in international environmental negotiations (e.g., Rio in 1992 and Kyoto in 1997 and since). Put simply, short-term interests lead decision makers to pursue agreements that address the immediate economic impact environmental restrictions would have on commercial interests. The comments by American business groups, cited in chapter 4, regarding the impact of the Kyoto Protocol on global warming are a case in point. Because many environmental issues do not have direct contemporary effects and because they will become an observable problem only in the future, it is difficult for negotiators to trade their immediate interests for others that are far more abstract. There is a broad, long-term interest in stemming the tide of global warming and the cli-
matic effects it will have, but it is difficult to take this view at the expense of profits and jobs for domestic firms and workers in the shorter term.

**Factoring in Complexities**

The logic of decision making, as conveyed through game theory, helps illustrate the interdependence of decisions in the negotiation arena. In addition, a number of characteristics or variables at work in a negotiation situation can play out in ways that complicate the negotiations. The following factors—some of which were introduced in the negotiation checklist in chapter 2—complicate negotiations and impact their success. Negotiation or bargaining environments become more complex under these conditions:

- Actors and issues are added to the negotiations, or coalitions form.
- Additional issues are linked to an original issue.
- There is a lack of domestic or constituent consensus about the negotiation goals and/or approach.
- The negotiators themselves do not have decision-making latitude but must check back with superiors throughout the negotiations.
- The goals and preferences of the negotiation team change during the negotiations due to domestic or international pressure.
- Negotiations involve a mixture of conflictual and cooperative motives or goals.
- Information about other parties’ goals and preferences is lacking.
- The situation is perceived as a crisis, thereby increasing the pressure on negotiators.

These factors of complexity illustrate that even when negotiation goals are clearly articulated—and this is not always the case for international actors—a number of forces can thwart their realization. To assume that actor interests are ordered, stable, and prioritized is often unrealistic. The two-level game shows that domestic political factors can heavily impact the international negotiation process. The game of chicken shows that actors are also at times confronted with high levels of uncertainty about what choices their negotiation counterparts will make. Interdependent decision making implies that the decisions negotiation actors make are intertwined with each other, but it also means that change by one party makes decisions for others more difficult and outcomes more indeterminate.

**Accounting for Long-Term Relationships**

Any single negotiation dialogue takes place within the context of the larger relationship between the actors involved. This is part of what we
called in chapter 2 the legacy of negotiations. This connection can be useful in a strategic context when negotiators are having trouble seeing ways to resolve conflicting interests at the negotiation table. Negotiators can get a sense of the bigger picture by adding issues (and even actors) from another common negotiation arena to the one in progress (Kremenyuk 2002; Sebenius 1984) and by considering the longer-term impact of current decisions (Axelrod 1984).

A historical example of the addition of issues can be found in what were called the offset agreements reached by the United States and West Germany during the 1960s over military basing rights. While the United States was providing the dominant share of alliance defense in Europe, West Germany agreed to make offset payments to the United States to help defray the cost of the stationing and maintenance of American forces on German soil. In game theory terms, these are often referred to as side payments. In this way, the American and German negotiators agreed to link the issue of defense of the European central front directly with financial issues. Even though Defense Department officials had been willing to bear the military burden, members of Congress were not as willing, so continuation of the U.S. security role in the region was at least partly sustained by linking defense with finance. Put simply, the Germans made payments so that members of Congress would not put up as much of a fuss over the deployment of American forces in Germany during the Cold War.

In game theory, awareness of the impact of repeated play has been called the “shadow of the future” (Axelrod and Keohane 1986, 232–234). Much work has been done on the degree to which negotiators’ expectations about future dealings with their counterparts will influence negotiation behavior (Oye 1986). Findings suggest that where the expectation of repeated play is high, the likelihood of cooperative moves becomes greater.

The various rounds of trade negotiations under the General Agreement on Tariffs and Trade (GATT)—established after World War II—provide an example of this dynamic. The GATT rounds progressively led to lower tariff barriers to international trade and were based on reciprocity on the part of the countries participating in the negotiations. The success in those negotiations is striking, with tariff barriers to trade reduced from an average of 57 percent in 1947 to an average of about 7 percent in the 1990s (Spero and Hart 2003). This long-term commitment to free trade on the part of GATT participants ultimately pushed the negotiators to create the World Trade Organization (WTO), which superseded GATT on January 1, 1995, as the primary international institution charged with monitoring and promoting free-trade practices around the globe.

**KEY TERM**

**Reciprocity** The practice of countries making in-kind concessions to each other.
Awareness of this larger long-term relationship, however, can also produce an element of fear. Axelrod (1984, 127) calls this the impact of “tit-for-tat strategies.” Again, in the game theory context, the threat that a negotiating partner might reciprocate a squeal payoff sometime in the future provides a negative incentive for such zero-sum strategizing. This can bolster the search for cooperative outcomes on the part of all involved.

Implementing Strategy

The exploration of why decision making and strategy in the negotiation arena are so complex leads to the question of what it means to win in international negotiation. Most situations lend themselves either to zero-sum or non-zero-sum calculations of interest. Where collective interests are clear—for example, in regard to many environmental problems—the game is usually seen as non-zero-sum. Conversely, where military security is involved, the inclination is toward zero-sum interpretations. This leads negotiators to think, “I won’t win here unless you lose.” But as discussed previously, even some military-security situations are in reality non-zero-sum because of the problems identified in the security dilemma. As one actor builds arms, it produces short-term security for itself, short-term insecurity for its counterpart, and possibly long-term insecurity for all. In other words, since both parties ultimately lose, the arms buildup creates only the illusion of an “I win, you lose” outcome.

It is important to understand what kind of strategic approach makes sense in a negotiation situation. The concept of the zone of agreement helps with this process (Raiffa 1982). As figure 5.4 depicts, each party to a negotiation starts with a minimum position. Visualizing this position in monetary terms shows how convergence becomes possible during the course of a dialogue (Raiffa 1982, 48). The car-lot transaction is a commonly used example. The seller opens with a price of $7,000 (S1), while the buyer opens with an offer of $2,500 (B1). They then trade concessions and make second offers of $5,000 and $3,500. Their final offers to one another are $4,500 (S3) and $4,000 (B3). Not surprisingly, when they are this close to making a deal, they decide to split the difference and close the deal at $4,250. It is important to note, however, that there is a zone of agreement only if the lowest price the seller will accept (his reservation price) is less than the highest price the buyer will pay (her reservation price).

But if this notion is converted to the world of international negotiation—
where the currency is national interests, however they are defined—finding any clear zone of agreement can be difficult. This is particularly true when actor preferences along a negotiation continuum, such as that displayed in figure 5.4, are intensely held. That is, while it might seem obvious that the rational solution is to split the difference between initial bargaining positions—such as those depicted by $S_1$ and $B_1$—one or both actors may be strongly wedded to the initial positions and not wish to move much from them. In such cases, where it is difficult for negotiators to identify common interests or a possibility of movement, there may be no zone of agreement. Negotiators will then tend to adopt a more competitive negotiation strategy, pursued through various “hard” negotiating tactics.

If there are common interests or a possibility of movement away from initial positions, or if there is a will to try to find—or create—a zone of agreement through the use of linkage or a broadening of conceptions of interests, negotiators will engage in collaborative negotiation, using interest-based bargaining techniques. This section is structured around the basic dichotomy between competitive and collaborative approaches to negotiation, including various examples of each.

It should be noted that underlying the discussion is an examination of the use of power by negotiators. As discussed in chapter 2, the successful use of power to achieve goals depends on the situation, the relative balance of
capabilities between the involved actors, and changes in the structure of the international system itself. Power, after all, is situational, multidimensional, relative, and dynamic, and, as a result, negotiators must gauge how and when to use their power in overt and covert ways. Power tactics are generally used overtly in competitive situations and used covertly in collaborative ones. In collaborative situations, however, power is used more to persuade than to coerce a negotiation counterpart into an agreement.

**Competitive Negotiation**

Although it would be a cheerier world if only positive incentives (or “carrots”) were needed to induce cooperation and agreement, it is clear that negotiations often take a negative turn and a variety of sticks—lethal and otherwise—are used to achieve desired goals. As realists have often reminded us in the political science literature, it is naive to assume that everyone will play by the rules of the game. Similarly, it can be foolish to believe that all actors are persuaded by the notion of collective interests. It is often determined, therefore, that the rational approach to an international negotiation situation is a competitive one. Positional bargaining and adversarial and coercive diplomacy are all examples of competitive strategy in negotiation situations.

**Positional Bargaining**

As mentioned earlier, sometimes a negotiator represents an international actor that has identified only one desirable outcome to a situation and, as a result, puts that outcome forward and refuses to move away from it. For example, in the zone of agreement case, what if the seller did not back away from his opening position and said instead, “I’ll only accept $7,000 for the car”? In international negotiations, it may be the case that the negotiator’s domestic constituents will accept only that outcome, or it may be that legal or other constraints rule out other agreements. During the 1962 Cuban missile crisis, President Kennedy reasoned that a zero-tolerance stand—no Soviet missiles in Cuba—was the only stand that would allow him to keep the White House in the 1964 election. Given the vehemence of American anticommunism during the 1950s and 1960s, any concession that the U.S. public and Kennedy’s political opponents might perceive as soft on communism would have been political suicide. As a result, hard positional bargaining

**KEY TERM**

**Positional Bargaining**

Negotiating stance where an actor identifies only one desirable outcome and refuses to move away from it or consider any other options.
was the only real option available to the president regarding the missile deployment. Although Kennedy did find ways to introduce flexibility into the negotiations, he never backed down from his bottom-line demand: the missiles had to go.

Adversarial Diplomacy

Adversarial diplomacy occurs when the interests of two or more countries clash, but there is little or no chance of armed conflict. Negotiations over economic issues—market shares, methods for dealing with trade imbalances—and, more recently, negotiations over intellectual property rights (e.g., CDs and software) have produced the most prominent examples of adversarial diplomacy in recent years.

During much of the 1990s, for example, the United States and Japan were at odds over America’s efforts to penetrate Japan’s domestic economic market. The dispute became particularly tense in June 1996 during a series of negotiations over U.S. access to the Japanese automobile market. Ultimately, the Clinton administration threatened the imposition of a 100 percent import surcharge on Japanese luxury cars. On the brink of this potentially devastating blow to some key manufacturers (which actually had operations in both countries), the two sides relented and returned to the negotiation table. Cowed by the degree to which their automobile sectors had become interdependent and aware that their larger cooperative relationship in the world was at stake, both parties quickly accepted a face-saving agreement.

The practice of adversarial diplomacy often involves significant threats of sanctions, such as those the United States utilized in the automobile case. Other tactics or tools associated with this form of diplomacy range from imposing strict deadlines on negotiations to threatening the cessation of diplomatic contact. There is a continuum of such tactics, ranging from symbolic measures aimed at the arena of public opinion to those more activist in nature, where threats are actually translated into concrete actions. These tactics can include the actual imposing of economic and political sanctions or the pulling of an ambassador from a foreign capital.

Coercive Diplomacy

Despite the end of the Cold War, the use of military force in the international system is still common. Instability in Asia in the wake of the
Indian and Pakistani nuclear detonations of 1998 and North Korea’s continuing threats, problems of terrorism and its impact around the world, ethnopolitical strife in Africa, and conflict in Europe over postcommunist state-building efforts all point to the continued existence of a nonpacific world in the current unipolar international system. It is clear that many international actors continue to view military force as a primary way of achieving their goals in contemporary international affairs. Thus, the threat of military force—and its ultimate use, if deemed necessary—remains a requisite tool of international affairs (see, for instance, discussions by Haass 1997; George 1997; E. Cohen 1997). Clearly, the actions taken by the United States and a small group of supporting countries in both Iraq and Afghanistan are testimony to the perception that military force is still a viable tool for achieving desirable diplomatic results. Later discussion focuses on understanding how force can be used as a tool at the negotiation table.

A good example of coercive diplomacy is the North Korea case referred to throughout this book. During the recurrent crises, the atmosphere was extremely hostile, and the threat of military force was overt on the parts of both the Americans and the North Koreans. Whether through missile testing or incursions into the demilitarized zone that divides North and South Korea, the North Korea regime showed ample evidence that it believed military force can be used effectively to achieve its foreign policy goals. From the American side, too, military commitments made to allies in the region (especially South Korea and Japan) and the continued presence of American forces were strong symbols of the U.S. commitment to what it viewed as a favorable outcome to the crises and their underlying issues.

But the use of military force or its threatened use can also have a more subtle impact on negotiations. At the 1945 Potsdam Conference attended by U.S. president Harry S. Truman, Soviet premier Josef Stalin, and British prime minister Winston Churchill, Truman mentioned to Stalin that the United States had just developed a new weapon of mass destruction: the first atomic bomb. Though the bomb was used only against Japanese forces in the Pacific, the mention of its development to Stalin was also a signal of U.S. power and political desires for the postwar period. In this way, the bomb was meant to keep the Soviets in their place, particularly as the victorious powers wrangled over the postwar European political landscape. It also gave birth to the U.S.-Soviet nuclear arms race that would define East-West relations for the next forty-five years.
Collaborative Negotiation

When negotiators are able to identify common interests and use them as the basis for a dialogue, the approach is described as collaborative negotiation or problem solving. The strategy is to emphasize common ground while downplaying areas of contention. To a great extent, this approach necessitates a willful change of the character of the negotiation game. The anarchic nature of the international system has traditionally lent itself to relative gains or “beggar thy neighbor” outlooks. This is why a competitive stance in the negotiation arena is more natural to nation-states in particular. Nonetheless, collaboration does frequently emerge, especially among actors exhibiting high levels of interdependence and some sense of long-term, collective interest.

Changing the game so that the focus is on broad rather than narrow conceptions of interest and directing it toward mutually acceptable negotiation outcomes rather than clear-cut victories involves the enhancement of communication between the parties and the construction of trusting relationships. As Winston Churchill once remarked, “To jaw-jaw is always better than to war-war” (as quoted in Freeman 1997b). Churchill was alluding to the need to keep the lines of communication open between opposing parties—a crucial part of the negotiation process.

Effective communication is particularly important during crisis negotiations. This was evidenced after the Cuban missile crisis by the superpowers’ creation of a hot line. Frightened by the communication mishaps that characterized the crisis at critical junctures, the White House and the Kremlin signed the hot-line agreement of 1963 to ensure a permanent link between them. Often depicted in films as a red phone (although originally merely a Teletype machine), it boosted confidence in Washington and Moscow about the reduced possibility of deadly misunderstandings by allowing direct intercontinental communication between the leaders of each superpower.

Interest-based bargaining, informal track-two diplomatic approaches, and the injection of new insights through mediation provide three alternatives to the tools of the competitive negotiator.

Interest-Based Bargaining

When one conjures up images of negotiators, it is easy to think of them as being soft or hard in their approaches. For example, U.S. president Franklin Roosevelt has often been characterized as being too soft a negotiator at the Yalta Conference in 1945. His conciliatory approach to negotiating with Soviet premier Josef Stalin is commonly construed as one of the reasons why the Soviets were able to consolidate power in Eastern Europe after World War II and establish a political-military hold on the region until 1989. By contrast, the hard stance of George H. W. Bush in refusing to back down and
allow Saddam Hussein a face-saving retreat after his ill-conceived 1990 invasion of Kuwait effectively closed off the negotiation channel in that case. Although the United States was triumphant on the battlefield, critics of the Bush strategy lamented the loss of civilian life on the Iraqi side and argued that negotiations with the Iraqi leader should have been given more of a chance. Very similar criticisms were heard regarding George W. Bush’s approach to Saddam and Iraq, especially as the toll of human lives mounted during 2004.

In the well-known book *Getting to Yes* (1991), Roger Fisher and William Ury of the Harvard Negotiation Project argue that neither soft nor hard negotiating positions are likely to produce good outcomes. They call their take on interest-based bargaining “principled negotiation” and argue that the focus must be taken off of positional negotiating and put instead on efforts to find areas of common interest among the actors.

To move beyond the problems of positional bargaining, Fisher and Ury suggest four specific moves:

- Separate the people from the problem.
- Focus on interests, not positions.
- Invent options for mutual gain.
- Insist on using objective criteria to judge the merits of possible solutions.

These are all measures that can be used to build trust among negotiation adversaries and boost their confidence in the negotiation process.

The idea of separating the people from the problem suggests that negative emotions and perceptions of the “other” (see chapter 3) be removed from the negotiation table to the greatest extent possible. Instead of looking at one’s counterparts as enemies, it is better to perceive them as mere representatives of interests—maybe even interests that do not oppose your own. By getting to know one’s counterparts on a personal level, an understanding of those interests and the needs underlying them becomes possible. Indeed, the centerpiece of principled negotiation is a focus on interests and needs rather than on positions. An excellent real-world example of this approach is the Israeli-Egyptian negotiations over the Sinai Peninsula. The positions of the two states were diametrically opposed—Israel insisting on keeping the territory it had won in the 1967 Six-Day War and Egypt demanding the territory’s return. Progress was achieved during the Camp David negotiations in 1978 only when the American mediator, President Jimmy Carter, got the negotiating teams to focus on underlying interests.
Ultimately, it was determined that Israel’s need was for security in the form of a buffer zone, while Egypt’s need was to reassert its sovereignty, for the benefit of domestic and regional concerns, by regaining lost territory. Framing the problem in this way allowed an eventual solution to present itself. Ultimately, it was clear that the needs of both sides could be met by making the Sinai a totally demilitarized zone, under the control of Egypt but closely monitored by the UN.

The idea of the demilitarized zone is an excellent example of what Fisher and Ury call an “option invented for mutual gain” (1991, 56). Brainstorming about the needs and interests of both sides and the nature of the problem itself allowed the negotiators to find ways to harmonize their interests, despite their seemingly total divergence. This solution allowed both sides to achieve their goals, while still saving face in regard to the compromise they had made.

Finally, demilitarization in this case represented an objective standard or criterion—from the security lexicon—upon which agreement could be based. Although such standards cannot be found for all areas of international negotiation, in many cases they can be found and used. In the human rights arena, the twin covenants on civil/political and economic/social rights fulfill this need. In the environmental arena, scientific judgments and definitions, as well as international laws and legal traditions, provide guidelines for states seeking fair solutions to international disputes.

**Track-Two Diplomacy**

One of the most innovative methods for building trust among negotiators is the growing use of track-two, or unofficial, diplomacy in a variety of international conflict settings (Davies and Kaufman 2002). This type of negotiation usually involves nontraditional diplomats and nontraditional settings. The strength of the track-two approach on conflict resolution is based on the idea that informal negotiations allow the parties “to come together more easily to explore mutual fears, grievances and demands” (Rasmussen 1997, 44). Track-two diplomacy also provides the opportunity for tentative negotiation offers to be floated, policy linkages to be explored, and other barriers to successful negotiations to be broached in ways that formal negotiations might preclude. A variety of actors can participate in these informal negotiations as well. Examples range from third parties, such as scientists exploring hypothetical issues and engaging in dialogues about them, to networks of low-level officials from conflicting parties whose participation in negotiations is much less controversial than that of their national political leaders. The so-called Oslo negotiations between the Israelis and the Palestinians in the early 1990s quickly became a classic example of track-two diplomacy and are discussed in detail in the accompanying box.
The Moves

Track-Two Diplomacy: The Oslo Agreement

One of the most notable recent successes of the track-two approach was the breakthrough in Israeli-Palestinian negotiations from 1992 to 1993. As has so often been the case in the protracted Israeli-Palestinian conflict, the momentum in the peace process by the end of the 1990-1991 Persian Gulf War had given way to stalemate by late 1992. Through the intervention of Norwegian diplomats, however, the talks were jump-started in September of that year. The mediation of Norway’s foreign minister, Johan Jørgen Holst, facilitated this approach. The track-two talks, held near Oslo, created opportunities for close relationships to develop between Israeli and Palestinian representatives in these secret, unofficial negotiations. The atmosphere was deliberately kept intimate in an effort to increase the chances for a breakthrough. Israelis and Palestinians “shared plates of Norwegian salmon and wandered together in nearby woods” (Fedarko 1993, 51). The model developed by the Norwegians represented a stark contrast to the traditional one then being applied in the U.S.-sponsored Madrid negotiations.

It was within this informal environment that the details of a peace agreement between the two parties were examined and finalized. After the process became public, videotape even showed negotiators from both sides lightheartedly playing with Holst’s toddler son during some of the sessions. From this relaxed environment, agreements emerged that accomplished the following:

- Israel recognized the PLO as “the representative of the Palestinian people.”
- The PLO denounced violence and recognized Israel’s right to exist.
- Both sides agreed to a five-year plan, to culminate in 1998 with the creation of Palestinian self-rule in the West Bank and Gaza.

Although the assassination of Israeli prime minister Yitzhak Rabin in October 1995 and the subsequent election of a series of more conservative prime ministers has sidetracked progress toward completely fulfilling these agreements, the achievements of this track-two approach are nonetheless striking in the context of the long-term hatred and distrust that have characterized the conflict for nearly fifty years. It is worth noting, however, that the 2003 Roadmap for Peace is based on many of the same tenets of Oslo and is at least partly the result of continuing two-track processes that persist in the region, even if at lower levels of attention than during the workup to Oslo.
Other examples of confidence-building measures and informal diplomacy have also had notable effects on the reduction of tensions among negotiating parties and have helped to move talks from stalemate to agreement. Confidence-building measures were employed for years during the Cold War as ways of reducing superpower tensions in Europe. Both sides made a habit of informing the other of military exercises and would often use only blanks in weapons during such exercises. Moreover, military officers were routinely exchanged as ways of personalizing the forces of the other side in an effort to pull the countries away from the faceless stereotypes and xenophobia that at times cause international tensions to flare.

Mediation

A last option under the heading of collaborative approaches is the use of mediation to help negotiators find a zone of agreement. This form of third-party intervention (as discussed in chapter 2) often succeeds when a negotiation has reached a point of deadlock. An outside perspective or “new blood” may be needed to find ways to resolve the conflict of the moment (Princen 1992). In this vein, mediation is undertaken at a point during the negotiation when the parties desire some form of progress but find it beyond their capabilities to create that progress or to make it occur within the necessary time frame. Along these lines, UN secretary general Kofi Annan argues for the value of mediation as follows, “The process of negotiations is not a football match; it is not a question of keeping score of goals or winners and losers. Rather, we [try] to accommodate the expressed concerns of both sides, so as to create a win-win situation” (“Annan Announces Cyprus Plan,” 3/31/04, cnn.com).

To achieve success in deadlocked negotiations, mediators have a number of tactics at their disposal. These mediation tactics can be divided into three broad categories: communication, formulation, and manipulation (Bercovitch 1997, 137–38). Communication strategies, or what Wilkenfeld et al. (2005) call facilitative mediation, deal with the perception that all parties to the negotiation are able to speak freely and be heard by the other parties. Thus, a mediator will need to build trust among the actors to reestablish a working relationship among parties that may have become hostile and unwilling to talk. Moreover, a mediator must also create a forum for the discussion of new and innovative ideas regarding

**KEY TERM**

Mediation An outside perspective brought in to help find ways to resolve a deadlocked conflict when parties desire progress but cannot resolve issues themselves
the problems at hand. The role of President Carter in the Camp David negotiations discussed earlier is a good example of how a mediator can facilitate communication and the exploration of new options for conflict resolution.

A mediator can also shape the process and substance or the formulation of the negotiation. This is done by encouraging the parties to deal with simple issues first and then work toward the more difficult and complicated ones. It also means identifying potential common interests and compromises that may serve the purposes of all involved, including assuring the secrecy of negotiations to protect the parties’ reputations. As mentioned previously and in the box on two-track diplomacy, the Oslo mediation by Norway’s foreign minister, Johan Jørgen Holst, exhibited many of these approaches. Before addressing the major issues, the negotiations first had to proceed to a point where the Israeli Knesset would make it legal to negotiate with the Palestinians. The secret talks also served the purpose of highlighting the high costs that both sides would continue to incur if the intifada protests and the Israeli responses to the uprising continued into the foreseeable future. More recently, the 2003 UN-led efforts to create a “roadmap for peace” in the Middle East (see box) attempted to identify ways to address both sides’ interests and find common ground on which to build a more lasting, though still elusive, resolution to the Israeli-Palestinian problems.
The Roadmap for Peace: A Collective Mediation Process?

The April 2003 Roadmap for Peace in the Middle East is a landmark framework for achieving peace in the long-standing Israeli-Palestinian conflict. A product of a diplomatic quartet comprised of the United Nations, the United States, the European Union, and the Russian Federation, the roadmap requires that a series of parallel steps be made by both sides in the conflict over the next three years. As UN secretary-general Kofi Annan put it, the roadmap “recognizes that peace will not be achieved if each side waits for the other to move first. At every stage in the process, both sides must be able to see a tangible improvement in their situation. . . . Otherwise, they will not have the confidence to move on” (“Roadmap Peace Plan ‘Historic Window of Opportunity’: Annan,” cnn.com, 2003). As this suggests, at the center of all mediation efforts must be a sense that all parties involved in the negotiations are getting something and that options for mutual gain are being sought.

As is clear, however, since the announcement of the roadmap, its implementation is conditioned and constrained by many political factors within each of the parties to the conflict. Whether this plan will be more effective in achieving a lasting peace than its predecessors over the past forty years will likely depend on continued active mediation efforts on the part of multiple world powers. On this account, the quartet is explicitly engaged in all three phases of the roadmap. To date, most analysts are rather pessimistic about the roadmap’s prospects to provide a more successful guide to peace in the region than earlier frameworks.

Excerpts of the basic components of the Roadmap for Peace in the Middle East follow.

---

To a Permanent Two-State Solution to the Israeli-Palestinian Conflict

The following is a performance-based and goal-driven roadmap, with clear phases, timelines, target dates and benchmarks aiming at progress through reciprocal steps by the two parties in the political, security, economic, humanitarian and institution-building fields, under the auspices of the Quartet.

A two-state solution to the Israeli-Palestinian conflict will only be achieved through an end to violence and terrorism, when the Palestinian people have a leadership acting decisively against terror and willing and able to build a practicing democracy based on tolerance and liberty,
and through Israel’s readiness to do what is necessary for a democratic Palestinian state to be established, and a clear, unambiguous acceptance by both parties of the goal of a negotiated settlement.

A settlement, negotiated between the parties, will result in the emergence of an independent, democratic and viable Palestinian state living side by side in peace and security with Israel and its other neighbors. The settlement will resolve the Israel-Palestinian conflict, and end the occupation that began in 1967, based on the foundations on the Madrid Conference, the principle of land for peace, United Nations Security Council Resolutions 242, 338 and 1397, agreements previously reached by the parties, and the initiative of Saudi Crown Prince Abdullah endorsed by the Beirut Arab League Summit calling for acceptance of Israel as a neighbor living in peace and security, in the context of a comprehensive settlement.

Phase I: Ending Terror and Violence, Normalizing Palestinian Life, and Building Palestinian Institutions, Present to May 2003

In Phase I the Palestinians immediately undertake an unconditional cessation of violence. . . . such action should be accompanied by supportive measures undertaken by Israel.

At the outset of Phase I:

Palestinian leadership issues an unequivocal statement reiterating Israel’s right to exist in peace and security and calling for an immediate and unconditional cease-fire to end armed activity and all acts of violence against Israelis anywhere. All official Palestinian institutions end incitement against Israel.

Israeli leadership issues an unequivocal statement affirming its commitments to the two-state vision of an independent, viable, sovereign Palestinian state living in peace and security alongside Israel, as expressed by President Bush, and calling for an immediate end to violence against Palestinians everywhere. All official Israeli institutions end incitement against Palestinians.

SECURITY: Palestinians declare an unequivocal end to violence and terrorism and undertake visible efforts on the ground to arrest, disrupt and restrain individuals and groups conducting and planning violent attacks on Israelis anywhere. Government of Israel takes no actions undermining trust, including deportations, attacks on civilians; confiscation and/or demolition of Palestinian homes and property, as a puni-
tive measure or to facilitate Israeli construction; destruction of Palestinian institutions and infrastructure; and other measures specified in the Tenet Work Plan.

**PALESTINIAN INSTITUTION-BUILDING:** Immediate action on credible process to produce draft constitution for Palestinian statehood. As rapidly as possible, constitutional committee circulates draft Palestinian constitution, based on strong parliamentary democracy and cabinet with empowered prime minister, for public comment/debate. Constitutional committee proposes draft document for submission after elections for approval by appropriate Palestinian institutions.

**HUMANITARIAN RESPONSE:** Israel takes measures to improve the humanitarian situation. Israel and Palestinians implement in full all recommendations of the Bertini report to improve humanitarian conditions, lifting curfews, and easing restrictions on movement of persons and goods, and allowing full, safe, and unfettered access of international and humanitarian personnel.

**CIVIL SOCIETY:** Continued donor support, including increased funding through private voluntary organizations/non-governmental organizations, for people-to-people programs, private sector development and civil society initiatives.

**SETTLEMENTS:** Government of Israel immediately dismantles settlement outposts erected since March 2001.

**Phase II: Transition, June 2003–December 2003**

In the second phase, efforts are focused on the option of creating an independent Palestinian state with provisional borders and attributes of sovereignty, based on the new constitution, as a way station to a permanent status settlement. As has been noted, this goal can be achieved when the Palestinian people have a leadership acting decisively against terror, willing and able to build a practicing democracy based on tolerance and liberty.

**INTERNATIONAL CONFERENCE:** Convened by the Quartet, in consultation with the parties, immediately after the successful conclusion of Palestinian elections, to support Palestinian economic recovery and launch a process, leading to establishment of an independent Palestinian state with provisional borders. Such a meeting would be inclusive, based on the goal of a comprehensive Middle East peace (including between Israel and Syria, and Israel and Lebanon), and based on the
principles described in the preamble to this document. Quartet members promote international recognition of Palestinian state, including possible UN membership.

**Phase III: Permanent Status Agreement and End of the Israeli-Palestinian Conflict, 2004–2005**

Progress into Phase III, based on consensus judgment of Quartet, and taking into account actions of both parties and Quartet monitoring. Phase III objectives are consolidation of reform and stabilization of Palestinian institutions, sustained, effective Palestinian security performance, and Israeli-Palestinian negotiations aimed at a permanent status agreement in 2005.

Finally, a mediator’s ability to use his or her position to obtain an agreeable outcome to the problem represents the third tactic: manipulation. The mediator can take personal responsibility for the concessions made so that the parties’ constituents can “blame” someone else aside from their own negotiators; use threats, promises, and other incentives to promote cooperation and agreement; and press parties to show flexibility on certain issues. In many ways, this set of tactics depends quite heavily on the reputation of the mediator in the international arena and, more specifically, within the current set of negotiations.

What all this means is that, at times, successful mediation is dependent on the role of the mediator within world affairs. Sometimes, intervention by a representative of a great power is required to push a resolution to the final stages. The role of the United States as the dominant political-military power in the world today most certainly had an impact on the success of the Dayton Peace Accords toward resolving the problems in Bosnia in the late 1990s. American initiatives prompted these negotiations after other international interventions had proven unsuccessful. Without the muscle of the United States, it is unlikely that an agreement could have been achieved at that point in time. As this implies, even in collaborative negotiation settings, power relationships have an impact on helping some negotiation actors move toward compromise and the exploration of new options to conflict resolution.

**Summary**

Negotiators must account for a variety of factors when they choose their strategies and tactics for use in a particular situation. Negotiations among
friends differ greatly from those among adversaries; negotiations (and their resulting choices) exhibiting limited opportunities for communication among parties differ from negotiations where the parties regularly and easily communicate with one another; and negotiations involving a mediator differ from those where only the main parties are involved. In each setting, negotiators, decision makers, and the constituents who give them their authority must make different calculations.

In many ways, this chapter has attempted to provide an appreciation of the complexity inherent in determining and understanding the choices made within negotiations. In particular, the interdependence of decision making that develops during negotiations means that a decision a particular negotiation actor makes is seldom singular or discrete; instead, it is only part of the process that produces an outcome, woven into a fabric comprising the decisions other parties make at a variety of points along the way. As a result, negotiators must choose their strategies and tactics carefully and weigh their choices in an environment fraught with uncertainty and ambiguity. Then again, it is this ambiguity, when combined with the skill of the negotiator, that makes international negotiation and diplomacy the interesting and often unpredictable “game of kings.”

For a list of related web resources for this chapter, consult www.icons.umd.edu/negotiating/links.htm.