

How to Negotiate?

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A lot has been said lately about proceeding with negotiations and its need, and about demanding to go back again to the table of negotiations, and other comments about the results of solving the conflict through negotiations, so ... did we ask ourselves about this subject that can influence the fate of the Palestinian people, and did we study and do our research about this concept?

For me as a specialist in this subject, I will try to make a list of priorities to what is concerned of the concept of negotiations and I summarize it as follows:

1. What is a negotiation?
2. Preparing for negotiation
3. Negotiators team
4. The role of politicians in negotiations
5. The role of experts in negotiations

Negotiations is one of the methods used to reach an agreement or a solution in a certain case of conflict between two parties, these two parties do not come to negotiations without being 100% convinced that they will not reach any result in any other method. From here we consider that the mere agreement by the two parties to negotiate means that both parties, the weak one and the strong one are convinced that they cannot win or achieve any better results in any other method, and that negotiation is the best way and the most suitable for both parties.

A negotiation is not a new method in conflict resolution, and it is not only used to solve political conflicts, but is being used since the beginning of the world, and is still used until today. We all negotiate every day around different subjects, either at home, the market, or at work. For example, when your son asks you for his daily allowance each morning, he is negotiating a raise, and gives you different reasons for this. This is one form of negotiations that take place each day in more than one house. Also when an employee negotiates with employers for a raise in the salary, which also happens each day in more than one place around the world.

The forms, ways, and skills of negotiation have developed to become a major method used between countries to solve conflicting issues between people, nations, countries, groups, political parties, and others... so many scientists and researchers worked to develop this concept to become an essential part from political studies, social studies, and wrote many books about it.

We here as Palestinians started to hear the word negotiations in every news bulletin, and in the announcements made by every minister, to the point where this word became a part of our daily life, hearing it every day about negotiations between different Palestinian parties around different subjects, and negotiations with the Israeli side, and inside the Israeli party, with the Palestinian parties, and the European parties, and others....

I will put here some important points to hold negotiations that must be available in this process:

Preparing for negotiations

Many experts think that preparing for negotiations is more important than the negotiation process itself, and needs double the time consumed in negotiation. This does not mean the personal level of preparation as a negotiator, but as an establishment or a team that prepares for negotiations. From the scientific point of view no one can negotiate without preparing for negotiations, especially if the negotiation is about national issues, or on an international political level which requires the existence of a negotiation establishment which in its turn includes studies and researches on the subject, and forming political and experts teams where each team works separately and in cooperation manner. From one side experts study the subject or the issue, putting their recommendations, and relying it to the political team which must not ignore these recommendations unless there is a very special case. At the same time these teams prepare different scenarios that include different expected possibilities in negotiations, these scenarios must be prepared by experts in different fields, very confidential, and rely to the following studies:

1. What is my benefit?
2. What is the other party benefit?
3. What is my position?
4. What is the other party position?
5. What are my points of strength?
6. What are the other party points of strength?
7. What are my weak points?
8. What are the other party weak points?

And maybe other points that has to do with the circumstances of negotiations like the time and place of negotiations, and each party unions, the level of interference of each party positions, its influence, and how it can be handled. As you see, the negotiation process is not the ability to argue, it is a complex process, that need preparation, study, and skills that not every one has, that is why choosing the suitable negotiators is a very important process that needs training and preparation. The most important factor is not to give the right of decision making to one person no matter how skilled, intelligent, ability, and loyal he/she is, because no matter how reliable this one person is, his chances of making a mistake is much higher than the group. From here, the establishment responsible for negotiations must put a mechanism for making decision that reduce the chances of making mistakes, and this cannot happen unless decision making is made in a democratic, pre-agreed upon manner by leadership assigned for negotiations in the stage of preparation, as GOD al-mighty said: "prepare all that you can from force and horses". The meaning here does not only mean arms, and war, but preparation for every thing, including the negotiating process, which is also a form of conflict, and a method used to gain our rights, which if used in a proper way, can change the results that we came up with in the past. Because negotiations is not only a meeting process for a number of politicians around the table of negotiations, to discuss differences, arguments, and reaching an agreement, but is one of political science fields, which has psychological, social, and political sides, and is an art of our daily life, and the political work, that also include preparing a study by the negotiating party, taking into consideration many possibilities, and scenarios, and preparing for the day of negotiations. Also it needs escorting media work that supports the loyal, trained negotiator, in addition to a wide range political work, and coordinating with different allying sides, as all this is a one fulfilled work which includes influencing the local general point of view, and the general point of view of the other party and in the whole world, also building correct alliance in the right time.

No need to say that this article will not cover all that the negotiating process requires as it is a wide subject that needs specialists to be able to do this successfully hoping that we can learn from previous lessons.

One of the most important factors for negotiations to succeed is the cooperation of the conflict parties and their willingness to solve the conflict, because the denial of one party to solve the conflict means the failure of negotiations, because the willingness to solve the conflict and reaching an agreement by the two sides in a main condition for the negotiations to succeed. Of course the cooperation does not mean the end of competition, or the end of dispute, as it is impossible for the two sides to overcome the conflict this easily, and this is not what is aimed for here, what is needed is to deal with these conflicts in a new cooperative way to be able to fulfill both sides needs, in a way that both parties would win, and no one will be defeated.

There is another issue that we must point out here, which is the multi track negotiations especially in the political negotiations, depending on the specialty, and forming different committees that discuss specialty issues. All this must be connected by clear reference which is held fully responsible on the development of the negotiations, so there is a center reference, not a member or a group, but a democratically organized establishment that follows a clear strategy drawn by the negotiation establishment which include politicians, experts, researchers, studies, references, plans, and preparations. It is most dangerous that the negotiations should take multi tracks with so many negotiations without a central reference to guide them, so they will be guided by their own personal efforts, where opinions, personal points of view, ways, and benefits will multiply.

The other party uses the differences in the multi track party and plays on these contradictions, and differences for his benefits, also it might be able to plant these differences or play on the personal benefits of those negotiations. These are all possibilities specially that most of these multi tracks meetings are held in secret sessions and know one knows any thing about the subject it tackles except the person holding it. From here we find that this strengthens the power of the other side to manipulate positions and planting more conflicts. That is why experts do not advise such channels and consider it playing a major role in make the weak side even more weaker and gives the stronger side the ability to force his/her rules.

So I think that we the Palestinian side must stop to assess the previous negotiations processes since communications started around Oslo agreement, all politicians must take part in assessing and a group of experts that took part or didn't take part in these negotiations, to be divided into groups each groups specializes in a specific subject, for example economical group, political group, water group, environment group, etc... this is of course needs preparation, planning, and following up that one person cannot do, not even a group of people can do, but building an establishment or a committee that represent the different Palestinian groups and I don't only mean the political organizations but in addition to that the experts, the academic personnel, and the non governmental organizations. These committee or committees must be loyal and learn lessons from the previous mistakes made in previous negotiations sessions, and building a clear united strategy for all negotiators, and a specific style that fit the current phase and the Palestinian circumstances, and the international circumstances to close all chances that provide the other party the power to play on the Palestinian differences, and using the secret meetings in a way that doesn't benefit the Palestinian side, so every thing will be clear to the Palestinian people and to the Palestinian leadership and to all those interested, in this way we minimize the chances of making mistakes that can be a killer in this sensitive stage which needs coordination and cooperation between all sides, abilities, and Palestinian expertise, that is because the other side has a tremendous power, and has plans and inhuman visions, and trying to force his way and style in negotiations if we don't well prepare, plan, and coordinate previously with the different Palestinian groups, the results will not be in the favor of the Palestinian people, and correcting mistakes will not be easy and maybe impossible.

From here we know that time is not in the favor of the Palestinian side if we don't prepare in the right scientific way which fit the dangerous and size or responsibility in this sensitive stage.

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