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PRACTITIONERS' VIEWS OF INTERNATIONAL NEGOTIATION

By GILBERT R. WINHAM*

I. Introduction

IN April 1977, the State Department's Senior Seminar on Foreign Policy devoted a week of study to the subject of negotiation.[1] In addition to the normal routine of lectures and seminar discussions, the Senior Seminar produced a Checklist for Negotiators (see Appendix) which summarized the views of seminar members. The Checklist took the form of a guideline for the actual conduct of negotiation. The main purpose of the Checklist was to achieve and record a consensus in the discussion, rather than—as its form might imply—to contribute a chapter to a manual on government practice. Because the Checklist summarized the observations of senior government officials on an important function of foreign policy making, it warrants the attention of students of foreign policy.

The Checklist represents a relatively unusual source of data about foreign policy behavior. Negotiation could well be described as the most important line function of foreign service establishments, and yet, curiously, there exists little systematic knowledge about how foreign service officers conceptualize this task. One problem is that practitioners normally do not publish writings on the process of negotiation; when reflections on negotiations are included in writings such as memoirs, or in press interviews, they are often too fragmentary to be useful. A more serious problem is that the persons below the most visible senior levels, who do most of the negotiating, never record their views at all. Such persons are an important element in modern complex negotiations, but in the normal bureaucratic processes of government they are not encouraged to put their views on paper. Thus, the difficulty of obtaining practitioners' views boils down to a lack of general-

* I am grateful for critical comment provided by Professors Denis Stairs and Don Munton of Dalhousie University.

[1] The Senior Seminar is conducted by the Foreign Service Institute of the U.S. Department of State. It is a ten-month program that has been conducted annually since 1958. It is described by the Foreign Service Institute as "the most advanced training program available to selected senior grade officials of United States Government agencies with foreign affairs responsibilities." The 19th Seminar (1976-77) consisted of 26 members.

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ized information on the process of negotiation from individuals who are near the top of the policy-making establishment.

The purpose of this article is to examine the important themes that emerge from the Checklist. This examination will be undertaken from a perspective analogous to that of Herbert Kaufmann in his insightful study of the U.S. Forest Service.[2] Citing Herbert Simon's observation that "in the study of organization, the operative employee must be at the focus of attention,"[3] Kaufmann created a study of administrative organization that pinpointed the *actions* of line officers as being the central variables in understanding organizational behavior, instead of the more commonly studied *policies* enunciated by top management. In a similar vein, the reason for analyzing the Checklist is to investigate international negotiation in terms of the reported actions of senior line officers, rather than in terms of the policies or positions of governments in particular negotiations. This article thus approaches international relations from a bottom-up perspective of the working environment of senior Foreign Service officers, rather than from the more usual top-down perspective of the interaction of national governments in the international system. In keeping with Kaufmann's study of organizational behavior, however, the significance of the present analysis ultimately lies in what can be generalized about the broader system of international relations, of which the actions of government officers at the working level are only one part.

II. Derivation of the Checklist

The week of study on negotiation in the Senior Seminar was directed by three members of the Seminar. These members decided on a "Checklist format" in order to structure the discussion. A preliminary draft was drawn up by this author after consultation with the above troika, and a revised draft was ready for the beginning of the study. The Senior Seminar heard presentations by four senior officials in government and politics who are noted for their negotiating experience, as well as from two academic specialists on negotiation; seminar members asked each of them to criticize the draft of the Checklist. The Checklist was then reviewed by seminar members in working committees; special attention was given to the comments of the outside speakers. A final plenary session was held to integrate the changes pro-

[2] Kaufmann, *The Forest Ranger: A Study in Administrative Behavior* (Baltimore: Johns Hopkins Press 1960).

[3] Simon, *Administrative Behavior: A Study of Decision Making in Administrative Organization* (New York: Macmillan 1945), 3.

posed by the committees into a single draft. The final Checklist was compiled by this author serving as rapporteur.

The ultimate version of the Checklist for Negotiators summarized the week's discussion, and was as much as possible a consensus document reflecting the view of a majority of the members. It is obviously not a perfect instrument for assessing the views of practitioners; but it is probably a better guide than an aggregation of individual interviews, the usual way in social science research to determine the perceptions of groups. Interviews, if closed-ended, would not have been sufficiently rich to analyze perceptions of a process as complicated as negotiation. On the other hand, open-ended interviews would have produced an abundance of casual observations, without opportunity for members to cross-examine each other's ideas. As it was, the Senior Seminar debated and weighed most points on the Checklist. Reaching agreement on some points was difficult, and in effect created a negotiation in itself.

In the analysis presented here, the Checklist will be augmented by material from an article by Winthrop G. Brown, which offers further evidence on the practitioner's perspective on negotiation, and fills in some points on which the Checklist is necessarily sketchy.[4] Brown's article is authoritative for this purpose, since it was published by the professional journal of the Foreign Service, and has been used as a standard reference in courses at the Foreign Service Institute on the technique of negotiation.

The Checklist puts information in the form of reminders of what must be done in a negotiation, rather than in terms of principles of how to conduct negotiations. This distinction may be simply semantic, but it reflects the practitioner's disinclination to think in terms of *a priori* principles of negotiation. Practitioners tend to see negotiation as the application of common sense in a situation, and are generally unwilling to commit themselves to principles, even though they will often draw conclusions that sound very much like principles of behavior (e.g., "always coordinate position with allies"). It should also be noted that the Checklist reflects an instrumental approach to negotiation; that is, it defines negotiation as an instrument ("Negotiation is a tool in the management of external relations") for carrying out the broader task of foreign policy making. This formulation suggests that practitioners view negotiation in the context of policy formation, and that they are more concerned with the interface between

[4] Brown, "The Art of Negotiation," *Foreign Service Journal*, XLV (July 1968), 14-17.

negotiation and foreign policy than with defining negotiation itself.[5] The distinction between policy and negotiation is reminiscent of Sir Harold Nicolson's *Diplomacy*, where the author defined policy as the legislative or political aspect of external relations, and negotiation (or diplomacy) as the executive aspect, which was best left to professional diplomatists.[6]

The relationship between foreign policy and negotiation was one of the main controversial aspects in the creation of the Checklist. Ostensibly, the issue was whether to include in the final Checklist a section entitled "Preliminary to Negotiation," which was not in the initial draft and was proposed in a working committee. In substance, however, the issue was concerned with whether negotiators were merely executors of policy, or whether they were also participants in the *decision to negotiate*, the latter being a preliminary issue and clearly a broader problem of foreign policy making. The discussion turned on simplicity and specialization versus complexity and greater engagement, and it was a serious argument because it touched on the definition of the role of modern foreign service officers. The broader definition was more compelling in the end, and the Checklist thus serves as an interesting update to Nicolson's narrower definition of diplomacy. It would seem that negotiation is being increasingly broadly defined—by governments and by negotiators themselves—to be part of the wider processes of public policy making. Government officials apparently do not think of the negotiating process as a truncated phenomenon divorced from the mainstream of social policy.

Two structural points are prominent in the Checklist. First, negotiation is considered as progressing in phases, or stages, over time. This view has received substantial support in the literature,[7] and there appears to be little serious difference among observers of negotiations on this point. There was lively discussion on how to describe various phases, and how many phases should be included (for example, one high-ranking visitor argued in favor of four phases rather than three). In the end, there was little dissent from the view that "something" changes as a negotiation progresses over time, and that different negotiating behaviors are associated with such changes. A second structural point is the distinction between internal and external aspects of nego-

[5] The Checklist did not provide a definition of negotiation, nor was this fact discussed at the Seminar.

[6] Nicolson, *Diplomacy* (3rd ed.; London: Oxford University Press 1963), 2-3.

[7] For example, see Ann Douglas, "The Peaceful Settlement of Industrial and Intergroup Disputes," *Journal of Conflict Resolution*, 1 (No. 1, 1957), 69-81.

tiation. The Checklist views negotiation as two-fronted, and enumerates separately those tasks that are required to negotiate within the home government and those required to negotiate with the foreign government. The fact that this delineation does not necessarily correspond to received wisdom on international relations will be discussed in the next section.

III. Examination of the Checklist

The Checklist for Negotiators is useful as a descriptive device in that it points out practitioners' concerns that may not be immediately obvious to students of international relations. For example, one concern is the need to establish a framework for negotiation (included as a task under Phase 1). The term "framework" as used in the Senior Seminar roughly meant a general definition of the issue in question in order to establish the outside limits of the problem, as well as a common understanding of the main points in contention. One outside speaker emphasized the importance of establishing a framework for negotiation (this concept was already included in the draft Checklist), and he proceeded to give examples of this aspect of negotiation from his own experience. A second example is the emphasis on decision making in Phase 3, and the importance that practitioners attach to the concept of control in this phase. Related concerns are internal management in the negotiating team, and staff work and backstopping in the capital. For those who normally view negotiation from the perspective of the nation-state, it is useful to be reminded of the internal mechanisms that are associated with the behavior of large collectivities.

Although the description of practitioners' views is helpful, the most important use of the Checklist lies in raising concerns that are not consistent with the general drift of negotiation theory. There is an extensive literature on negotiation, and on diplomacy more generally, to which former practitioners, diplomatic historians, and (more recently) modern social scientists have contributed. Negotiation theory has taken on the character of a subfield in political science (and other social science disciplines as well), and there is now a rich and interrelated body of literature on this subject.[8] With respect to this litera-

[8] Recent examples of this literature would include the following essays or edited volumes: Jack Sawyer and Harold Guetzkow, "Bargaining and Negotiation in International Relations," in Herbert C. Kelman, ed., *International Behavior* (New York: Holt, Rinehart & Winston 1966), 464-520; Daniel Druckman, *Human Factors in International Negotiations: Social Psychological Aspects of International Conflict* (Beverly Hills: Sage Publications 1973); I. William Zartman, ed., *The 50% Solution* (Garden

ture, there are three areas where the practitioners' views, as revealed in the Checklist, appear to differ from the received wisdom of negotiation theory. The first is the practitioners' conception that relations with their own government are as important, if not more important, than relations with a foreign government. The second is the tendency of practitioners to view negotiation as a managerial and/or policy problem rather than a strategic problem. And the third is the weight that practitioners give to cognitive variables (e.g., issues) at the expense of affective variables (e.g., personality or culture).

INTERNAL VERSUS EXTERNAL NEGOTIATION

Many government officials who have recently commented on the conduct of international negotiations have asserted that the main portion of their work relates to dealing with their own government. This has been put many ways, but the point is essentially unchanging. Winthrop Brown's article on negotiation starts out with the statement: "Negotiation, like charity, begins at home."[9] Robert W. Barnett states, "I would say about nine-tenths of my time of negotiation was done with my own side."[10] And the inside account of SALT I by John Newhouse describes that negotiation as an "internal negotiation"; this assessment is borne out in the writing of SALT negotiator Raymond Garthoff.[11] Indeed, the point is emphasized so much that it was used initially, after consultation, to structure the entire Checklist. There was no subsequent criticism by members of the Senior Seminar on the distinction between internal and external negotiation; indeed, it was explicitly confirmed by the ambassadors speaking to the Seminar, one of whom summarized succinctly that "the stress on internal is accurate; we are in continued negotiation internally."

The concern of practitioners for internal negotiation contrasts

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City, N.Y.: Anchor Press 1976); Daniel Druckman, *Negotiations: Social Psychological Aspects of International Conflict* (Beverly Hills: Sage Publications 1977); and finally, the special volume (ed. by I. William Zartman) on negotiation of the *Journal of Conflict Resolution*, XXI (No. 4, 1977).

[9] The article continues, "When you are negotiating for the United States with other governments, this normally involves a whole series of preliminary negotiations inside the United States Government. . . . The techniques that you use in negotiating with your American colleagues within the Government, or the Congress, or indeed the public, are the same as those you use abroad." Brown (fn. 4), 14.

[10] Barnett, *Observations on International Negotiation*. Transcript of an Informal Conference, Greenwich, Conn., June 1971 (Academy for Educational Development 1971), 112.

[11] Newhouse, *Cold Dawn: The Story of SALT* (New York: Holt, Rinehart & Winston 1973); Raymond Garthoff, "Negotiating with the Russians: Some Lessons from SALT," *International Security*, 1 (Spring 1977), 3-24.

sharply with the theoretical literature, which focuses almost totally on the external aspect of negotiation. Much of the writing on international negotiation and bargaining reflects assumptions that states are unitary actors; that bargaining relations between states are analogous to bargaining relations between individuals; and hence, that the really important focus of negotiation theory should be on a state's external relationships. The focus on the external negotiation is as common in negotiation theory as the rational decision-making model is in foreign policy analysis.[12] Indeed, the assumption that negotiation is an external process has been necessary for the development of rational and strategic theories of bargaining, and it has been a facilitating assumption in other areas of negotiation theory as well.[13]

The modern literature on negotiation covers a remarkable number of aspects of the bargaining process, but usually from the perspective of a bargaining process conducted between unitary actors. Game theory, and particularly the game of prisoner's dilemma, is an obvious example of this perspective. So also are most of the experimental models of the bargaining process, such as games of conflict or cooperation,[14] simulations of international negotiation,[15] and the considerable body of experimental research based on the model of the prisoner's dilemma.[16] Deductive theory on the process of bargaining from the discipline of economics also usually operates on the basis of assumed unitary actors.[17] A similar assumption is explicit in psychological studies of bargaining (which emphasize variables such as personality or perception),[18] and in sociological studies as well (which study effects of differences in cultural norms, sex, or other demographic variables on the bargaining process).[19] The assumption of a unitary actor—that is, the focus on the external negotiation—is also reflected in many

[12] See Graham T. Allison, *Essence of Decision: Explaining the Cuban Missile Crisis* (Boston: Little, Brown 1971).

[13] For example, the assumption underlies Thomas C. Schelling's analysis of conflict. See *The Strategy of Conflict* (New York: Oxford University Press 1963).

[14] For example, Morton Deutsch and R. M. Krauss, "Studies of Interpersonal Bargaining," *Journal of Conflict Resolution*, VI (No. 1, 1962), 52-76.

[15] For example, Matthew Bonham, "Simulating International Disarmament Negotiations," *Journal of Conflict Resolution*, XV (No. 3, 1971), 299-315.

[16] See, for example, Anatol Rapoport and A. M. Chammah, *Prisoner's Dilemma: A Study in Conflict and Cooperation* (Ann Arbor: University of Michigan Press 1965).

[17] See, for example, John Cross, *The Economics of Bargaining* (New York: Basic Books 1969).

[18] For example, Bertram Spector, "Negotiation as a Psychological Process," *Journal of Conflict Resolution*, XXI (No. 4, 1977), 607-18.

[19] For example, Otomar Bartos, "Simple Model of Negotiation: A Sociological Point of View," *Ibid.*, 565-80.

empirical studies that emphasize negotiation as a reactive process,[20] as well as in models that seek to trace the flow of influence between parties in a negotiation.[21] In sum, it seems that the literature on negotiation and bargaining has been preoccupied with the relations *between* actors (e.g., states) while the relations *within* the actors has been much less studied.[22]

What is the effect of the prevailing focus on external negotiation? It may be reasonable to argue that, at worst, the literature on negotiation simply misses half of the negotiation process, and that this deficiency can be corrected in time. That is not necessarily the case, at least from the standpoint of making generalizations about *international* negotiation. It is more likely that the failure to take account of internal negotiation while generating propositions about external negotiation may create a conceptual distortion between negotiations in *situ* and negotiations as they are analyzed by theorists. The result could be that the generalizations of theorists may bear little relevance to the behaviors found in real negotiation because they fail to capture the complexity of the process—a point which will be addressed further in the concluding section. At the very least, however, it would appear that ignoring the internal negotiation would lead to the neglect of certain important variables in the negotiation process.[23]

One such variable that affects mainly the internal side of negotiation concerns the activities of special interest groups. These activities are generally given inadequate attention in the literature, in comparison to the importance apparently given to them by practitioners. For example, the Checklist shows practitioners to be concerned with special interest groups in all three phases of the negotiation process; specific references are made to identifying relevant interest groups, maintain-

[20] For example, Lloyd Jensen, "Soviet-American Bargaining Behavior in the Post-War Disarmament Negotiations," *Journal of Conflict Resolution*, VII (No. 4, 1973), 522-41.

[21] See, for example, James Tedeschi, "Threats and Promises," in Paul Swingle, ed., *The Structure of Conflict* (New York: Academic Press 1970).

[22] A notable exception is the work of Richard Walton and Robert McKersie, which is now coming to have a (deservedly) important influence on the literature in international negotiation: *A Behavioral Theory of Labor Negotiation* (New York: McGraw-Hill 1965). Another exception is the recent article by Daniel Druckman, "Boundary Role Conflict: Negotiation as a Dual Responsiveness," *Journal of Conflict Resolution*, XXI (No. 4, 1977), 639-62.

[23] It should be noted that the importance of internal negotiation is probably determined by the subject of the negotiation, and by the domestic processes in the negotiating states. Thus, one would expect internal negotiation to be more important in the United States when bargaining over international trade (since Congress is involved) than over monetary affairs; generally, one would expect a more intense internal negotiation in a large, pluralist state like the United States than in a small, homogeneous country like Denmark.

ing the support of such groups, and reconciling those groups that are opposed to the negotiator's policies. It is possible, of course, that interest groups and lobbyists make a larger-than-life impression on practitioners, since they often engage in adverse criticism of government policy, and it is normal to overreact to criticism. What is more likely, however, is that foreign affairs practitioners are simply reflecting a widespread concern among government officials over the activities of special interests. The fact that this concern is manifested by diplomatic officers only demonstrates that international negotiations today deal more extensively with general issues of public policy than they did previously. In any case, more attention to special interests should be given in the negotiation literature—both conceptually, in relaxing the assumption of the nation-state as a unitary actor, and practically, in greater emphasis on data-gathering on interest groups.

A second variable important in the internal negotiation, and reflected in the Checklist, is the formulation of instructions. Negotiators are instructed delegates, not independent players in a bargaining game; a great proportion of their time is spent in organizing the domestic consensus needed to provide flexibility in external bargaining. This point is easily overlooked in a literature that focuses on external negotiation. What is most evident in external negotiation is the interplay between a negotiator's instructions and his bargaining behavior; it is commonplace to describe good negotiators as individuals who can maximize their opportunities within the constraints or limitations of their instructions.[24] In internal negotiation, however, the fabrication of those instructions is at stake, as well as the contingent planning that creates the flexibility needed to permit accommodation (or at least the possibility thereof) with the adversary. Of the two processes, the former emphasizes manipulation and is a classic concern of diplomatic history, as well as of modern theories of interpersonal bargaining. The latter emphasizes political and bureaucratic policy making, and it is quite likely the more creative portion of the act of negotiation. In any future assessment of the role of negotiation in the modern international system, the internal process of redefining the limits of international agreement will probably be more important than the external process of bargaining on those limits. Hence, the way negotiators' instructions get formulated should be more important to theorists than it now appears to be.

[24] For example, Henry A. Kissinger, in *A World Restored: Castlereagh, Metternich, and Restoration of Peace 1812–1822* (Boston: Houghton-Mifflin 1957), appreciates Metternich's skill in maximizing his position within the constraints of his ruler's wishes, as well as within the limitations imposed by the structure of domestic politics.

STRATEGIC VERSUS MANAGERIAL CONCERNS

A related problem deals with the importance of strategy in negotiation. Much of the theoretical literature views negotiation in terms of a strategic interaction between parties. Practitioners, however, increasingly seem to regard negotiation as a problem of management. The difference is that the former view emphasizes the competitive aspects of bargaining; it starts from the assumption that cooperation is the opposite of competition, and that parties will plan and undertake those behaviors that will maximize gain and minimize loss. Practitioners, on the other hand, often assume that both competitive and cooperative behaviors are present without making a sharp distinction between the two. They further expect that parties will pursue behaviors that will lead to joint decisions under conditions of complexity and severe constraints.

Most of the literature on negotiation and bargaining is contained within the framework of strategic bargaining.[25] This stems from two sources. The first is the classical literature, which emphasizes cleverness and the capacity to outwit an adversary. The second is game theory, which represents, in pure form, nonviolent competitive interaction between individuals. The concern for strategy has produced many of the most visible subsets of the negotiation literature. For example, a lively debate has occurred on what types of strategies (hard or soft) are most effective in eliciting cooperative behavior from an adversary.[26] This debate is related to the large number of studies that have been done on concessions and concession rates.[27] The concern for utilities and the modification of utilities is also consistent with the model of strategic bargaining.[28] The effect of the opening position on subsequent bargaining and agreement is likewise a strategic concern.[29] The list could be extended; but the point should be obvious that strategy is a major focus of negotiation theory.

It would appear that practitioners are considerably less concerned

[25] Zartman's decision-making approach is one exception to this generalization. See I. William Zartman, "Negotiation as a Joint Decision-Making Process," *Journal of Conflict Resolution*, XXI (No. 4, 1977), 619-38.

[26] For example, W. Clay Hamner and Gary Yukl, "The Effectiveness of Different Offer Strategies in Bargaining," in Druckman, *Negotiations* . . . (fn. 8), 137-60.

[27] Otomar Bartos, "Concession-Making in Experimental Negotiations," in J. Berger, *et al.*, *Sociological Theories in Action* (Boston: Houghton-Mifflin 1966).

[28] Fred C. Iklé and Nathan Leites, "Political Negotiation as a Process of Modifying Utilities," *Journal of Conflict Resolution*, VI (No. 1, 1962), 19-28.

[29] Bennett Ramberg, "Tactical Advantages of Opening Positioning Strategies: Lessons from the Seabed Arms Control Talks 1967–1970," *Journal of Conflict Resolution*, XXI (No. 4, 1977), 685-700.

with the strategic situation than are most theorists. When practitioners talk about negotiation, they emphasize knowing what it is you want, or searching for overlapping interests, or defining problems, goals, and frameworks for negotiating:[30] all these are reflective of a decision-making rather than a strategic mode of thought. The Checklist for Negotiators gives relatively little play to strategic concerns in comparison to those concerns that are necessary to mount an effective organizational decision-making process. This point was in fact addressed to the senior practitioners who spoke to the Senior Seminar, and the response of one ambassador was instructive:

> Q. The Checklist doesn't emphasize strategy—do you think this is an omission?
> A. To be frank, I don't like an absolute strategy. If you work out a strategy at home, then your government thinks you will carry it out, and that creates restrictions on free movement at the negotiation. I don't worry much about strategy. . . . I think in terms of probing, limits, opportunities.

To sum up, the attitude of practitioners seems to be that negotiations are too diverse one from another, and even too diverse day by day,[31] for any planned strategy to be very useful. Indeed, it is entirely likely that "strategy" represents a kind of encumbrance in the minds of most practitioners, and that it is the antithesis of the flexibility they feel they must maintain to be successful.

Why is there less concern for strategy among practitioners than among theorists? One might expect the opposite, since practitioners are presumably motivated by national interest and personal advancement, and either concern should lead them to drive a hard, calculating bargain. The answer probably lies in the negotiating situations that practitioners find themselves in, which are very different situations from those visualized in many theoretical studies of bargaining. Most real negotiations at the outset are fluid, unstructured, complicated, and noisy (in a communications sense). The first problem for negotiators is to structure the situation; hence, the emphasis on preparatory work and the establishment of a negotiating framework.[32] Negotiators do this more by trial and error than by strategy.

[30] See esp. Brown (fn. 4), 15.

[31] One senior practitioner at the Senior Seminar stated simply, "In negotiation, I'm still not prepared for the surprises."

[32] One senior practitioner commented about preparatory work: "This is the most difficult part of the whole process . . . it is harrowing, more than you realize, and it can be very long."

If negotiating situations are as unstructured and complex as negotiators often assert,[33] it is fairly obvious why practitioners have little use for strategic thinking. Situations that have to be structured or defined from scratch are usually not ones in which strategy is applicable. Conversely, situations in which strategy is appropriate are usually highly structured. There is a relationship between strategy and rules of conduct: the more structured the rules, the greater the likelihood that a strategy can be applied. Hence, strategic thinking in military affairs is more associated with 19th-century modes of warfare than with modern guerrilla warfare. Similarly, strategy is more applicable in a highly structured game like football than in a less structured game like rugby. Most strategic situations rely on rules to make the competition meaningful for the parties. Where such rules are absent, such as in the situation of structural uncertainty that characterizes most modern negotiations,[34] strategy simply becomes less important to the participants.

One obviously cannot dismiss strategic concerns from the negotiating process entirely. Surely, every negotiation involves strategy at some point, but usually this point occurs after early negotiation has succeeded in defining and clarifying the main outlines of the interaction. The definition of the situation is of greater interest to practitioners than the application of a strategy after the situation has been defined. That would seem to be a useful point of which to take account in negotiation theory. As it now stands, the emphasis on strategy probably does not address the most important concerns of those who conduct negotiations.

AFFECTIVE VERSUS COGNITIVE VARIABLES

Another point of variance between practitioners and the theoretical literature lies in the importance the former attach to substantive information and issues, as compared to the greater concern in the latter for variables involving personality and sociological background. Negotiation theory tends to emphasize the elements of the bargaining situation

[33] Kissinger has stated tersely: "Today, reality is more complex." Speech by Secretary of State Henry A. Kissinger, "The Future of America's Foreign Policy," Chicago, Ill., July 6, 1976. However, not all negotiating situations are equally complex, and consequently the scope for the application of strategy can also vary. It may be argued that a small state with a less complex diplomacy is more able than a large state to employ strategic calculation in negotiation. Canadian negotiators, for example, appeared to be motivated by an overall strategy in the negotiation of the Great Lakes Water Quality Agreement.

[34] For a discussion of structural uncertainty, see John Steinbruner, *The Cybernetic Theory of Decision: New Dimensions of Political Analysis* (Princeton: Princeton University Press 1974).

that are similar, regardless of what is being bargained over; practitioners assume that *what* is being bargained essentially shapes the nature of the interaction.

The literature on negotiation especially emphasizes the proposition that *who* the negotiator is will affect the outcome of the bargaining. This interest comprises several main concerns. One of them is what Sawyer and Guetzkow have called the background factors in a negotiation: the attitudes the parties have toward each other, and the roles the negotiators occupy in their own governments or wider societies.[35] Another concern is the national culture of the negotiator. This aspect has, of course, been the focus of classical studies of diplomacy;[36] it continues to be of interest to academics who pursue historical policy-oriented studies,[37] or who conduct experimental research on bargaining behavior.[38]

The psychological makeup of the negotiators is another major concern in negotiation theory. The experimental literature focuses heavily on various aspects of personality, and recent major collections on negotiation have included studies on personality or psychology in bargaining.[39] The variables that are examined in such studies include tension or anxiety, authoritarianism, and attitudes toward risk taking. In general, however, experimental research on psychological factors has not been very promising. Hermann and Kogan state that "to date, experimental research on the effect of personality on negotiation behavior is generally discouraging."[40] Despite the absence of concrete results, some valuable groundwork has been laid—particularly regarding the effect of certain attitudinal states on bargaining behavior,[41] and on the importance of certain interactive aspects of personality, such as face-saving in negotiating.[42]

[35] Sawyer and Guetzkow (fn. 8), 501.

[36] See François de Callières, *On the Manner of Negotiating with Princes*, trans. by A. F. Whyte (Notre Dame, Ind.: University of Notre Dame Press 1963). See also Nicolson (fn. 6).

[37] Kenneth Young, *Negotiating with the Chinese Communists* (New York: McGraw-Hill 1968).

[38] Kinhide Mushakoji, "The Strategies of Negotiation: An American-Japanese Comparison," in Jean LaPonce and Paul Smoker, eds., *Experimentation and Simulation in Political Science* (Toronto: University of Toronto Press 1972).

[39] See Margaret Hermann and Nathan Kogan, "Effects of Negotiators' Personalities on Negotiating Behavior," in Druckman, *Negotiations* . . . (fn. 8).

[40] *Ibid.*, 247.

[41] See P. Terrence Hopmann and Charles Walcott, "The Impact of International Conflict and Detente on Bargaining in Arms Control Negotiations: An Experimental Analysis," *International Interaction*, II (No. 2, 1976), 189-206.

[42] For example, Bert Brown, "Face-Saving and Face-Restoration in Negotiation," in Druckman, *Negotiations* . . . (fn. 8).

Regardless of whether academic research on personality or background variables has been successful, the question tends to be ignored by practitioners in favor of other elements in the negotiation process. There was very little discussion about attitudinal or psychological variables in the Senior Seminar; as a result, such variables were not included on the Checklist for Negotiators. Specifically, the Checklist makes no mention of personality as being important either in individual negotiation or in group decision-making processes. The only reference to a personality-type variable concerns the perception of the situation by the other side, and even in this case perception is understood to be dealing more with the issues and substance of the negotiation than with affective components. On the other hand, the Checklist does make frequent references to the cognitive aspects of handling the substance of a negotiation: that is, the need for adequate expertise, staff work, the generation of information, the separation of important from unimportant concerns, and the combining of issues into package deals. To repeat, substance appears to be much more important than the personalities of the negotiators.

The points emphasized by the Checklist are corroborated by Winthrop Brown. His article lists as the first fundamental of negotiation "to know exactly what it is that you want to achieve by negotiating." The second fundamental is "to know your stuff. Thorough homework is absolutely essential. Part of this homework might be to anticipate as far as possible the positions of the people with whom you are going to be negotiating."[43] Brown does take account of the other party's perception ("put yourself in the other man's mind"); but this concern, like that of the Checklist, is motivated more by a desire to know the adversary's position on issues rather than his psychological attitudes or makeup. Again, the substance of the negotiation appears to be the important factor.

There are reasons why one might expect practitioners to discount the importance of personality factors in negotiation.[44] For one thing, they are expected to be professionals, and one mark of professional behavior is that subjective factors like personality ought not to influence objectivity in decision making. The second and perhaps more

[43] Brown (fn. 5), 14.

[44] Practitioners are not consistent on this point. By way of comparison, one should note the statement of Ambassador Christopher Pinto of Sri Lanka: "The potential of the individual personality at the (Law of the Sea) Conference to construct or destroy, cannot be overstated." Speech, "The Oceans: National Interest and Global Perspective," delivered before the Colloquium sponsored by the Canadian Group of the Trilateral Commission, Halifax, January 21, 1976.

important reason is that practitioners see their role as taking action in a situation: they tend to concentrate on the definition of issues (which they can influence), and to discount the importance of personality (which they often cannot influence at all). Theorists, on the other hand, are motivated by a desire to analyze or explain a situation. Thus, the fact that practitioners ignore personality factors may not be sufficient evidence to conclude that theorists overrate the importance of personality in negotiation. In fact, it could be argued that external observers, who are motivated by an objective desire to explain or analyze negotiation, are in a better position to render judgment on the matter.

The issue of the importance of personality in international negotiation probably cannot be answered definitively, given the present levels of knowledge. What appears to be the case, however, is that much of the research conducted on personality or cultural variables has been done under experimental conditions that are substantially less complex than real negotiations. Conversely, as situations become more complex, researchers themselves find that personality variables become less important in affecting negotiation behavior.[45] As a case in point, Davis and Schilling give some indication of the kind of complex material that SALT negotiators must deal with in arranging an arms control agreement.[46] Because of the technical complexity of the subject matter, it seems improbable that idiosyncratic variables like personality or even cultural background would have much bearing on arms negotiations. That is not to say that personality variables are entirely unimportant. Perhaps a useful analogy can be made with the effect of psychological or cultural variables on sport. Personality factors are no doubt important in boxing, for instance, but they are surely less important in assessing who will win or lose a match than are other factors such as size, strength, or training. Moreover, personality variables tend to become important only after these other factors are equalized. The same appears to be the case with international negotiation.

IV. Implications of the Checklist

There are two reasons why an investigation of how senior government officers perceive the task of international negotiation is important to students of international politics. First, their perceptions bear on

[45] See Druckman, *Human Factors* . . . (fn. 8), 72.

[46] Lynn Davis and Warner Schilling, "All You Ever Wanted to Know About MIRV and ICBM Calculations But Were Not Cleared to Ask," *Journal of Conflict Resolution*, XVII (No. 2, 1973), 207-42.

the broader question of the nature of the contemporary international system. It is a commonplace today, for example, to describe the international system as being in a state of transition. As one observer puts it, "we are, to use an inescapable cliché, at a moment of transition in world politics, not only in U.S. foreign policy."[47] If that is true, one might assume such change to be reflected in the workplace of international politics. And one might further assume that a better understanding of certain dimensions of that change could be arrived at by examining the perceptions of those "operative employees" who labor in that workplace.

Second, the perceptions of government officers are also important for academic analysis, and have implications for the future research agenda of students of international relations. If what practitioners say they do in negotiation is not being adequately analyzed by scholars of negotiation, it is likely at the least that there are gaps in the literature which ought to be filled. More important, if there are systematic differences between the perceptions of practitioners and the models of theorists, the latter may be generating information about the negotiation process that is inaccurate or even misleading.

On the first point, the Checklist's emphasis on internal negotiation, and on the importance practitioners attach to relations with special interest groups, is consistent with other evidence concerning the increasing politicization of foreign policy. It is undeniable that today many foreign policy issues involve an interplay with domestic groups and special interests that hitherto had not affected relations with foreign nations. As Stanley Hoffmann writes:

> . . . there is literally no substitute (in foreign policy making) for doing at home what must also be done abroad: constant persuasion and bargaining—an appeal, not to patriotic or crusading instincts, but to reason and common sense. Given the nature of the issues, pressure groups of all sorts will not stay out of the process, will demand to be heard, will resent being hurt by this or that "adjustment," will appeal to basic American values, will evoke the sense of insecurity which involvement in the world contest has imprinted on American minds. Congress, as usual, can be expected to reflect these pressures.[48]

The Checklist suggests that the pressure-group activity that Hoffmann has observed at the political, and hence visible, levels of government is also being reflected at the bureaucratic, or working, level of the

[47] Stanley Hoffman, "No Choice, No Illusions," *Foreign Policy*, No. 25 (Winter 1976-77), 97-140, at 102.
[48] *Ibid.*, 131-32.

foreign policy establishment. This fact adds a new dimension to our knowledge about the politicization of the foreign policy process. For one thing, it suggests that interest-group activity may be having a more profound impact on foreign policy than many observers realize. It is one thing for interest groups to influence Congress, which is a normal locus of lobbying activity, but it is quite another for them to influence the foreign service bureaucracy. Foreign policy making is a more bureaucratic process than domestic policy making, and hence lobbying efforts aimed at the foreign service bureaucracy are more likely to be influential in the long run. Furthermore, bureaucratic lobbying implies that certain traditions of division of labor in government are disappearing. Foreign Service officers, or at least those of them who negotiate, are in theory expected to deal mainly with foreign governments and not with domestic interests. The Checklist would suggest that the professional diplomatic corps can expect to be more fully engaged in domestic politicking in the future. Quite contrary to Tocqueville's observation that "foreign policies demand scarcely any of those qualities which are peculiar to democracy,"[49] it would appear that foreign politics is coming to demand the same qualities in diplomats that we generally expect of persons who hold positions of political or bureaucratic leadership in democratic governments.

One may speculate on what causes increasing politicization of the diplomatic function. It is usually assumed (and suggested in the passage from Hoffman), that domestic interest groups are simply more assertive today than they were in the past. Hence, increased politicization may be a result of the *push* of interest groups' demands on the political process. Insofar as such demands exert pressure on the foreign policy bureaucracy, there may be a more persuasive alternative explanation for such activity; namely, the *pull* exercised by a foreign policy agenda that has become more extended in scope. Foreign policy now involves more issues, especially economic issues, of importance to domestic publics than it did previously; consequently the process has become a magnet for interest-group activity. Then, too, foreign affairs bureaucracies are larger today, and have a correspondingly greater capacity to influence the ordinary business and other activities of citizens. A senior Canadian bureaucrat with responsibility for foreign economic policy put it most succinctly: "To me, the extent of the change is that twenty years ago my job didn't exist."[50] Thus, as foreign affairs

[49] Alexis de Tocqueville, *Democracy in America*, ed. by Phillips Bradley (New York: Knopf 1945), I, 234.
[50] Personal interview.

bureaucracies expand in the United States and elsewhere, they themselves create pressures for the increasing politicization of the diplomatic function.

The effect of increasing politicization will most likely be to move diplomacy away from a representative model and toward a mediatorial model, as is implicit in the Checklist's formulation of an external and an internal model. Politicization tends to turn the foreign policy bureaucracy into an arena where domestic interests get reconciled with foreign interests, rather than being—as classical theory has it—a machine to enable decision makers to conduct negotiations with foreign nations. Over a decade ago, Henry Kissinger noted the tendency of foreign policy to become a mediatorial phenomenon: "In internal discussions, American negotiators . . . act as mediators between Washington and the country with which they are negotiating."[51] Kissinger attributed this phenomenon to the legal background of American officials, but the problem may have been more structural than was obvious at the time. Today's foreign affairs officers describe the task of negotiating for the United States as engaging in an external and an internal negotiation, which is similar to the way labor negotiations are often described; it suggests that the negotiator acts as a go-between for both domestic constituents and an external adversary.[52] Thus, what Kissinger noticed about American negotiators may be due more to a fundamental change in the diplomatic process than to the professional background of the negotiators.

The fact that foreign policy, in addition to being more politicized, is also becoming more complex is reflected in the Checklist's focus on managerial problems at the expense of strategy. Such complexity is felt at different levels of government. For the practitioner, the loss of the clear-cut rules that make strategy possible is analogous to the loss, for the top policy maker, of the clear-cut goals that make for consistency in foreign policy. At the level of the President, as Thomas Hughes has stated, foreign policy is indeed the management of contradictions,[53] and seeing policy in such terms is a necessary precondition for the

[51] Kissinger, "Domestic Structure and Foreign Policy," in Kissinger, *American Foreign Policy: Three Essays* (New York: Norton 1969), 32; originally published in *Daedalus*, Vol. 95 (Spring 1966).

[52] This observation is supported by a news story on the SALT II negotiation, which describes the Carter Administration as caught in a three-cornered situation: " 'the man in the middle between the Russians and the Senate,' as a White House official put it." Hedrick Smith, "Three-Cornered Arms Talk," *New York Times*, April 14, 1979, p. 2.

[53] Hughes, "Carter and the Management of Contradictions," *Foreign Policy*, No. 31 (Summer 1978), 34-55.

accommodation of problems. If the Checklist is a valid guide, this advice would also seem to be appropriate at the working level. Practitioners themselves are aware of the problem of contradiction in foreign policy management, and hence they emphasize flexibility over consistency, priority setting over calculation, and the establishment of a definition of the situation over a strategy for the situation. Clearly, the forces that militate against simplicity and consistency in foreign policy today are being felt in the workplace as well as at the top levels of government. The "age of uncertainty" appears to affect the bureaucracy as much as it does the Presidency.

This fact may profoundly influence the way in which foreign policy will be made in the future. The classical theory of bureaucracy made a distinction between policy formulation and policy execution, and the determination of the former (symbolized in foreign policy as a negotiator's instructions) was the prerogative of top policy leadership. We are now in an era where the essential task of foreign policy is being defined as reducing uncertainty in the international system,[54] and where the responsibility for managing the increasing complexity of external relations seems to have fallen to the working level of government. In these circumstances, the bureaucracy can create the conditions for foreign policy management long before top policy makers are pressed for action. As Henry Kissinger writes of modern bureaucracy: "What started out as an aid to decision makers has developed a momentum of its own."[55] In negotiations with foreign governments, the expansion of governmental bureaucracy has opened opportunities for societal control of and adaptation to the problems of modern international life, just as it has introduced rigidities into the methods for handling these problems. Either way, it is likely that the bureaucracy will play an increasingly important part in foreign policy making in the future.

Consistent with these conditions is the increasing anonymity of foreign policy making. There are more people making policy at all levels of government today than ever before, and policy issues are becoming more technically complicated all the time. For this reason, foreign policy practitioners are concerned more with issues than with personality or sociological variables in negotiation. Thus, the diplomat's tradi-

[54] Robert O. Keohane and Joseph S. Nye, "Organizing for Global Environmental and Resource Interdependence," *Commission on the Organization of Government for the Conduct of Foreign Policy*, I (Washington, D.C.: Government Printing Office 1975), 46.

[55] Kissinger, "Central Issues of American Foreign Policy," in Kissinger (fn. 51), 95.

tional stock in trade—the ability to deal with policy on the level of individual personal relations—is becoming a less important part of modern diplomacy. However, while the human element has undoubtedly been reduced in foreign policy from the standpoint of the individual personality, it has quite likely become more important in terms of group relations. It could be said of the traditional personalized diplomacy of the past that how an issue was put was as important as the issue itself. Curiously, this may be even more true of diplomacy today, although it pertains to the constituents of the negotiation process more than to the negotiators themselves. We are in an age when everyone affected by policy seems to want to be consulted, and such demands place a tremendous burden on the foreign policy establishment to engineer a process that will satisfy all constituents. In modern negotiation, a premium is placed on the intellectual capacity to understand complicated issues and on the bureaucratic ability to organize a team to sell the government's position on those issues both at home and abroad. These conditions emphasize a negotiating team's ability to develop good relations with domestic interests, while de-emphasizing the attitudes and backgrounds of individual negotiators in the external negotiation.[56]

The main relevance that the Checklist for Negotiators has for the future research agenda on negotiation is to remind scholars of the increasing complexity of current practice in foreign policy. A strain toward simplification in theoretical work is usually desirable, since it is often necessary to distill the essence of things in order to generate new information about them. However, simplification can be dangerous when it becomes misleading. In negotiating theory, there is a strong tendency toward simplicity in many of the models used today—to the point where these models are not representative of real processes. Consequently, some current research bears little relevance to the problems faced by practitioners, at least as these problems are revealed in the Checklist.

For instance, an argument can be made that the introduction of an internal negotiation into the negotiation process (a possibility largely overlooked in the literature on international negotiation), profoundly changes the situation for a negotiator, and quite probably changes his behavior as well. Certainly, the negotiating task becomes much more

[56] For a case study of the relationship between negotiators and domestic constituents, see Winham, "Bureaucratic Politics and Canadian Trade Negotiation," *International Journal*, XXXIV (Winter 1978/79), 64-89.

complicated in theoretical terms. It is difficult to know whether increasing the complication changes a situation in kind rather than just in degree, but this possibility certainly exists. (It apparently is the case in the mathematical analysis of bargaining: Anatol Rapoport points out that moving from a two-person to an *n*-person game changes the nature of the analytical task, with the result that some questions previously dealt with become less "interesting.")[57] Increasing complication thus would seem to call for different analytical procedures.

The changing structure of the situation as one introduces an internal negotiation into the negotiating process can be demonstrated by the analogy of a chess game. If *A* plays chess against *B*, it can be viewed as an external negotiation; it is a perfect strategic situation. If *A* plays chess simultaneously against *B* and *C*, *A* has a more complicated problem, but it is a complication in degree and not in kind. However, if *A* plays "chess" simultaneously against *B* and *C*, such that *A*'s *n*th move against *B* constitutes also his *n*th move against *C*, *A* is no longer playing chess; the strategic situation is changed utterly. One would assume *A*'s behavior to change sufficiently so that an analysis of his previous behavior would be misleading as a predictor of his future actions.

The above example parallels certain international negotiations, and it is fairly representative of labor negotiations. As Walton and McKersie have shown in their analysis of labor negotiation, union leaders face simultaneous internal and external negotiations: actions taken to improve relations with management tend to worsen relations with constituents, and vice versa.[58] The bargaining moves that a union negotiator makes against management will sooner or later have to be cleared with his constituency; hence, the negotiator cannot concentrate solely on his strategic situation in the external negotiation, as the moves he makes there can undermine his position in the internal negotiation. The negotiator (or negotiating team) must focus on both the external and internal negotiation simultaneously and undertake initiatives with an eye on both fronts. Research on negotiation should take this circumstance into account.[59]

It would seem desirable, therefore, for theorists to admit greater

[57] Rapoport, *N-Person Game Theory: Concepts and Application* (Ann Arbor: University of Michigan Press 1970). See esp. chap. 10, "N-Person Theory and Two-Person Theory Compared."

[58] Walton and McKersie (fn. 22); see esp. Part II, "Dilemmas of Intraorganizational Bargaining."

[59] E.g., I. M. Destler's recent article on the Panama Treaties offers an excellent analysis of the difficulty of managing the conflicting demands of an internal and external negotiation. See "Treaty Troubles: Versailles in Reverse," *Foreign Policy*, No. 33 (Winter 1978-79), 45-65.

complexity and richness into their analysis of negotiation. Thus, they should view negotiation as an adjustment process occurring internally within actors as well as externally between actors; view negotiation as a managerial decision-making process instead of a process of strategic competition; and, finally, view negotiation behavior as determined more by the idiosyncratic material being dealt with in particular negotiations than by the more generalizable aspects of psychology or cultural background. Although such analyses would be more complicated, they would also be more realistic. In short, it would seem that negotiation theory will have to take account of the actual situation in which international negotiators find themselves before that theory will make significant new progress.

If the research efforts of a scientific community can be said to proceed in phases—oscillating from periods when great simplifying models are in fashion to periods when research mirrors the variety found in the environment—then it would seem appropriate for theorists of international negotiations to initiate the latter phase at the present time. The world itself is in transition, and one aspect of this transition is that theoretical knowledge about international diplomacy has become less representative of reality. In the future, negotiation theory should search out new variables in the negotiation process, especially variables based on observation of the real world, and build a new information base from which the next generation of conceptual models can be created.

APPENDIX

Checklist for Negotiators*

PURPOSE

To provide a guideline for persons involved in bilateral or multilateral negotiations with foreign governments.

PRELIMINARY TO NEGOTIATION

Negotiation is a tool in the management of external relations. The *decision to negotiate* should take account of the facts of the situation, objectives (what should be done), and policy alternatives (what can be done). National leaders should weigh the value of the negotiation process in terms of national interest, and should assess the role their nation will have in the negotiation.

* Prepared by Professor Gilbert R. Winham of Dalhousie University, in consultation with the members of the 19th Senior Seminar in Foreign Policy 1976-77.

PURPOSE OF NEGOTIATION

Nations normally negotiate to reach *agreements*. Agreements can serve four *purposes*: (1) resolve disputes (e.g., boundary agreements); (2) demonstrate values (e.g., non-aggression pacts); (3) distribute resources (e.g., fishing quota agreements); (4) administer relationships (e.g., airlines agreements). Many negotiations involve more than one purpose. The appropriate strategy can vary with the purpose of the agreement.

PHASES OF NEGOTIATION

Most negotiations occur in three *phases* over time. The predominate behavior of each successive phase is: *initiation, bargaining*, and *decision making*. Negotiations are two-fronted, and participants should distinguish between *external* considerations related to the foreign government(s) and *internal* considerations related to the home government (and negotiating team).

PHASE I

Task: Define problems and goals, establish negotiating framework and procedures, prepare opening position.

External Considerations:

1. What *benefit* does your government want from the negotiation; or, what should the process of negotiation accomplish?
2. What is the *other side's (sides') perception* of the situation; is their stated position their actual position; has everything possible been done to establish what the other side(s) want?
3. Have appropriate *negotiating procedures* and a guiding principle or framework been established; do these procedures adequately explore common ground?
4. What *bargaining strategy* will you employ (specifically, fallback position and concession rate); is your bargaining strategy consistent with past and future diplomacy in this area; are you prepared to avoid early stalemate; are you prepared to respond to the issues the other side(s) might raise?
5. Is your position coordinated with *major allies*; have you considered effects on third parties?

Internal Considerations:

1. What *directives*, legislation, or Congressional hearings bear on the negotiation?
2. What *domestic interests* (agencies or interest groups) have a stake in the negotiation; what is their position; have they been adequately consulted and briefed?
3. Do you have appropriate substantive *instructions* which leave you adequate tactical flexibility; have you identified the hard and soft spots in those instructions for later bargaining purposes?
4. Is the *negotiating team* organized to reflect your government's bureaucratic interests; is the team sufficiently prestigious and does it possess adequate expertise to handle the problem; is the

team well briefed and familiar with the political background of this negotiation, including previous negotiations on the same subject; is the team organized to maintain maximum teamwork?

5. Is the necessary *staff work* underway on the relevant building blocks of a final agreement; have you thought about what legal or other instruments will be needed to support an agreement; is the backstopping machinery in your capital effective?
6. How will *media* relations be maintained; can the media be used to move the negotiation ahead and/or advance your position?

PHASE 2

Task: Conduct day-to-day negotiation (i.e., attend meetings, analyze alternative proposals, liaise with home government, accommodate positions on issues, reach general agreement if possible).

External Considerations:

1. Does the negotiation process isolate *important concerns* from less important ones, and ensure these are communicated; what are your adversary's (adversaries') important concerns?
2. Does the *process* identify areas for trade-offs, concessions, and agreement; does the process *educate* parties?
3. Have you *coordinated* overall bargaining strategy with day-to-day tactics; in multilateral negotiations, is your position coordinated with other nations having common positions?
4. Is day-to-day negotiation *making progress* toward settlement; if not, can you concede further, or can you bring additional pressure on other parties to concede; can the problem be reformulated?

Internal Considerations:

1. Are you *maintaining domestic support* from Congress, agencies, and interest groups; are you in touch with the climate of opinion at home, and are you providing your domestic constituents with the right amount of information on developments?
2. Are your *instructions flexible* enough to permit settlement; can you generate further flexibility at home through persuasion or trade-offs?
3. Is the negotiating team and backstopping *machinery* continuing to operate in an *adequate* and *effective* manner; is it adjusting to new developments?

PHASE 3

Task: Assess negotiation; reach agreement on major issues if possible; conclude negotiation (i.e., decide whether to accept available terms or to discontinue negotiation).

External Considerations:

1. Does the other *party (ies)* want agreement, and on what terms?

2. Is an agreement worth the *opportunity cost* of continued negotiation?
3. Can outstanding *issues* be integrated to form a package deal; or can issues be separated and dealt with in partial agreements?
4. Would it help to raise the *level* of negotiation on one or more issues?
5. Is there an effective *deadline*; would a deadline be helpful, and could it be convincingly established?

Internal Considerations:

1. Is the agreement as it is shaping up in your *national interest* (i.e., should your position be re-evaluated)?
2. What is the main *opposition* (e.g., Congress, government agencies, interest groups) to agreement; can domestic opposition be reconciled through education and persuasion; can you effectively invoke higher authority (e.g., Presidential) or national interest to overcome opposition?
3. How will negotiation results strike the *media*; have they been thoroughly briefed?
4. Is the delegation working effectively and keeping its cool, and does the delegation have adequate *control*?