THE INFLUENCE OF POWER ON PRINCIPLED NEGOTIATION: A STUDY OF STRUCTURAL APPROACH TO INTEREST BASED NEGOTIATION

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LETTER OF RECOMMENDATION

I certify that this dissertation entitled "**The Influence of Power on Principled Negotiation: A Study of Structural Approach to Interest-based Negotiation**" was prepared by **Bhuwan Ojha** under my supervision. I hereby recommend this dissertation for final examination by the Research Committee, Department of International Relations and Diplomacy, Tribhuvan University, in fulfillment of the requirements for **MASTER OF ARTS IN INTERNATIONAL RELATIONS AND DIPLOMACY.**

…….
Professor Khadga KC, PhD
Supervisor
Date: 2 August 2019.

DECLARATION

I hereby declare that this dissertation is my own work and that it contains no materials previously published. I have not used its materials for the award of any kind and any other degree. Where other author's sources of information have been used, they have been acknowledged.

Signature:

Name: Bhuwan Ojha

Date: 2 August, 2019

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-Bhuwan Ojha

ABSTRACT

The objective of this study has been to assess the influence of asymmetrical power relations on seven elements framework of principled negotiation: interests, options, legitimacy, alternatives, communications, relationship and commitment. This study has aimed at analyzing co-relation between structural approach to negotiation and interest based negotiation. This study has also aimed to explore the measures to overcome the structural impediments in international negotiations.

The study has assessed that the asymmetrical power in the negotiation influences on every element of principled negotiation. While both strong and weak parties have been found to have equal reciprocal effects on the communication and relationship elements, the stronger have been explored to have greater influence on other five elements.

The study has analyzed the co-relation between the structural approach and principled negotiation and found that the co-relation is primarily exclusive but can be transformed into inclusive as well. The variables like power capabilities, bargaining capacities, negotiation strategies and tactics, the contexts and the idiosyncrasies of the negotiators are found to have determining role to shape the nature of co-relation. These variables have been analyzed to have a key role in transforming the co-relation into inclusive one.

The study has explored that with the application of bargaining tactics and strategies, the influence of asymmetrical power relations could have been avoided. Equipping the negotiators with tactful strategies has been explored to have significant role in overcoming the structural impediments in the international negotiations.

The study has conceptualized that the asymmetric power relations tend to lead the negotiations to Pareto-optimal outcomes when bargaining capacity variable prevails over the power capability.

The study has analyzed the Cuban Missile Crisis and found it one of the most appropriate examples of how power confrontation can be settled down in a peaceful resolution by mutually exploring and addressing the interests of the parties in negotiation.

The study has concluded that the optimal outcomes can be generated even out of asymmetric power relations with the careful application of co-operative strategies and tactics by the weaker parties.

Keywords: *Principled Bargaining, Structural Approach, Pareto-optimal, Cuban Missile Crisis, Rational Actor Model.*

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LIST OF ABBREVIATIONS/ACRONYMS

BATNA	Best Alternative to a Negotiated Agreement
CIA	Central Investigation Agency
ICBMs	Inter Continental Ballistic Missiles
IRBMs	Intermediate Range Ballistic Missiles
MRBMs	Medium Range Ballistic Missiles
NATO	North Atlantic Treaty Organization
OAS	Organization of American States
PON	Program on Negotiation
RAM	Rational Actor Model
RPs	Reservation Points
SAC	Strategic Air Command
SAMs	Surface-to-Air Missiles
UN	The United Nations
USA	The United States of America
USSR	Union of Soviet Socialist Republics
ZOPA	Zone of Possible Agreements

CHAPTER 1: INTRODUCTION

1.1 Background

Negotiation is the art of reaching agreements. The basic aim in every negotiation is to make sure that the other participants have sufficient incentives to agree to an outcome that serves your objectives (Walker, 2011, p. 109). Position-based definition of negotiation has been identified it as joint-decision making process under conditions of conflict and uncertainty, combining divergent positions into a single outcome (Zartman, 1978, p. 23). With the publication of Fisher and Ury's seminal work "Getting to YES: Negotiating Agreement Without Giving In" in 1981, the concept of principled negotiation as an alternative to the position-based negotiation has been introduced. One of the defining features of principled negotiation is "Focus on Interests, not Positions" (Fisher & Ury, 1981, p. 3; Patton, 2005, p.281).

According to Patton (2005, p. 279) and Members of Program on Negotiation (PON) at Harvard Law School developed seven-elements framework for understanding and analyzing negotiation processes and outcomes based on the propositions of principled negotiation as postulated by Fisher and Ury in 1981: interests, options, legitimacy, alternatives, communications, relationship and commitment. Interests are parties' basic needs, wants and motivations. Interests are not the same as the positions which is the proposed outcome that represents merely one way among many others that issues might be resolved (Patton, 2005, p. 280).

Power imbalances are evident in most negotiations. The dominant school in negotiation is structuralism which has long maintained that power symmetry is the condition most propitious for mutually satisfying negotiations and efficient attainment of optimal results (Bercovitch,

Kremunyek & Zartman, 2009, p. 37). An opposing argument that it is asymmetry that is productive of faster, better agreements has rarely been made. The structural approach to negotiation has the assumption that the power asymmetric relations between the parties in negotiation generate the outcomes favorable to the powerful parties. This approach maintains that power is the central determining factor in negotiations (Bacharach and Lawler, 1981, p. 223). This theoretical paradigm instigates an inquiry into the implications of asymmetric and symmetric power relations between the parties in the negotiation on the processes and outcomes of the agreements. The influence of power on interest based negotiation has been examined in this research study.

Power is the fundamental defining feature of global politics. Jackson and Sorensen (2013, p. 66) found that international politics is a struggle for power. The realist school of thought in international relations assumes that the international politics is power politics: an area of rivalry, conflict, and war. The core elements of power politics are statism, anarchy, survival, and self-help (Dunne & Schmidt, 2011, p. 87). The classical realists such as Thucydides, Machiavelli and Morgenthau believe that the acquisition, possession, deployment, and uses of power are central preoccupations of political activity (Jackson & Sorenson, 2013).

Nevertheless, a government executes its foreign policy and manages its international relations not only applying power but also different forms of persuasion. In normal circumstances, state conducts its international intercourse by negotiation. A skillfully and sensitively applied persuasive argument may achieve a better result than the use of force (Roberts, 2009, p. 4). In diplomatic history, both the diplomatic networks and armies emerged at the same time. Because diplomacy was designed to use force to ensure profit, it is not

unexpected that both standing armies and diplomatic networks emerged at the same period (McKercher, 2012, p. 5).

In the globalized world, the growing density of interactions has intensified conflicts of interests that have to be resolved through the processes of dialogue. As a result, negotiation has become the fact of life (Fisher &Ury, 1981). The modern state system was born out of the negotiated treaties of the so-called Peace of Westphalia, 1648 which formalized the principle of sovereignty (Hampson, Crocker & Aall, 2013, p. 319). Since then, negotiation has become the preferred instrument for resolving disputes between and among nations. Of all the procedures used to resolve differences, the simplest and the most utilized form is negotiation (Shaw, 2008, p. 1014).

Negotiation is commonly seen as the core of diplomacy, as the ultimate form of diplomatic communication (Jonsson and Hall, 2005, p. 82). Adam Watson (1982, p.33) characterizes diplomacy as negotiations between political entities which acknowledge each other's independence. According to G. R. Berridge (2010, p. 1), Diplomacy is the conduct of international relations by negotiation rather than by force, propaganda or recourse to law, and by other peaceful means (such as gathering information or engendering goodwill) which are either directly or indirectly designed to promote negotiation.

There are two ways to negotiate: soft or hard (Fisher &Ury, 1981, p. 10). According to Fisher & Ury (1981), the soft negotiators tend to avoid personal conflict and make concessions in order to reach agreement. They wish for an amicable resolution. The hard negotiators perceive any situation as a contest of wills and take extreme positions. They want to win. Fisher & Ury

(1981) and Patton (2005) found that these are positional bargaining. As an alternative to these two kinds of negotiation, the principled way of negotiation has been introduced.

> There is a third way to negotiate: principled negotiation; a way neither hard nor soft, but rather both hard and soft. The method of principled negotiation is hard on the merits, soft on the people. It is an alternative to positional bargaining. It is a method of negotiation explicitly designed to produce wise outcomes efficiently and amicably. (Fisher& Ury, 1981, p. 13)

One of the predominant approaches to negotiation is structural analysis, which is the power-oriented explanation of international negotiations. This approach typically treats international bargaining problems in terms of the power resources and capabilities of the parties in the negotiation (Alfredson & Cungu, 2013, p.9). In international relations literatures, this approach is most commonly identified with the realist and neo-realist school of thought, which emphasize the impacts of the international distribution of power on the behavior of states in the bargaining table (Hampson, 2013, p. 324). Power has been considered one of the most important factors in negotiation (De Dreu & Van Kleef, 2004, p. 317).

At present, the world is witnessing an apparent paradox: states are profoundly unequal with regard to the power they wield and their influence in world affairs, but they are equal before the law and in terms of their rights and obligations. Sovereign equality of every state regardless of the size and strength is firmly principled in the international law (Charter of the United Nations, 1945).In the meantime, the world is also experiencing the spectacular growth of realpolitik. Realists argue that strong states prevail at the bargaining table because they can use their superior resources in any given issue area to coerce and cajole weaker parties into

submission (Smith, Hadfield & Dunne, 2012, p. 41). The outcome of the international negotiations- bilateral or multilateral- will thus represent the preferences of the more powerful actors in the international system, i.e. bargaining outcomes are predetermined (Hampson, 2013, p. 324).

The researcher has found a number of studies on the effects of power on negotiation. Nonetheless, no study has been conducted on the title of the influence of power on principled negotiation. Against this backdrop, it has been worth analyzing the impacts of power on the principled negotiation. This study has assessed implications of structural approach to international negotiation. It addition, it has also explored a framework of measures for managing asymmetric power in the bargaining table. This study, therefore, has contributed to literatures of the art and science of power on principled negotiation.

Negotiation was one of the biggest achievements of the Cuban Missile Crisis, 1962. Neither the Russian leader, Nikita Khrushchev nor John F Kennedy, the president of the USA, were able to walk away from the row over Russian nuclear missiles being installed in Cuba. The Cuban Missile crisis came to a close as Soviet leader Nikita Khrushchev agreed to remove Russian missiles from Cuba in exchange for a promise from the United States to respect Cuba's territorial sovereignty (Allison, 1969). This ended nearly two weeks of anxiety and tensions between the United States and the Soviet Union that came close to provoking a nuclear conflict. The power dynamics in the processes and outcomes of the Cuban Missile Crisis has been analyzed through Allison's three conceptual models of foreign policy analysis and through the prism of seven-elements of framework of principled negotiation.

This study has aimed to assess the influence of power on seven elements framework of principled negotiation, to analyze the structural approach to negotiation and its co-relation with interest based negotiation and to explore the measures to overcome the influence of structural asymmetry in international negotiations. This study has examined Cuban Missile Crisis, 1962 to explore the effects of power on international negotiation processes and outcomes.

1.2 Statement of Problem

In power and negotiation literatures, the researcher has found a number of studies which have dealt with the influence of power on international negotiations. There have also been a considerable number of studies on power, principled negotiation, and structural approach to negotiation in separate research designs. However, the influence of power asymmetry on the processes and outcomes of principled negotiation has yet to be studied. This research gap, therefore, has been analyzed in this study.

Negotiation takes place when neither party in a conflict is strong enough to impose its will or to resolve the conflict unilaterally. Yet, equality of two parties produces deadlocks in the bargaining table (Cleary, 2001). In the literatures of negotiations, it is argued that power asymmetry is useful in avoiding deadlocks in negotiations.

> Power asymmetry can be used to break those deadlocks. But these asymmetries then raise the Structuralists' paradox: how come weaker parties negotiate with stronger parties and still get something? And expecting to lose, a weaker party should want to avoid negotiation with the stronger party at all costs, but it cannot: and expecting to win, a stronger party should have no need to negotiate what it wants, but it must. (Zartman, 1997, p.1)

This paradox invokes a question: what is the implication of power symmetry and asymmetry in negotiation. This has yet to be answered in the literatures of international negotiation. The study has been focused to explore the underlying details of impacts of asymmetric relationship between the parties on negotiation outcomes.

As Fisher & Ury (1981) mentioned, the primary focus of principled negotiation is the interests of parties. The parties in the negotiation are expected to generate optimal outcomes even if a power asymmetric relation prevails. The international negotiation processes have been expected to be exclusive of power possession and application for the purpose of generating optimal outcomes. The ideal assumption of international community is that the interests of the negotiating parties should prevail rather than the positions of the powerful one at the negotiation table.

Nevertheless, the processes of the international negotiations have seemed to be affected by power asymmetry, leading to the sub-optimal outcomes. The outcomes tend to be predetermined for the benefits of the powerful parties in the negotiation table. As a result, the negotiated agreements just represent the position of the stronger parties, not the interests of all. Some individuals or governments are reticent about engaging in negotiation because of a fear that they will be forced to accept outcomes that they consider damaging to their interests (Walker, 2011, p. 111). The Cuban Missile Crisis is the most suitable example of nuclear confrontation to pursue that the power asymmetric relations between the parties in the conflicts does not necessarily result into win-lose outcome rather into the win-win one (Cyr, 2012).

This study has assessed this research gap exploring the influence of power on principled negotiation and implications of the structural approach in the interest-based negotiations. It has

also examined the symmetric and asymmetric power effects on seven elements framework of negotiation, the impacts of structural approach on interest based negotiation, and the measures to overcome such structural impediments. This study has contributed in the existing literatures of power and negotiation and had opened up new avenues for researcher interested in this topic.

1.3 Research Questions

With reference to the statement of problem of this study, the following research questions were set to be analyzed:

I. How does asymmetric power influence seven elements framework of principled negotiation?
II. What is structural approach to negotiation and how does it affect the interest based negotiation?
III. What are the measures to overcome structural impediments in the interest based negotiations?

1.4 Research Objectives

In connection with the research questions, the objective of this study was to provide a comprehensive assessment of the influence of power on principled negotiations. This study had the objective of extensively analyzing the impacts of power asymmetry in the interest-based negotiation. The study had the following specific objectives:

I. To assess the influence of asymmetric power on the seven elements framework of principled negotiation.
II. To discuss/analyze the structural approach and its co-relation with interest based negotiation.

III. To explore measures to overcome the impacts of structural impediments in negotiations.

1.5 Significance of the Study

At the individuals level, the researchers, academic scholars, the policy makers, the strategists, the negotiators have been benefitted by the analysis on the content of principled negotiation, the seven- elements framework of negotiations, the structural approach to negotiations and the measures to overcome the structural impediments on negotiation processes and outcomes.

At the societal level, the findings of this research have been significant to the benefit of society in the field of implications of power symmetry and asymmetry in international negotiations. At the national level, this study has served as the reference material for better organizing the entire negotiation processes for both weaker and stronger parties in the negotiation. The implications of power symmetry and asymmetry on international dialogue have become useful to the academician and practitioners in the domain of international negotiation. At the global level, this study has contributed to diagnose the complexities and intricacies of the multilateral and bilateral negotiations.

This study has also been significant since it has analyzed The Cuban Missile Crisis, 1962 through the prism of interest based negotiation, conceptual models of analysis, theoretical foundations of international relations, and levels of negotiation analysis. Thus, this study has proved to be of significance to the nuclear policy makers, strategists, advisors to the chief executives of the nuclear power countries.

It has been useful to the international organizations, institutions and regimes which are working for the disarmament purposes. The underpinning factors to transform the distributive negotiation into an integrative one have remained matter of significance to the negotiators.

The power effects on seven elements framework of negotiation, the impacts of structural approach on interest based negotiation, and the measures to overcome such structural impediments have been studied and thus remained useful for researcher interested in these topics.

From the disciplinary aspects, this study has been important in the fields of international relations, diplomacy and negotiation. The realist school of thought in international relations and the structural approach to negotiation, the concept of principled negotiation have been analyzed and thus, become crucial elements to pursue.

The significance of this research study has also extended to the field of conceptual models of foreign policy analysis. The Cuban Missile Crisis has been examined with the application of Allison's Rational Actor, Organizational and Bureaucratic Politics Model. The impacts of power on the international bargaining processes and outcomes have been examined at the interpersonal, intrapersonal, group, societal and virtual levels. This has also signified the importance of this study.

1.6 Limitations of the Study

Considering the multiple dimensions and elements of power and negotiation, and their co-relation, the analysis of each aspect in a single study would be a challenging task. The study of all dynamics of power and their influence on the principled negotiation required a larger time-frame. In contrary, this study has solely focused on the influence of asymmetric power on seven elements of principled negotiation. The literatures related to this area of study have been limited

and scarce. The study has been qualitative in nature and analyzed the literatures from secondary source of data. This study had the following specific limitations.

1.6.1 Methodological Limitation

This has been a qualitative study in nature. Since this research was primarily based on secondary data, it has lacked primary data. This study has primarily been focused on the case study and content analysis method.

1.6.2 Scope Wise Limitation

This study was limited in scope since it analyzed only the influence of power factor on principled negotiation. However, knowledge, skills, personality, public opinion were equally prevalent and shaped the outcomes of any international negotiation. Furthermore, the study was limited to the case of Cuban Missile Crisis.

1.6.3 Theoretical Limitation

This study was limited to the structural theory of negotiation and to the realist, constructivist and post-structuralist theory in international relations. The balance of power theory was also used to analyze the effects of power. It was also limited to the principled way of negotiation or merit based negotiation.

1.7 Definition of Key Terms

Positional bargaining, principled negotiation, symmetry and asymmetry, structural analysis, Cuban Missile Crisis, Rational Actor Model, Pareto-optimality are some of the key terms which have been defined.

I. **Positional Bargaining:** Positional bargaining is an approach to negotiation that frames negotiation as an adversarial, zero-sum game focused on claiming rather than creating value (Patton, 2005). According to Harvard Negotiation Project, in positional bargaining, one party will stake out a high (or low) opening position (demand or offer) and the other a correspondingly low (or high) one. Then a series of (usually reciprocal) concessions are made until an agreement is reached somewhere in the middle of the opening positions, or no agreement is reached at all. Fisher and Ury (1981, p. XVII) finds two ways of positional bargaining. Soft positional negotiators want to avoid personal conflict and so make concessions readily in order to reach agreements. The hard positional negotiators see any negotiation as contest of wills and want to win.

II. **Principled Negotiation:** The method of principled negotiation, or interest based negotiation, developed at the Harvard Negotiation Project is to decide issues on their merits rather than through haggling process focused on what each side says it will or will not do. In the words of Fisher and Ury (1981), it focuses on interests, not on the positions; it separates people form problem; inventing options for mutual gains and the use of objective criteria. It looks for mutual gains. It is hard on merits and soft on people (Fisher & Ury, 1981). It is an interest-based approach to negotiation that focuses primarily on conflict management and conflict resolution. It uses an integrative approach to finding a mutually shared outcome. It has become synonymous with the more popular phrase win-win which is originally taken from Game Theory (Patton, 2005).

III. **Symmetric and Asymmetric Power:** Symmetrical power exists among individuals or parties when no one among them can harm anyone or when everyone among them can harm anyone else to an equal degree (Bacharach & Lawler, 1981). These two possibilities are called the no-harm symmetry and the equal harm symmetry, respectively. According to Bacharach & Lawler (1981), asymmetrical power exists among individuals or parties when some among them can harm some others to a greater degree than the others can harm them. Symmetric relationships are characterized by a balanced mutual relationship, based on similar allocations of power resources. It is positive sum game. In asymmetric relationships, one actor wins at the expense of another. It is a zero sum game.

IV. **Structural Analysis:** This approach emphasizes the impact of the international distribution of power on the behavior of states (i.e. military capabilities, economic wealth and the size of national economies) in political outcomes including those that take place at the bargaining table (Hampson, Crocker & Aall, 2013). Structural approaches to negotiations consider negotiated outcomes to be a function of the characteristics or structural features that define particular negotiation. This approach assumes that the negotiated outcomes are predetermined- in favor of powerful party. This gives high importance to the power and resources in bargaining table. It presupposes the win-lose outcome.

V. **Cuban Missile Crisis:** Cuban missile crisis, (October 1962) was a time of heightened confrontation that brought the United States and the Soviet Union close to war over the presence of Soviet nuclear armed missiles in Cuba. In Russia, it is known as the Caribbean Crisis. Cuba calls it the October Crisis (Marfo, 2014). It was a proxy conflict around Cuba. It happened when the Soviet Union (USSR) began building missile sites in Cuba in 1962. It may have been the moment when the Cold War came closest to a nuclear war.

VI. **Rational Actor Model:** Rational Actor Model (RAM) is the first of Allison's (1969) framework of foreign policy analysis introduced and elaborated with the real reference to the Cuban Missile Crisis. The attempt to explain international events by recounting the aims and calculations of nations or governments is the trademark of the Rational Actor Model. According to Allison (1969), this Model oscillates between decision and choice where decision presupposes a decider and a choice among alternatives with reference to some goal.

VII. **Pareto-optimality:** Pareto optimality is defined as the economic situation when the circumstances of one individual cannot be made better without making the situation worse for another individual. Pareto's efficiency takes place when the resources are most optimally used. It was theorized by the Italian economist and engineer Vilfredo Pareto. It is the final optimum solution beyond which any change would directly lead to loss in the allocation of resources. It is, thus, the complete solution in itself.

CHAPTER 2: REVIEW OF LITERATURE

The theoretical arguments and the research design of this study have derived from the literatures on principled negotiation, the concepts of power: symmetric and asymmetric, the structural approach to negotiations, the realist, constructivist and post-structuralist theories of international relations. The study has reviewed the existing literatures on these areas of disciplines.

This chapter has begun with an overview of symmetric and asymmetric concept of power, Nye's concepts of hard, soft and smart power. Next, it has reviewed literatures on principled negotiation, Cuban Missile Crisis and Graham T. Allison's three Conceptual Models of foreign policy analysis. It has also extensively analyzed the effects of power symmetry and asymmetry on negotiation processes and outcomes.

2.1 Concepts of Power: Symmetry and Asymmetry

Power has been defined as force, influence, potential to influence i.e. capability and possession. Social scientists have conceptualized power as force and an action by one party to move another in an intended direction and to produce an outcome (Zartman & Rubin, 2007, p.7). Power is the potential to influence another in psychologically meaningful ways, inducing changes in behavior, opinions, attitudes, goals, needs, or values of another person or group (Guinote, 2007, p. 259). Realists equate power with force. Neo- realists relate power with possession.

> Power is often defined as the ability to get another actor to do what it would not otherwise have done (or not to do what it would have done). These definitions

> treat power as influence. There is a danger of circular logic: power explains influence, and influence measures power. Power is not influence itself, however, but the ability or potential to influence others. This is power as capability. (Goldstein & Pevehouse, 2009, p. 45)

Power has also been defined as the relational influence in the behavioral sciences. Power, for Robert Dahl (1957, p. 201), is a matter of A getting B to do what A wants, or of A forcing B not to do what B wants to do. In this sense, power is to some extent equal to influence and relations.

Resources and capability to translate those resources into causation have become the integral part in defining power by foreign policy experts. In the literatures of international relations, power is categorized as hard, soft and smart power. Hard power is coercive, soft power is persuasive and smart power is neither coercive nor persuasive but the combination of both. Joseph Nye (2013, p. 564) defines power in terms of causation: the ability to affect others to get the desired outcomes. He further identifies threat, coerce as hard and persuade and fame as soft power.

> Soft power is the ability to affect others to obtain the outcomes one wants through attraction rather than coercion or payment. A country's soft power rests on its resources of culture, values, and policies. A smart power strategy combines hard and soft power resources. Public diplomacy has a long history as a means of promoting a country's soft power. (Nye, 2008, p. 94)

Nye (2003) defines smart power as the ability to combine both hard and soft power resources into effective strategies. The concept of smart power emerged to counter the

misperception that soft power alone can produce effective foreign policy (Nye, 2013, p. 565). Smart power is available to all states and small states have often developed smart power strategies.

Hard power like coercion can be used to generate soft foreign policy behaviors and soft powers such as culture, persuasion can be used to produce hard foreign policy behaviors. According to Nye (2013), the power resources and power behavior are two separate phenomena. The resources associated with hard power behavior can produce soft power behavior and the resources related to the soft power can produce hard power behavior, depending on the context and the way they are used.

In the literatures of asymmetric power in negotiation, it is widely mentioned that power determines the negotiator's performance. Thus, the stronger parties in the negotiations tend to impose their wills over the stronger ones. Increasing power is, therefore, one strategy of structuralist negotiators.

> Negotiation has been defined as an interpersonal decision-making process by which two or more people agree how to allocate scarce resources. One factor that is widely acknowledged to affect negotiator performance is power. A negotiator's power may be critical for the quality of his or her success, because it can determine the allocation of rewards in an agreement. The greater one's power relative to the power of others, the more resources one should be able to claim. As a result, the negotiation literature is replete with recommendations to improve one's power position. (Kim, Pinkley & Fragale, 2005, p. 799)

The views on the determinants of power fall into two camps: individualistic and relational. Individualistic notions of power focus on either a person's motivation to acquire power or a person's individual traits, such as charisma, self-confidence and flexibility, which increase the likelihood of attaining positions of power. Relational theories of power examine the relative influence one party has over another. According to relational theory of power, Party A has power over Party B to the extent that B is dependent on A for goal achievement (Wolfe & Mcginn, 2005, p. 5).

The symmetry and asymmetry are the notions of relational theory of power. The symmetric relation implies that the parties possess equal power resources. Having unequal possession of resources implies asymmetric relation. The notions of symmetry and asymmetry have to be considered in terms of resource configuration and from the perspectives of benefit. Symmetric relationships are characterized by a balanced mutual relationship, based on similar allocations of power resources.

> Power is the perceived capacity of one side to produce an intended effect on another through a move that may involve the use of resources. The dominant paradigm in negotiation as well as international relations theory asserts that power does make a difference in negotiation process and outcome. The symmetric and asymmetric power relations have been the focal in both negotiation and power theories. A symmetric power relation occurs when each party controls a range of outcomes of the other of relatively equal strength. An asymmetric power relationship occurs when one of the parties can control a range of outcomes greater than that controlled by the other. (Zartman & Rubin, 2000, p. 14)

In asymmetric relationships, the unequal allocation of resources can lead to a point where the most powerful party makes threats and exerts pressure. Asymmetry is a relationship between the small and the great, the weak and the strong, and the rich and the poor (Pfetsch & Landau, 2000, p.21).

> If relations are dominated or defined by the threat of violence or military pressure, then the strong side can exert power over the weak side. Therefore, the asymmetrical nature of relations is one source of power. On the other hand, the role of power may be diminished or even disappear if relations are more equal or mutually dependent. (Changhe, 2013, p. 545)

Absolute dependency of a party over another is the primary source of asymmetric power relations whereas the mutual dependency of parties among themselves is one source of creating symmetrical relations.

2.2 Negotiation and Principled Negotiation

Negotiation of often defined as the process of reaching agreements out of conflicting positions. Noted Statesman and negotiator Henry Kissinger defined negotiation as a process of combining conflicting positions into a common position, under a decision rule of unanimity (Kissinger, 1969, p.66). Albin (as cited in Moore & Woodrow, 200, p. 7) states that negotiation is a joint decision making process in which parties, with initially opposing positions and conflicting interests, arrive at a mutually beneficial and satisfactory agreement. It normally includes dialogue with problem solving and discussion on merits as well as bargaining and the exchange of concessions with the use of competitive tactics.

Negotiation is the best mode of practice of diplomacy. It is one of the functions of a diplomatic mission (Article 3 of the Vienna Convention on Diplomatic Relations, 1961). It is a function of twenty-first century's ambassador (Rana, 2004, p. 37).It consists of discussion between the interested parties with a view to reconciling divergent opinions. In addition to being an extremely active method of dispute settlement itself, negotiation is normally the precursor to other settlement procedures. Where disputes are likely to endanger the maintenance of international peace and security, the parties to such disputes shall first seek a resolution by negotiation (Article 33 of the Charter of the United Nations, 1945).

Negotiation is the core function of diplomacy and thus, the best apparatus to implement foreign policy. Regarding the nexus between foreign policy, diplomacy and negotiation, Harold Nicolson states:

> One of the main causes of anxious bewilderment was the mistake made by the public in confusing policy and negotiation and in calling the two branches of their subject by the same ill-favored name of “Diplomacy”… For whereas “foreign policy” in democratic countries should be a matter for the Cabinet to decide with the approval of the elected representatives of the people; the execution of that policy, whether we call it “diplomacy” or “negotiation” should generally left to professionals of experience and discretion. (Nicolson, 1964, p. 12)

Principled negotiation is about the process of arriving at the legitimate outcomes through the identification of interests not the positions of the parties. The method of principled negotiation is developed at the Harvard Negotiation Project which decides issues on their merits. The seven elements framework for understanding and analyzing negotiation was developed to

meet the criteria of principled negotiation: interests, fairness or legitimacy, relationship, alternatives and BATNA, options, commitments and communication (Patton, 2005, p. 280). It anticipates for mutual gains whenever possible, and insists that the result be based on some fair standards independent of the will of either side.

> In contrast to positional bargaining, the principled negotiation method of focusing on basic interests, mutually satisfying options and fair standards typically results in a wise agreement. Any method of negotiation may be fairly judged by three criteria: It should produce a wise agreement if agreement is possible. It should be efficient. And, it should improve or at least not damage the relationship between the parties…. And, positional bargaining fails to meet the basic criteria of producing a wise agreement, efficiently and amicably. (Fisher & Ury, 1981, p. 4)

The basic problem in a negotiation lies not in conflicting positions, but in the conflict between each side's needs, desires, concerns, and fears. And, for wise solution, it is necessary to reconcile interests, not positions. Interests are different form positions. A position is a proposed outcome that represents merely one way among many that issue might be resolved and interests met. Integrative approaches maintain that to negotiate efficiently, negotiators should go beyond positions and seek to satisfy true underlying interests (Patton, 2005, p. 281).

Negotiation is a core skill used in a variety of personal and commercial settings and can be the key to success. Inventive Negotiation demonstrates how to transform transaction-oriented competitive or integrative bargainers into inventive negotiators that focus on long-term commercial relationships (Graham, Lawrence & Requejo, 2014).

2.3 Structural Approach to Negotiation and International Relations Theories

Structural approach to negotiation assumes that asymmetric power determines the outcomes in the negotiation table. In structural approach which harbors the realist standpoint, international negotiation is not considered to be an especially interesting phenomenon or worthy of special study because it is merely a reflection of broader systemic processes and the exercise of structural power in international politics (Hampson, Crocker & Aall, 2013, p. 319).

Structural analysis puts emphasis on power and capability in international negotiation. What is commonly referred to as “realpolitik” involves the purposeful pursuit of state interest. For realists, power and interests go hand in hand in driving state policy. Principles and ideas are of secondary importance (Mastanduno, 2014, p. 25). Power centrism, egoism and groupism are the three core assumptions of realpolitik. (Smith, Hadfield & Dunne, 2012, p.36).

The source of power in the structural analysis varies from military, economic to the strategies and tactics of negotiation such as having strong BATNA. Although negotiators may have several sources of structural power (French & Raven 1959), the most commonly investigated source of power is the negotiator’s best alternative to a negotiated agreement (BATNA), (Fisher &Ury 1981).Negotiators with attractive BATNAs are considered “powerful”. These negotiators are decidedly more assertive in negotiations. Although having power may increase a negotiator’s propensity to make a first offer, this may depend on the nature of the negotiation. Specifically, it is reasonable to assume that if both negotiators have attractive BATNA, their motivation to reach mutual agreement is not as high as that of two negotiators with very poor alternatives. Thus, the effects of one’s power in a negotiation may depend on the size of the bargaining zone.

Bargaining zone is the overlap between two negotiators' RPs (Reservation Points)—the buyer's RP minus the seller's RPs. If this number is positive, a zone of possible agreement (ZOPA) is said to exist; if it is negative, no ZOPA exists (Patton, 2005, p. 281).

Bargaining and negotiation are two important intervening variables between structural power and outcome in international politics. In contrast to the realist school, some students of international negotiation argue that weaker parties can overcome structural impediments and asymmetries in power capabilities to achieve bargaining outcomes that are favorable to themselves. There are some problems with structural analysis as a theoretical tool. In contrast to realist school, some student of international negotiation argues that weaker parties, through coalition and alliance formation, can overcome structural impediments and asymmetries in power capabilities to achieve bargaining outcomes that are favorable to themselves (Hampson, Chester & Aall, 2013, p. 323).

In structural approach to negotiation, analysts tend to define negotiations as conflict scenarios between opponents who maintain incompatible goals. Critics argue, however, that structural explanations tend to emphasize the role of power, and in particular on 'hard' aspects of power. Other factors such as negotiating skill can play a key role in shaping negotiated outcomes. Another limitation of structural approaches to negotiation is their emphasis on taking positions. The consequences of positional bargaining are seldom so extreme (Alfredson & Cungu, 2008, p. 10).

Structural approach is more evident in bilateral negotiations. The notion of power is also vague as it refers to the resources, capabilities, strategies and so on.

> First, although structural analysis is essential to understanding the basic form of any political relationship, the concept of power defined as resources, skill, knowledge, and so forth, is notoriously ambiguous and highly context specific. Second, Structural analysis is more amenable to cases of bilateral negotiation where questions about symmetry and asymmetry can be posed than it is to multilateral negotiations where encounters are more likely to be rule-oriented than power oriented because of the number of parties that are involved. (Hampson, Crocker & Aall, 2013, p. 326)

The two major competing paradigms: power-based (realist) and interest-based (institutionalist), have analyzed international relations in general and international negotiation in particular (Keohane & Nye, 1989, p. 37).The school of thought that is associated with power oriented explanations of international negotiation is realism. Power is crucial to the realist lexicon. The structural realists concur that international politics is essentially a struggle for power but they do not endorse the classical realist assumption that this is a result of human nature, Instead, structural realists attribute security competition and inter-state conflict to the lack of an overarching authority above states and the relative distribution of power in international system (Dunne & Schmidt, 2011, p. 89).

The classical realism assumes that power (the lion) and deception (the fox) are the two essential means for the conduct of foreign policy, according to the political teachings of Machiavelli. Thucydides views that strong do what they have the power to do and the weak accept what they have to accept. For Hobbes, state of nature of the state of war of every man against every man. According to Morgenthau, men and women are born to pursue power and to enjoy the fruits of power (Jackson & Sorensen, 2013, p. 69).

Schelling in strategic realism views diplomacy and foreign policy as a rational instrumental activity. Coercion is a method of getting the adversary to do what we want. Neo-realism explains international relations on the unequal capabilities of states and the anarchical structure of the state system and focusing on the great powers whose relations determine the outcomes in the international relations. According to balance of power theory, peace is likely when power is distributed so that no one actor can dominate others. In this theory, power creates countervailing power. Actors can balance in two ways. First, internal balancing which involves actors' increasing their own capabilities. Second, external balancing entails restoring a favorable balance of power by concluding alliances with one another (Mansbach & Taylor, 2012, p. 265-66).

According to the constructivism, power does not have a single expression of form. It has several.

> Compulsory power refers to relations of interaction that allow one actor to have direct control over another. Institutional power is in effect when actors exercise indirect control over others. Structural power concerns the constitution of social capacities and interests of actors in direct relation to one another. Productive power is the socially diffuse production of subjectivity in systems of meaning and signification. (Jackson & Sorensen, 2013, p. 215)

Post structuralism assumes power and knowledge as intimately related: knowledge is not at all immune from the workings of power. All powers require knowledge and all knowledge relies on and reinforces existing power relations. Power is also fundamental to post-strucutralists. They understand 'language as power' because it is through discourse that subjects, objects,

actors and identities are constituted. They theorize power as productive power (Smith, Hadfield, & Dunne, 2012, p. 100).

2.4 Co-relation between Power and Negotiation

The growing extensity, intensity, velocity, and deepening impact of worldwide interconnectedness has accelerated the pace of global interactions and dialogue. Thus, multilateral negotiations, conference diplomacy have become the sunrise industries. These international mechanisms should deliver certain global goods for the benefits of all and not to act as a means to major power's end. In practice, however, power usually trumps principles and ideas.

Power in negotiation comes from two sources: context and situation. Context related bases of power, such as societal or organizational hierarchies, cultural values or belonging to specific gender, are more stable and harder, or even impossible to change. Situation related bases of power, such as resources are more dynamic and likely to change (Kim & Fragele, 2005, p.34).

Wilson and Putnam (1990, p.49) conceptualized power as one of the two types of relational goals, along with trust, that negotiators frequently pursue. Negotiators may strive to maintain a favorable power balance in relation to the other party by using strategies to either gain power or avert power loss.

One framework that describes strategies and tactics used to influence the power balances is Ury et. al.'s (1988, p.5) interests, rights and power (IRP) frameworks.

> Disputants tend to focus on one of three factors related to the dispute: interests, rights or power. When interests are the focus in the dispute, they may be

> reconciled through negotiation or mediation. When rights are the focus, perceived legitimacy or fairness is needed to decide. When power is the focus, one of both parties tries to coerce others to behave according to their wishes. (Ury, et. al. 1988, p. 7)

More than anything else- the negotiation process is about power, ego, leverage, saving face (Cleary, 2001, p. 1). Power is the defining feature of every negotiation. The asymmetric notion of power in negotiation creates the paradoxical situation: strong wins and the weak lose but both have to negotiate. The strong has to negotiate to win and the weak has to negotiate to lose. The conceptualization of power as a force or a possession may provide little understanding on the "structuralists' paradox" (Zartman & Rubin, 2007, p.12) that the weaker party still negotiates within its bargaining range, although the most powerful party can win it all.

> It would be foolish to imagine that the relative real power of governments evaporates when their delegates enter a conference room. A delegation of a large, powerful country has distinct advantages over that from a weaker country. The value other government place on their bilateral relationship with the powerful country predisposes their delegation to comply with the wishes of the powerful country's delegation….But sometimes smaller and poorer countries can also brief their delegations well and be represented by capable people. Finally, the power of the country that the delegation represents is not a major factor. (Walker, 2011, p. 113- 114)

The translation of power as force into influence does not occur itself. There is a widely held belief among people who know little about international conferences that those delegates

who represent the most powerful states will be able to impose their wishes. However, military, economic, or cultural powers do not translate directly into an ability to impose one's will in an international conference (Walker, 2011, p. 113).

2.5 Cuban Missile Crisis and Conceptual Models

The Cuban missile crisis is a seminal event. For thirteen days of October 1962, there was higher probability that more human lives would end suddenly than ever before in history (Allison, 1969, p. 689).

Cuban Missile Crisis stands as particularly good example and possibly the best example of successful crisis management. US President John F. Kennedy and Soviet Chairman Nikita S. Khrushchev managed very successfully to step back from the nuclear brink in October 1962.

> Convinced both that an American attack was inevitable and that the only way to prevent it was by means of a local nuclear deterrent, Khrushchev proposed and Castro accepted precisely the kind of military deployment that President Kennedy wished to forestall. Khrushchev ordered an unprecedented deployment of both conventional and nuclear forces to Cuba…Kennedy announced on 22 October 1962, that he was imposing a naval 'quarantine' of Cuba and demanded that Khrushchev withdraw his weapons. Khrushchev finally agreed to withdraw the weapons that Kennedy in return not to invade Cuba. Kennedy also pledged to withdraw analogous missiles from Turkey 'within a few months'. (Welch, 2013, p. 827)

The crisis has been described as President Kennedy's "finest hour" in a touchingly brief tenure in the White House. Crisis management, a popular subject, received a major boost in visibility as a result of this unprecedented confrontation (Cyr, 2012, p. 1).

> One part of this statement about the missile crisis is true: President Kennedy bears significant responsibility for provoking this confrontation because of the Bay of Pigs invasion, covert plots against Castro, and plans to reinvade Cuba. The Kennedy administration had clearly contributed to polarizing the Cuban issue and had been caught in a political trap at least partly of its own making. (Stern, 2005, p. 24)

If the United States attacked the Soviet missiles in Cuba, the Russians could reciprocate by attacking the American missiles in Turkey, and the President would face the decision of whether to reply with nuclear weapons against the Russian homeland (Allison, 1971, p. 101)

> The Cuban Missile Crisis has assumed genuinely mythic significance. Dean Rusk called it "the most dangerous crisis the world has ever seen", the only time when the nuclear superpowers came "eyeball to eyeball." Many people believe that the missile crisis of October 1962 represents the closest point that the world has come to nuclear war. (Blight, Nye, & Welch, 1987, p. 170)

The relationships between the main players in the Cuban Missile Crisis have also evolved over the years—sometimes in unexpected ways.

> Two decades after the Cold War ended the cooperative relationship that had been forged between the United States and the Russian Federation grew more

> confrontational and distinctly colder. At the same time, however, U.S.-Cuba relations suddenly thawed, and the two countries announced a historic agreement to restore the diplomatic ties that had been severed in the 1960s. (Hillstrom, 2015, p. 89)

According to Graham T. Allison (1969, p. 693), in Rational Actor model, the basic unit of analysis of foreign affairs is policy as the national choice and the organizing concepts are national actor is conceived as rational, unitary decision maker. Action is chosen in response to the strategic problem which the nation faces. National security and national interests are the principle categories in which strategic goals are conceived.

The Organizational Model defines the governmental behavior as outputs of large organizations functioning according to standard patterns of behavior (Allison, 1969, p. 694). The actor is not the monolithic “nation” or “government” but rather a constellation of loosely allied organizations on top of which government leaders sit. General proposition is that outcomes do not constitute the far-sighted, flexible adaptation to the issues.

The Bureaucratic Politics Model assumes that the leaders who sit on the top of organizations are not monolithic group; rather, each is a player in a competitive game (Allison, 1969, p. 694). Government behavior can thus be understood according to this model not as organizational outputs, but as outcomes of bargaining games.

These literatures provide the firm basis for analyzing the research objectives of this study.

CHAPTER 3: CONCEPTUAL FRAMEWORK AND METHODOLOGY

The process tracing, theoretical, level of analysis, framework of order, conceptual model of foreign policy analysis have been the conceptual frameworks of this study. The qualitative research design, secondary source of data and case study method has been the methodology of this study.

3.1 Conceptual Framework

Contemporary international negotiation is a complex phenomenon in the sense that it takes place between the collective groups even though it is individuals who do the bargaining. In the existing literatures on power and negotiation, it is generally mentioned that the asymmetric power relations in the bargaining table influence the outcome of the international negotiations.

Many bilateral and multilateral negotiations outcomes are concluded in favor of the powerful parties as a result of their influence of power. An increasing influence of power factor in principled negotiation is evident. Nevertheless, it is not expected to have impacts of power in processes and outcomes of any negotiation. The outcomes should best address the legitimate interests of all parties. The conceptual framework of the study is construed in the process tracing, theoretical, levels of analysis, order of study and conceptual models frameworks.

3.1.1 The Process Tracing Framework

The international system is inherently unequal in terms of the distribution of power. It is, therefore, apparent that the international relations cannot be operated in the vacuum; but in structural asymmetry. This is same in the case of negotiation, as well.

The two dominant variables in the bargaining table are power capability and bargaining capacity. The seven elements of principled negotiation: interests, options, legitimacy, alternatives, communications, relationships and commitment are either influenced by power factor or by bargaining strategies.

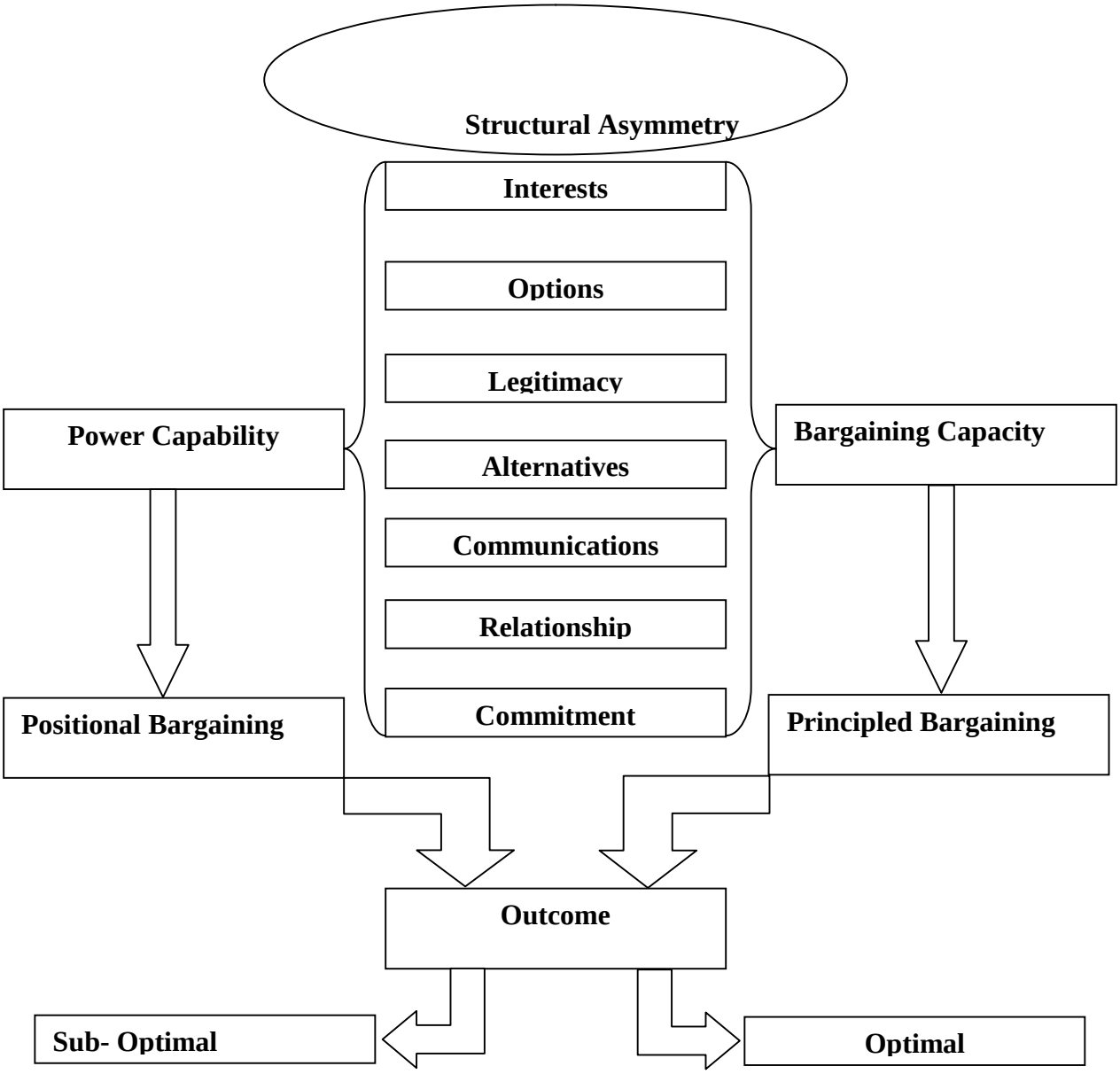

Figure 1: Process Tracing of Outcomes in International Negotiation

If the power capability with the predetermined positions prevails at the bargaining table, the outcomes would be sub-optimal. Thus the negotiation process would be positional one. On the other hand, if the bargaining capacity prevails over power, the outcomes would be optimal, efficient, wise and legitimate. Thus, the negotiation process would be principled one. The process tracing of the effects of power and negotiation is illustrated in the following table.

The conceptual framework of this study is based on these relational effects of power symmetry and asymmetry into the negotiation processes and outcomes in the presence of bargaining strategies and power capabilities.

3.1.2 Theoretical Framework

The research is the study of influence of power in the bargaining table. Therefore, the theory that will contribute to this research will be the realist, constructivist and post-structuralist school of thought in international relations, structural approach to negotiation, the propositions of principled negotiation, and the theories of power. Integrative and distributive negotiations are studied in the content analysis of Cuban Missile Crisis.

I. Structural Approach to Negotiation

Structural analysis is defined as power oriented explanations of international negotiations. Structural approaches typically treat international negotiations in terms of the power resources and capabilities of the parties to the negotiation. It assumes that power determines the outcomes in negotiation.

In the international relations literature, this approach is most commonly identified with the realist and neo-realist schools. Realists argue that strong state prevail at the bargaining table because they can use their superior resources in any given issue

> area to coerce and cajole weaker parties into submission. The outcome of international negotiations- bilateral or multilateral - will thus represent the preferences of more powerful actors in the international system, i.e. bargaining outcomes are predetermined. (Hampson, Chester & Aall, 2013, p. 322)

II. Realism

Realism is the foundational school of thought in international politics. Power centrism is the core assumption of realism. Anarchy, statism, self-help and survival are the key in defining realism (Dunne & Schmidt, 2013). Defensive realists argue that under very common conditions the war-causing potential of anarchy is attenuated. Offensive realists, by contrast, are persuaded by the conflict-generating structural potential of anarchy itself (Smith, Hadfield & Dunne, 2012).

According balance of power theory, imbalances and concentrations in military and material capabilities among the great powers are checked, and the equilibrium is restored in order to ensure the survival of the major powers in the international system. Hegemonic Stability theory builds on the observation that powerful states tend to seek dominance over all or parts of any international system.

III. Constructivism

The focus of constructivism is on human awareness or consciousness. Ideas and belief that informs the actors on the international scene is the focus of this theory. It assumes that the international system is constituted by ideas, not by material forces. This theory assumes that power is the outcomes of ideas.

This theory identifies four different forms of power: compulsory power, institutional power, structural power, and productive power (Jackson & Sorensen, 2013). The claim is that a full consideration of power in international relations needs to address all four dimensions.

IV. Post-Structuralism

Discourse analysis has come into international relations and the study of foreign policy through post-structuralism. It argues that foreign policy should be understood as discursive practices through which identities are being constructed.

It emphasizes power and conceptualizes it as productive; i. e. power is asserted as subjects and is constituted in discourse (Jackson & Sorensen, 2013). It means the constitution of all social subjects with various social powers through system of knowledge and discursive practices of broad and general social scope. It understands language as power.

Thus, the theoretical framework of this study entails the realist, constructivist and post structuralism theories in international relations and structural approach to negotiation.

3.1.3 Framework of Levels

Negotiation behavior and outcomes can be examined at different five levels: intrapersonal, interpersonal, group, organizational, and virtual (Thompson, Wang & Gunia, 2009, p. 491). At each level, there are implications of various processes and outcomes for the two functions of negotiation: value creation (integrative negotiation) and value claiming (distributive negotiation).

By “integrative negotiation”, we mean the extent to which the negotiated outcome satisfies the interests of both parties in a way that implies that the outcome cannot be improved upon without hurting one or more of the parties involved (i.e., Pareto optimality) (Pareto, 1935).

The fact that another feasible solution would have been better for both parties suggests that the actual outcome was suboptimal or Pareto inefficient, as opposed to integrative.

I. Intrapersonal Level

It signifies the ways that negotiation behavior and outcomes depend upon the perceptions and inner experiences of the negotiator (Thompson, Wang & Gunia, 2009, p. 491). This level of analysis considers that one's psychological power and mood affect negotiation processes and outcomes.

II. Interpersonal Level

It refers to the ways that negotiators' behavior and outcomes depend upon the presence of the other party or parties—negotiations in the context of others, and the dyadic aspects of negotiation behavior.

This level assumes that display of emotions also impact negotiation processes and outcomes. Economic and social psychological foundations, effects of emotions, interpersonal improvisation, subjective value, trust and tactics, relationships are considered at this level (Thompson, Wang & Gunia, 2009).

III. Group Level

The group system encompasses social dynamics that extend beyond a single dyad—for example, group identity, cultural identity, coalitions, and conformity (Thompson, Wang & Gunia, 2009, p. 502)

When negotiation takes place not between individuals but rather between groups, group identity, culture, and structure of negotiation will affect processes and outcomes.

IV. Organizational Level

The organizational system represents a higher level of analysis and examines the negotiator as embedded in a larger network or marketplace (Thompson, Wang & Gunia, 2009). The social context and network in which one is embedded also influences negotiations, through choice of negotiation partner and formation of reputation.

V. Virtual Level

Finally, the virtual system focuses on how negotiators' medium of interaction—such as face-to-face, phone, or email—affects the nature and quality of negotiation processes and outcomes.

With regard to confidence and satisfaction, parties who negotiate face-to-face feel more confident in their performance and satisfied with their negotiation outcome than do those who negotiate via computer (Thompson, Wang & Gunia, 2009, p. 504).

These levels of analysis are used to explore the underlying processes and outcomes of negotiation in this study.

3.1.4 Framework of Model

Allison's three models: Rational Actor Model: Model I; Organizational Behavior Model: Model II; Governmental politics Model: Model III are used to examine case of Cuban Missile Crisis.

I. Rational Actor Model

The attempt to explain international events by recounting the aims and calculations of nations or governments is the trademark of the Rational Actor Model. It presupposes the government action as rational choice (Allison, 1969).

II. Organizational Behavior Model:

This model explains how organization behaves and makes decision and how these decisions are implemented. It presupposes government action as organizational output (Allison, 1969).

III. Government Politics Model:

This Model views the action of the government as political resultants. The emergence of these resultants is from the foreign policy process feature of competitive game.

These three Models are compliments to each other. Model I fixes the broader context, the larger national patterns and the shared images. Within this context, Model II illuminates the organizational routines that produce the information, options and actions (Allison, 1969). Model III focuses in greater detail on the individuals who constitute a government and the politics and procedures by which their competing perceptions and preferences are combined.

3.1.5 Framework of the Study

The framework of the study is set as follows which is the broader conceptual order of this research study.

Step 1: Excavate the elements of principled negotiation.

Step 2: Analyze the influence of the elements of power on principled negotiation.

Step 3: Examine the Cuban Missile Crisis through conceptual models of analysis.

Step 4: Identify the measures to overcome the structural impediments in the negotiation.

3.2 Research Methodology

The overall approach of the study is to analyze the cases of international negotiation through the conceptual frameworks such as process- tracing, theoretical, levels of analysis, conceptual models and order of study frameworks. The elements of principled negotiation, the influence of power on such elements of negotiation, the measures to overcome such structural impediments are the key questions examined in this research study. The published and unpublished data and information will be accumulated from the library, the internet, journal, and newspapers. Analysis is based on qualitative method.

3.2.1 Research Design

This research study is qualitative in nature. The research design is descriptive. The study is both field and library-based research. The rationale of choosing the qualitative research design is that it is best for gaining in-depth insight into the specific concepts or phenomena. This method is suitable for interpreting the impacts of asymmetrical structure in the bargaining table.

3.2.2 Source of Data

The sources of data for this study are secondary. The published and unpublished data and information will be accumulated from the library, the internet, journal, and newspapers. This study will be conducted in the libraries of Nepal. Analysis is based on qualitative method. The materials on the conceptual models of foreign policy analysis, the principled negotiation elements, Cuban Missile Crisis are analyzed.

3.2.3 Method

The explanatory and case study method is used in this study. The Cuban Missile Crisis is the primary taken as case study. The rationale and assumption underpinning this method is that it is useful to produce contextual real-world knowledge about the behaviors of the governments. The content analysis: the categorizing themes and ideas and discourse analysis: looking at communication and meaning are used in this study.

CHAPTER 4: PRINCIPLED NEGOTIATION AND ELEMENTS

This chapter outlines the rationale for preference for negotiation among other means of dispute settlement and explains the seven elements of principled Negotiation. It also examines the stages of diplomatic negotiation.

4.1 The Preference for Negotiation

The appeal of negotiation in today's world has taken place against a backdrop of globalization (Hampson, Chester & Aall, 2013, p. 319). One of the defining features of globalization is close proximity between and among nations: as a result growing density of interactions is evident. This also has the potential for conflicts of interests, which can only be resolved through processes of dialogue and negotiation.

The rapid growth in the number of international institutions in the 20th Century also increased the frequency of international negotiation processes, especially multilateral negotiations.

The states attach high importance to the sovereignty of their nations. In case of disputes resolution, the states prefer to engage in negotiation rather than through the judicial processes since they do not tend to be governed by extra judicial bodies.

> The importance states attached to their sovereignty has the meaning that the opportunities for judicial recourse are generally limited. Although adjudication, arbitration and various judicial means are occasionally used to deal with interstate disputes, bargaining and negotiation are the default options when disputes arise

> because states are often reluctant to let themselves be governed by extra-national legal institutions. (Hampson, Chester & Aall, 2013, p. 319)

Thus, since the beginning of modern state system in 1648 by the conclusion of Treaty of Westphalia, negotiation has always been the preferred instrument of dispute settlement. This is more evident in the age of globalization and complex interdependence.

4.2 Soft and Hard Negotiation

There are two generic ways of bargaining: soft and hard. Soft negotiation attempts to resolve the disputes in legitimate manner without harming the relationship. Hard negotiation is about winning the game without much attention to the relationship (Fisher & Ury, 1981).

> The soft negotiator wants to avoid personal conflict and makes concessions in order to reach agreement. He wants an amicable resolution; yet he often ends up exploited and feeling bitter. The hard negotiator sees any situation as a contest of wills and takes the more extreme positions. He wants to win; yet he often ends up producing an equally hard response which exhausts him and his resources. This harms his relationship with the other side. (Fisher & Ury, 1981, p. 8)

According to Fisher& Ury (1981), there is a third way of negotiation called principled negotiation. It is a way neither hard nor soft, but rather both hard and soft. It suggests that parties look for mutual gains whenever possible, and that where your interests conflict, you should insist that the result be based on some fair standards independent of the will of either side. The method of principled negotiation is hard on the merits, soft on the people.

Hard and soft negotiations constitute the positional bargaining which gives much emphasis on positions rather than on interest.

4.2.1 Positional Bargaining

In positional bargaining, each side takes a position, argues for it, and makes concessions to reach a compromise. And it fails to meet the basic criteria of producing a wise agreement, efficiently and amicably (Fisher &Ury 1981, p. 4). The following are the reasons why positional bargaining is not the best way to negotiate.

When negotiators bargain over positions, they tend to lock themselves into those positions (Fisher & Ury, 1981). As more attention is paid to positions, less attention is devoted to meeting the underlying concerns of the parties. The result is frequently an agreement less satisfactory to each side than it could have been.

Bargaining over positions creates incentives that stall settlement. Decision making is difficult and time consuming. It increases the time and costs of reaching agreement as well as the risk that no agreement will be reached at all.

Positional bargaining becomes a contest of will. Each negotiator asserts what he will and won't do. The task of jointly devising an acceptable solution tends to become a battle.

To address the shortcoming of positional bargaining, the method of principled negotiation was developed by the members of Harvard Negotiation Program.

4.2.2 Principled Negotiation

At the Harvard Negotiation Programme, they developed an alternative to positional bargaining: a method of negotiation explicitly designed to produce wise outcomes efficiently and

amicably. This method, called principled negotiation or negotiation on the merits or interest based negotiation, can be boiled down to four basic points.

Emotions typically become entangled with the objective merits of the problem. The participants should come to see themselves as working side by side, attacking the problem, not each other. Hence the first proposition of principled negotiation is to separate the people from the problem (Fisher &Ury 1981).

The second point is designed to overcome the drawback of focusing on people's stated positions when the objective of a negotiation is to satisfy their underlying interests. A negotiating position often obscures what you really want. Hence, the second proposition of principled negotiation is to focus on interests not positions (Fisher &Ury 1981).

This does not mean insisting that the terms be based on the standard you select, but only that some fair standard such as market value, expert opinion, custom, or law determine the outcome. By discussing such criteria rather than what the parties are willing or unwilling to do, neither party need to give in to the other; both can defer to a fair solution. Hence, the fourth basic point is to insist on using objective criteria (Fisher &Ury, 1981).

The final point responds to the difficulty of designing optimal solutions while under pressure. Trying to decide in the presence of an adversary narrows your vision. Hence, the third basic point is to generate options for mutual gains before trying to reach agreement (Fisher &Ury 1981).

These four propositions are considered in the different stages of principled negotiation.

4.2.3 Stages of Principled Negotiation

In contrast to positional bargaining, the principled negotiation method of focusing on basic interests, mutually satisfying options and fair standards typically results in a wise agreement. The method permits you to reach a gradual consensus on a joint decision efficiently. And separating the people from the problem allows you to deal directly and empathetically with the other negotiator as a human being, thus making possible an amicable agreement. These are conducted in the stages of analysis, planning and discussion phase (Fisher & Ury, 1981).

During the analysis stage, the negotiators are simply trying to diagnose the situation to gather information, organize it, and think about it. They have to consider the people, problems, perceptions, hostile emotions, and unclear communication, as well as to identify your interests and those of the other side.

During the planning stage, negotiators deal with the same four elements a second time, both generating ideas and deciding what to do. Negotiators want to generate additional options and additional criteria for deciding among them.

At this stage of discussion, each side should come to understand the interests of the other. Both can then jointly generate options that are mutually advantageous and seek agreement on objective standards for resolving opposed interests.

4.3 Seven Elements of Principled Negotiation

Based on the four basic propositions of principled negotiation as outlined by Fisher &Ury (1981), the seven-element framework for understanding and analyzing negotiation was developed at the Harvard Negotiation Project (Patton, 2005).

4.3.1 Interests

A party's basic needs, wants, and motivations are commonly referred to as its interests (Paton, 2005, p.280). Interests are the fundamental drivers of negotiation. People negotiate because they are hoping to satisfy their interests better through an agreement than they could otherwise. The notion of interests encompasses a wide range of possibilities, from substantive goals such as money, deadlines to emotional desires such as respect, recognition etc. (Alfredson & Cungu, 2008, p. 19).

> Interests are different from positions. A position is a proposed outcome that represents merely one way among many that issue might be resolved and interests met. Positions represent stated stances and objectives of the negotiating parties, and are the focus of distributive bargaining whereas interests are the underlying reasons that explains people's positions. (Paton, 2005, p. 280)

Integrative approaches maintain that to negotiate efficiently, negotiators should go beyond positions and seek to satisfy true underlying interests (Fisher & Ury, 1981, p. 41).

4.3.2 Legitimacy

Legitimacy or fairness means that the chosen criteria should be based on the fair standards and fair procedures independent of the will of the parties.

According to Harvard Negotiation Project, in positional bargaining, two sides lock into incompatible positions. Solutions may appear to be the "split of differences" between their two positions (Fisher & Ury, 1981). Such solutions are agreements without legitimacy. Hence, there should be the objective criteria.

4.2.3 Relationship

Having a fond or trusting relationship may make dispute resolution easier, while hostile feelings can make it much harder (Alfredson & Cungu, 2008, p. 20). Finding a way for resolving a problem without getting distracted by personal elements and coming to an agreement that will preserve the relationship is the essence of principled negotiation (Fisher & Ury, 2081, p. 43). Being respectful, diplomatic and maintaining one's credibility is essential in positive-sum game.

4.3.4 Alternatives and BATNA

An alternative to agreement is a course of action that the negotiator can implement without the consent of the other negotiators. Among the various alternative courses of action a negotiator could pursue one which would best satisfy that negotiators interests. This alternative is commonly referred to as negotiator's Best Alternative To a Negotiated Agreement, or BATNA.

In contrast to the emphasis that is placed on concepts such as reservation points and bottom lines in positional approaches to bargaining, integrative approaches tend to take the view of BATNA, which provides negotiators with a measure of flexibility that is lacking from a bottom line (Patton, 2005, p.283).

4.2.5 Options

In the words of Harvard Negotiation Project, options are possible agreements or pieces of a potential agreement upon which negotiators might possibly agree (Patton, 2005). Options are possible solutions shared by two or more parties. In integrative bargaining, options represent possible ways of meeting both parties' interests.

4.3.6 Commitments

A commitment is an agreement, demand, offer, or promise by one or more parties and any formalization of that agreement. A negotiated settlement is only enduring if all parties honor the commitments that they make (Alfredson & Cungu, 2008, p. 20).

4.3.7 Communication

Through the communication process, parties discuss and deal with the preceding six elements of negotiation. Active listening, acknowledging what has been said and felt through paraphrasing and summarizing ,listen to understand, speak to be understood are some core communicative skills (Fisher & Ury, 1981).

4.4 Stages of Diplomatic Negotiation

General negotiation and diplomatic negotiation are dichotomous in some characteristics and elements. Zartman and Berman divide the stages of diplomatic negotiation into three: pre-negotiations, formula and details (Berridge, 2010, p. 25).

4.4.1 Pre-negotiation Stage

It is understood by the term 'talks about talks'. It establishes fact that substantive, around-the-table negotiations are worthwhile (Berridge, 2010, p. 27). In this stage, parties agree the agenda and the necessary procedures for tackling it. In bilateral relationships, these discussions are usually informal and well out of the public gaze. However, in multilateral diplomacy, where the parties are more numerous and procedure more complex, a good part of the pre-negotiations might be both formal and well-advertised. The propositions of pre-negotiations are mentioned as follows.

In this stage, the parties to a conflict need to be equally convinced that a stalemate exists and negotiation is required. Next, the parties have to acknowledge the possibility that a negotiated settlement might be better for all concerned than continuing with the current situation (Berridge, 2010). This is, perhaps, the true beginning of pre-negotiations.

When parties to a conflict start to explore the possibility of a negotiated settlement, they do not do this in a political vacuum. A variety of circumstances, at home and abroad, will affect the likelihood that negotiations will be launched successfully.

If the need for negotiations is recognized, it becomes possible to discuss an agenda for talks. This means not only agreeing what will be discussed, but also the order in which the agreed items will be taken: the order of the agendas.

The final task of the pre-negotiations stage is agreement on procedure. There are four main questions to resolve: format, venue, delegations and timing.

Format of the negotiation is very important for both parties. Bilateral discussions have in their favor maximum flexibility, speed, and secrecy. On the other hand, they are likely to inspire suspicion among allies that one or other among their number is seeking a separate deal with the rival (Berridge, 2010). Weaker states generally prefer to negotiate with those that are more powerful in a multilateral forum, since the environment is more regulated and their chances of forming coalitions are greater.

The venue of negotiations is important because, if a state is able to persuade its rival to send a delegation to its own shores, this will be of great practical convenience to it. For this reason, it will also suggest very strongly that it is the more powerful. In consequence, the

travelers will have suffered a loss of face. In fact, there are three common strategies for getting over this problem: neutral ground, meeting 'halfway', and alternating home venues.

If the agreed format for the forthcoming negotiations requires the appointment of one or more delegations, further points requiring agreement in pre-negotiations concern their level, composition, and size.

The final procedural question is timing. The issue of whether or not there should be a deadline for concluding the talks. The practical difficulties of finding a mutually convenient date for the start of negotiations.

After wrapping up any outstanding procedural points, first comes the task of trying to agree on the basic principles of a settlement: the formula stage. If this is achieved, the details then have to be added.

4.4.2 The Formula Stage

The chief characteristics of a good formula are simplicity, comprehensiveness, balance, and flexibility. Simplicity is important because this makes the formula a straightforward guide for the negotiators to follow.

The 'deductive approach' which is about going from the general to the particular is the logical way to proceed in negotiations. Sometimes described as the 'inductive approach' (going from the particular to the general), this is more commonly known as 'step-by-step' diplomacy (Berridge, 2010, p. 47).

4.2.3 The Details Stage

If a formula is agreed by the parties to a negotiation, the final stage involves fleshing it out - agreeing the details (Berridge, 2010, p. 48). This is the most difficult stage in the diplomatic negotiations.

First, Larger teams of negotiators are required in the details stage and this brings greater scope for disagreement within the negotiating teams. Second, it is in the details stage that careful thought has to be given to the definition of terms, or to establishing a common language. This is necessary to avoid misunderstanding, but can be extremely problematical because some definitions serve the interests of some parties better than others. Third, because the details stage of negotiation is complicated and time-consuming, and usually requires the participation of specialists .The negotiating teams are normally composed of individuals of lower authority than those involved or leading in the negotiations during the formula stage.

A fourth reason why the details stage is often particularly difficult is that it might well present an opportunity to one or both sides to load the balance of advantage in the agreed formula in their favor. Finally, the details stage is the last stage: the moment of truth. What is agreed here has to be acted on, so, if the negotiators get it wrong, they will suffer. There should, thus, be no vagueness and no inconsistencies, and the deal should be defensible at home.

Detailed agreements are negotiated by one of two means, or - more usually by some combination of both. The first method is to compromise on individual issues. The second method for making concessions is to give the other side more or less what it wants on one issue in return for satisfaction on a separate one (Berridge, 2010).

Negotiation is generally a lengthy and laborious process, proceeding through pre-negotiations and a formula to the details phase. In each stage, there is a risk of breakdown, although this is probably most acute in the first and last stages - in the first, not least because the 'exit costs' are low, while, in the last, because this is the negotiators' moment of truth. The momentum of the negotiations might thus falter, even if both parties in a bilateral negotiation, or a majority of parties in a multilateral negotiation, are serious about making them a success.

4.5 Preserving Momentum of Negotiation

There is the characteristic withdrawal of senior ministers or officials following conclusion of the formula stage of important negotiations, which might well lead to a slackening in pace because of the greater need for reference home for instructions when difficulties occur. Second, a party feeling that things are not going well might drag its feet in the hope that something to its advantage will turn up. Third, there is the effect of the sheer complexity of much contemporary international negotiation, especially multilateral negotiation.

One method is to employ the step-by-step approach (Berridge, 2010) .This minimizes the risk of stalemate by proceeding in piecemeal fashion, usually from the less to the more difficult issues; and, by building up a list of tangible achievements over a relatively long period, demonstrates the value of diplomacy.

A traditional device regularly employed by negotiators in order to keep up the momentum of their talks is to employ deadlines; that is, calendar dates by which either some partial, interim, or final agreement must be reached. Deadlines must allow sufficient time for the negotiations to be concluded..

Deadlines that are determined by best estimates of the time required for a negotiation. Such 'artificial deadlines' might have a positive impact on the momentum of talks, especially if they are publicly announced, because failure to meet them will be a blow to the professional reputations of the negotiators.

Symbolic deadlines are often dates that would have significance for the subject of the negotiations, whether the negotiations were taking place or not. Good examples in peace negotiations are the anniversaries of the outbreak of a war, a ceasefire resolution, or massacre. The birthday or anniversary of the death of a great leader might serve equally well, as might the date of the founding of some major international organization.

There is little doubt that practical deadlines are usually the most valuable when it comes to sustaining momentum in negotiations. These are deadlines imposed by events that either are completely beyond the control of the negotiating parties or can only be cancelled at considerable cost.

Publicity is a cliché of studies of diplomacy that publicity is the enemy of negotiation, and this is often true. However, employed judiciously, publicity about a negotiation can also help to move it forward. Another important way of sustaining momentum in negotiations is to give the public the impression that they are nearer to success.

A negotiation might lose its momentum because those employed in it lack the authority to grant significant concessions. In this event, the obvious solution is to insert or reinsert more senior personnel. Raising the level of the talks has the added advantage of once more bringing these decision-makers face to face with the realities of the negotiation, and dilutes the influence on them of their home constituencies.

4.6 Packing Agreements

Diplomatic agreements vary in form to an almost bewildering degree. They vary in title or style, being given such descriptions as treaty, final act, protocol, exchange of notes, and even plain 'agreement'. They vary significantly in textual structure, language, whether they are written or oral, and whether or not they are accompanied by side letters. They also vary in whether they are publicized or kept secret.

The parties to a negotiation might agree that the subject of their agreement is not appropriate to regulation by international law (Berridge, 2010). In view of the widespread cynicism about the effectiveness of international law, why might the parties to a negotiation want to create an agreement entailing international legal obligations?

Creating a treaty is one thing; calling a treaty a 'treaty' is another. In fact, treaties are more often than not called something quite different like act, charter, concordat, convention. Some treaties are, nevertheless, still called treaties, usually when there is a desire to underline the importance of an agreement. This is because of the term's historical association with the international deliberations of rulers or their plenipotentiaries, and because the treaty so-called is presented in an imposing manner, complete with seals as well as signatures.

First, the complexities of formal treaty drafting and its attendant procedures, such as the production of documents certifying that the plenipotentiaries have full powers, are avoided. The second inconvenience that can be avoided by informal packaging is ratification of the agreement, although it should first be stressed that ratification is still widely valued, and provision for it is a feature of almost all written constitutions. The final inconvenience that can be avoided by

packaging agreements informally is the inconvenience of unwanted publicity; that is, publicity that might stir up political opponents at home, or present intelligence gifts to unfriendly states.

Where face is a vital issue, the composition and structure, as well as the title of any agreement, might not only be an important, but also a controversial element in a negotiation. It will be important because some kinds of packaging will be better than others at disguising the concessions that have had to be made. It is also likely to be controversial because what one side wants to disguise, the other will usually wish to highlight.

Language is fundamental to nationality, so diplomatic agreements must be acutely sensitive to it. This has not always been the case, in part because nationalism is a relatively modern ideology. Until the seventeenth century, most treaties were written in Latin, thereafter in French, and in the twentieth century chiefly in English. However, since the end of World War II it has become much more common for copies of agreements made between parties speaking different languages to be translated into the language of each.

Sensitivity to language only addresses the question of face in the most general way, and negotiators must turn to other devices when they are confronted with the problem of disguising a sensitive concession in the text of an agreement.

In practice, diplomatic follow-up means careful monitoring of implementation so that sticks and carrots might be applied to those falling down on their obligations when necessary. Another device occasionally employed to ensure treaty observance was to entrust the task to men of standing from both signatory states. Agreements that are complex, technical and sensitive always have to be followed up by experts, including scientists, engineers, and lawyers, and sometimes by national intelligence agencies.

There is also great need for monitoring by experts to try to ensure compliance with multilateral human rights agreements. Review meetings, although regular, often have large gaps between them, but it is unwise to jump to the conclusion that this means following-up is not being taken seriously.

CHAPTER 5: CASE STUDY OF CUBAN MISSILE CRISIS

The Cuban Missile Crisis 1962 represents a complex real world example of nuclear confrontation. This crisis was eventually converted from a distributive negotiation to an integrative one and finally brought about a win-win resolution to the parties: the USA and the Soviet Union. The crisis was seemingly more volatile in nature. The Soviet Missiles placed in Cuba posed a real danger to the United States and a potential trigger for an immediate nuclear war (Allison & Zelikow, 1999, p. 326-327).

The Cuban Missile Crisis started when the Soviet Union secretly placed intermediate-range nuclear missiles in Cuba in October 1962. This was considered as an act of aggression by the United States. Fidel Castro from Cuba was an additional affected and involved player. The final resolution of the conflict was peacefully achieved when the Soviet missiles in Cuba were dismantled in an exchange for the removal of the US missiles from Turkey, Europe and a promise by the US not to invade Cuba.

The primary conflicting parties, in the Cuban missiles crisis were USA and Cuba. As the Crisis escalated, parties increased: at the same time the tactics, strategies and techniques of parties also changed. The Soviet Union became a secondary party to Cuba in this Crisis. It latter assumed a frontline role. The negotiation process of the Cuban Missile Crisis directly involved the United States and the Soviet Union, with Cuba becoming the bargaining-chip of the Soviet Union.

Negotiation at the early stages of the Cuban missile crisis was characterized by distributive (zero-sum) negotiation tactics. However, in the latter stages, the actors began to use

the integrative (positive-sum) negotiation style. As a result most of the literatures treated the negotiation process of the Crisis as either distributive or integrative. However, according to Otomar (1995, pp.48-64) the usual nature of the most negotiations began with 'hard and contending tactics but invariably ends with cooperation and partnership. Thus, the two supposedly processes must not be seen as separate entities rather must be considered as a continuum. That is the Distributive-Integrative Negotiation Continuum.

5.1. Cuban Missile Crisis: A Chronological Study

The Soviet government first gave arms to Cuba in 1959. The Soviets and Cubans negotiated the next phase of military assistance in early 1962. The first Soviet nuclear ballistic missiles reached Cuban soil on 8 September 1962. The Medium Range Ballistic Missiles (MRBMs) were secretly transported to Cuba beneath the decks of Soviet ships. The other equipment to set up Intermediate Range Ballistic Missiles (IRBMs) were rushed to construction sites. Unknown to the USA, Cuba received nuclear warheads for the MRBMs on 4 October 1962.

In 1962 October 14, A U-2 flew over western Cuba as part of an US Air Force Strategic Air Command (SAC) mission. In October 15, the CIA informed National Security Advisor McGeorge Bundy that the Soviet Union was constructing sites for IRBMs in Cuba. During October 16-22, President Kennedy and his advisors deliberated on what to do about Cuban sites with nuclear weapons.

In October 22, President Kennedy announced that there were nuclear missiles sites in Cuba and that he had ordered a naval blockade of the island to prevent deliveries of offensive

weapons. He demanded immediate dismantling of missile sites and withdrawal of any and all missiles.

In October 23, the Soviet Union rejected U. S. demands on the grounds that the acceptance would violate Cuba's right to self-determination. The United States was preparing for the invasion if their demands were not met. Prime Minister Castro reaffirmed Cuba's right to strengthen defenses with weapons it chose. The U. S. began low altitude surveillance flights over Cuba. In October 24, the U. S. naval blockade around the island of Cuba took effect.

In October 26, the Soviet Union sent a message to UN Secretary-General U Thant that it had ordered its merchant ships not to enter the zone of the U. S. naval blockade. Castro wrote to Khrushchev that if the United States invaded Cuba, Soviet Union 'should not allow the circumstances' in which the United States would be the first to use nuclear weapons. The white House received two letters from Premier Khrushchev, offering to withdraw Soviet missiles from Cuba and to pledge that the Soviet Union would not interfere in the internal affairs of Turkey if the United States ended the naval blockade, pledged not to invade Cuba and removed its nuclear missiles from Turkey.

In October 27, US U-2 spy plane was shot down over Cuba, killing the pilot. Kennedy sent a letter to Khrushchev with a proposal that the Soviet Union immediately withdrew its missiles from Cuba while the United States ended the naval blockade and pledged not to invade Cuba. In October 28, Khrushchev's letter to Kennedy accepting the proposal was broadcasted. With the consultation with Cuba, the Soviet Union began dismantling the missile sites and withdrawing its missiles.

5.2 Hypothesis on the Soviet Installation of Missiles in Cuba

On 14 October, U-2 had flown over the areas where the missiles were deployed. Surface-to- air missiles (SAMs) were operational. But the U-2 flights were not fired upon. With no invasion thought eminent, the SAM commanders were not even allowed to use their radars to track spy planes overhead (Gribkov and Smith, 1994, p.58).

On 15 and 16 October, when Kennedy was informed that the USA had discovered Soviet ballistic missiles in Cuba, he called 'this secret, swift, and extraordinary build-up of communist missiles' (Allison, 2012, p. 260). In retrospect, this crisis proved a major watershed in the Cold War. For thirteen days, the USA and the Soviet Union stood 'eyeball to eyeball', each with the power of mutual destruction in hand. At the end, both nations edged backwards towards détente. The following could be the reasons for Soviet Union to install missiles in Cuba.

The Cuban defense is the first hypothesis. The deployment of ballistic missiles to Cuba would testify to their determination to deter any active US intervention to weaken or overthrow the Castro regime (McAuliffe, 1992:141). If deterrence, meaning the prevention of a major attack, had been the objective, the presence of a sizable contingent of Soviet troops would have been a better solution.

The second hypothesis is the Cold War politics. The major objective of Soviet military build-up in Cuba might be to demonstrate that the balance of forces had shifted in their favor and the US could no longer prevent the advance of Soviet offensive power even into its own hemisphere (US intelligence Board: 1962: 214).

The third hypothesis is the missile powers. The major objective was the strategic balance of power. In 1962, Soviet Union found itself with only twenty intercontinental ballistic missiles

(ICBMs), capable of launching nuclear weapons that could reach American territory from bases inside the Soviet Union. Moving their existing nuclear weapons to locations from which they could reach American targets was one option.

The fourth hypothesis is related to Berlin. Khrushchev would use the missiles to solve the Berlin Problem. If the American did nothing, Khrushchev would force the West out of Berlin. If the American tried to bargain, the terms would be the trade of Cuba and Berlin. If Americans blocked or attacked Cuba, Khrushchev then could use this as the excuse for an equivalent blockade or attack on Berlin. Kennedy said, "Whatever we do in this regard, it gives him the chance to do the same with regard to Berlin" (May and Zelikow, 1997, p. 256).

5.3 Analysis of Cuban Missile Crisis

Eventually, Kennedy and Khrushchev came to realize that they both had to give something up to allow for a successful negotiation. The common underlying interests that they both had were not to start a nuclear war, not to lose face, and appear like a winner in their home country and to their allies.

Castro was ready to fire upon the US planes even while the talks were going on. He might have triggered an accidental nuclear war. Luckily, Khrushchev was able to control Castro. The take away from this negotiation is not only to understand the other party's interests and work with them, but also be aware of conflicting interests in one's own party.

5.3.1 Cuban Missile Crisis in Elements of Principled Negotiation

A careful examination of the Crisis is executed with the seven elements of principled negotiations and the positions of USA, Soviet Union and Cuba as follows.

1. **Positions**

Khrushchev did not want to remove his missiles from Cuba. Kennedy wanted Khrushchev to remove his missiles from Cuba. Castro wanted to rule Cuba without interference from the USA.

2. **Interests**

The common underlying interest of all parties in the Cuban Missile Crisis was to avoid the nuclear war. Separately, the following were the interests for Khrushchev, Kennedy and Castro.

A. For Khrushchev

I. Proving the supremacy of USSR over US by gaining a strategic foothold in America's backyard,

II. Spread communism throughout the Americas as well as Europe,

III. Having a way to remove the American missiles from Turkey,

IV. Having a way to get the Allied out of West Berlin,

V. Preventing USSR form getting involved in a nuclear war,

VI. Strengthening his own political position within his country

B. For Kennedy

I. Preventing the US from getting in a nuclear war,

II. Ensuring that Communism did not spread to the Americans or that the balance of power did not favor the Soviet Union,

III. Showing the world that he was able to face Khrushchev with courage and firmness, unlike in the Berlin crisis,

IV. Controlling Fidel Castro after the previously failed Bay of Pigs incident.

C. For Castro

I. Preventing Cuba form getting obliterated in a nuclear war,

II. Showing his power over the US,

III. Aligning himself with Khrushchev,

IV. Removal of trade embargo to Cuba.

3. Options

The US had multiple options to select from, in response to the Soviet aggression. “Six major categories of action were considered, before a fusion of several was finally chosen.” (Allison & Zelikow, 1999, p. 111-120). The following six options were considered and the naval blockade was finally implemented.

I. Do Nothing

This initial suggestion of doing nothing was quickly discarded since Kennedy felt that it would be misconstrued by foreign allies as well as taken as a weak response by his domestic political opponents.

II. Diplomatic Pressures

Giving a secret ultimatum to Khrushchev without a public confrontation, or appealing to the United Nations or Organizations of American States to negotiate the removal of the missiles from Cuba. These options were rejected as they appeared to be a weak response.

III. A Secret Approach to Castro

Appealing to Castro to separate himself from Khrushchev. It was rejected because it did not seem that Castro would be tempted by the offer.

IV. Invasion

As a last resort, removing the missiles and getting rid of Castro was considered. It would probably result in a nuclear war and a counter move by the Soviets in Berlin.

V. Air Strike

The missile sites would be removed by a "swift conventional air attack" (Allison & Zelikow, 1999, p. 115). This option was discarded because it could have been followed by nuclear war.

VI. Blockade

The final approach that was decided as the best solution was a blockade and ultimatum approach- a blockade with a demand for withdrawal of the missiles. A blockade was selected since it did not force a direct military clash. A blockade is considered as an indirect form of military action. This involved "an embargo on military shipments to Cuba enforced by a military blockade" (Allison & Zelikov, 1999, p. 118).

Kennedy also allowed Khrushchev to not lose face by privately promising to remove the US Jupiter missiles from Turkey in exchange for the removal of the Soviet missiles from Cuba. The reason that this solution worked was because "Khrushchev withdrew the Soviet missiles not because of the blockade, but of the threat of further action…" (Allison & Zelikow, 1999, p. 129).

4. Alternatives or BATNA

The following were the available options alternatives for the three countries in the Crisis. Castro had few alternatives to choose since he was not the dominant actor in the Crisis.

A. For Khrushchev

I. Attack the US using the nuclear missiles from Cuba,

II. Attack the US in Berlin if the Cuban strategy failed,

III. Appear powerful without actually going through with the attack,

IV. Strengthen the spread of Communism by his alliance with Fidel Castro.

B. For Kennedy

I. Do nothing- wait and watch,

II. Apply Diplomatic Pressures,

III. Secret Approach with Fidel Castro,

IV. Invasion of Cuba,

V. Air Strikes on Cuba,

VI. Have an integrative solution where something could be traded for the missiles in Cuba.

C. For Castro

I. Wait for Khrushchev's orders,

II. Fire upon US aircraft and ships using the installed Russian missiles,

III. Work with Kennedy against Khrushchev.

5. Outcome or Commitment

Khrushchev wished to use Cuba as a means of negotiating with US to get Allied Forces out of West Berlin. Kennedy wanted Russian missiles out of Cuba, Fidel Castro removed from

power, and capitalism brought into Cuba. Fidel Castro wanted to use the Russian missiles as a means of preventing any US interference in Cuba.

6. Legitimacy

The outcome of the Cuban Missile Crisis, 1962 remained legitimate as both sites saved their faces. The crisis was peacefully achieved when the Soviet missiles of Cuba were dismantled in an exchange for the removal of the US missiles from Turkey, Europe and a promise by the US not to invade Cuba.

7. Relationship

The relationship between the actors of the Cuban Missile Crisis: USA, Soviet Union and Cuba remained in the status quo as they settled down the crisis in an integrative way. Recent scholarship has qualified that this Crisis also stands as particularly good example of the perils of faulty relationship management (Welch, 2013, p. 826).

8. Communications

The communications is found to have played effective role in the peaceful settlement of the Cuban Missile Crisis. Both face to face communication and written correspondence proved to be misleading and deceptive during the Crisis. At the end, the agreement was broadcasted.

5.3.2 Conceptual Model Analysis

Ordinary citizens proceed in a straightforward non-theoretical fashion in thinking about the problems of foreign affairs. However, a careful examination of explanations of events like the Soviet installation of missiles in Cuba reveals a more complex conceptual substructure. Professional analysts think about the problems of foreign policy in terms of largely implicit conceptual models that have significant consequences for the content of their thought. The

conceptual models are required to single out the relevant critical determinants of the occurrence-the junctures at which particular factor produced one state of world rather than another.

I. Rational Actor Model (Model I or RAM)

Most analysts explain and predict behavior of national governments in terms of one basic conceptual model, the Rational Actor Model (RAM or Model I). The basic assumption of this Model is that the events in foreign affairs are understood as purposive acts of unified national governments. In confronting the problem posed by the Soviet installation of strategic missiles in Cuba, Rational Actor Model analysts focus attention on the goals and objectives of the Soviet Union. In the simplest form, the RAM links purpose and action.

Although Model I has proved useful for many purposes, it is clear that it must be supplemented by frames of reference that disaggregate the governments, focusing on the organizations and political actors involved in the policy process. Two alternative conceptual models, the Organizational Behavior Model (Model II) and the Governmental Politics Model (Model III) provide a base for improved explanations and predictions.

The lessons of Cuban Missile Crisis emerged from Model I analysis include: since nuclear war between the USA and the Soviet Union would have been mutual national suicide, neither nation would choose nuclear war, and therefore, nuclear war was not the serious possibility; given its strategic nuclear advantage at the time, the USA could choose lower level military actions without fearing escalation to nuclear war; nuclear crisis are manageable since in situations where vital interests are at stake, leaders of both nations will think soberly about the challenges and their options.

II. Organizational Behavior Model (Model II)

According to Organizational Behavior Model, what Model I analysts characterize as 'acts' and 'choices' are thought of instead as outputs of existing organizations functioning according to regular patterns of behavior. Faced with the facts of Soviet missiles in Cuba, a Model II analyst focuses on the existing organizations and their standard operating procedures for acquiring information, defining feasible options, implementing a program.

About the Cuban Missile Crisis, the Model I analysts ask why Khrushchev deployed missiles to Cuba or why the USA responded with a blockade and ultimatum. Governments are anthropomorphized, as if they were an individual person. In Model II explanations, the subjects are never named individuals or entire governments. Instead the subjects in Model II explanations are organizations; their behavior accounted for in terms of organizational purposes and practices common to the members of the organization.

The lessons from Model II include: nuclear crisis between large machines, such as the US and Soviet Governments of 1962, are inherently chancy. The information and the estimates available to leaders about the situations reflect organizational capacities and routines as well as facts. The options presented to the leaders are much narrower than the menu that analysts might consider desirable.

III. Government Politics Model

Model III focuses on the politics inside a government. According to this model, events in foreign affairs are characterized neither as unitary choice nor as organizational outputs. What happens is understood instead as a resultant of bargaining games among players in the national

government. In confronting the puzzle posed by Soviet missiles in Cuba, a Model III analyst focuses on players who are engaged in interaction.

The lessons from Model III are: leaders of the US government can choose actions that they believe entail real possibilities of escalation to war; the process of crisis management is obscure and exceedingly risky; the interaction of internal games, each as ill-understood as those in the White House and the Kremlin, could indeed yield war, even nuclear war as an outcome.

5.3.3 Theoretical Analysis

The installation of the missiles in Cuba by Soviet Union and the subsequent blockade by the USA are guided by the realist theory. The structural approach was prevalent in the thirteen days of the Crisis as the three parties were concerned about maintaining their status quo in the international society. Eventually the distributive orientation of the crisis was translated into the integrative as the both parties focused on the respective underlying interests.

The Cold War standoff between the USA and USSR came to a head in the Cuban Missile Crisis. Morgenthau illustrated a realist explanation in his 1967 article as to why the spread of communism occurred; ‘each communist government and movement, to a greater or lesser extent, pursues its own national interests within the common framework of communist ideology and institutions.’ The USSR’s main interest was to expand the communist ideology, linking in with the previously discussed explanation that power, in a realist term, is the ability to coerce other nations into their own ideologies. The Cuban Missile Crisis was therefore a standoff between two different political ideologies and also, perhaps more importantly, between the two biggest ‘hyper-nations’ or ‘blocs’ in the world. Morgenthau found that from a realist perspective that the USSR acted as the most powerful state in the Missile Crisis as he stated in 1967, as thus on the

one hand, as part of the settlement of the missile crisis of 1962, The USA pledged USSR not to intervene in Cuba, which was a military and political outpost of the Soviet Union and the fountainhead of subversion and military intervention in the Western Hemisphere, and as such directly affects the interests of the United States.

The cause of the Cuban Missile Crisis, referring back to Morgenthau's point on political realism about trying to exert political and military power ('influence may be exerted through orders, threats, persuasion, or a combination of any of these,') is a mixture of all of these factors, however predominantly through military threat. This military threat from each side appeared to put the two blocs on the brink of war.

5.3.4 The Process Tracing Analysis

In the case of Cuban Missile Crisis, both symmetric and asymmetric power relations were in place. The USA and the Soviet Union were at the equilibrium in terms of the allocation of power resources. The USA and Cuba had the asymmetric power relations. The principal parties in the crisis are the USA and Cuba. In the beginning the crisis entailed the features of positional bargaining as all the parties deadlocked into their respective positions. As Khrushchev realized his underpinning interests, he offered to withdraw the missile in exchange for USA not to invade Cuba. This is a classic example of how merit based negotiation can overcome the structural hindrances and resolve the issue as win-win.

5.3.5 Crisis at the Levels of Analysis

This Cuban Missile Crisis has been examined at the different levels of analysis of negotiation as follows.

I.

II. Intrapersonal level

As Kennedy and Khrushchev continued to be the key actors, they underwent exactly the same psychological evolution and process of learning. Upon learning of secret, deceptive Soviet deployment, Kennedy had reacted with anger and belligerence. But in a few days he calmed down and began to ponder upon how he and Khrushchev could have misunderstood each other. He became sensitized to the danger of misunderstanding and misperception.

III. Interpersonal Level

Kennedy, Khrushchev and Castro along with their advisors and members of respective governments were in deceptive relations and alliance formations. Furthermore, the OAS, The United Nations, NATO members were also engaged as the secondary players in the Crisis. The relations of trust were forged at the end as both sites had the underpinning interests to save face and avoid nuclear war.

IV. Group level

At the outset, the Cuban Missile Crisis seemed to be bilateral confrontation between the USA and the Soviet Union. However, many actors were involved in the Crisis. America's NATO stood back and allowed Kennedy to take the lead. Among the most important actors in the Crisis was the United Nation, although its role has generally been underplayed. However, the United Nations played an important substantive role as well. Thant sought to play substantive, constructive, and neutral role beginning with the 24 October standstill proposal by which for a period of two to three weeks, the Soviet Union would suspend military shipments to Cuba and the United States would lift the quarantine to give both sides an opportunity to negotiate a settlement.

Another site of intense activity was OAS. The fact that Soviet Union wielded a veto in the UN Security Council meant that Washington had no hope of securing that body's blessing for its response to the Soviet deployment. But the UN Charter permitted regional security organizations to take measures in response to threats to peace, so Washington turned to OAS for necessary legal cover to the quarantine.

The last principal in the Crisis was Fidel Castro. As neither superpower allowed him the space, there is little role of him in the Missile Crisis diplomacy. From the American perspective, Cuba was merely a parking lot for missiles and no more. Khrushchev treated Castro paternalistically and at no time seriously solicited his views.

V. Organizational Level

The Crisis arose as a result of rapidly deteriorating US-Cuban relations in the aftermath of the revolution that brought Fidel Castro to Power in January 1959. In a series of tit-for-tat moves, Castro sought to reduce American political and economic influence in Cuba and the United States ratcheted up pressure on the Castro regime in an attempt to prevent it from drifting dangerously leftward. As Soviet- Cuba ties broadened and deepened, the United States became increasingly concerned that Castro would turn Cuba into a Soviet outpost, particularly nuclear outpost in the Western hemisphere (Welch, 2013, p. 827).

Castro spelled backwards to the April 1959 Bay of Pigs Invasion-an American sponsored attempt to trigger an anti-Castro uprising by landing a small, ill-equipped, and not particularly well trained brigade of exiles on Cuba's southern coast, and Operation Mongoose- a CIA

programme of sabotage, harassment, an attempted assassination (Welch, 2013, p. 827). Convinced both that American attack was inevitable and that the only way to prevent it was by means of a local nuclear deterrent, Khrushchev proposed and Castro accepted precisely the kind of military deployment. Khrushchev ordered an unprecedented deployment of both conventional and nuclear forces.

VI. Virtual Level

In the initial phases, broadcast diplomacy was used. During the Crisis, four channels were active: broadcast, private, back channel and freelance. The latter phases were marked by a combination of broadcast and private. The private diplomacy was more successful at least for establishing clear communication is concerned.

The written correspondence, though useful, has its own limitations as well. These are not in real time. Kennedy could not respond to Khrushchev's hard line letter of 25 October he receipt another with softer tone. They also used back channel diplomacy during the public week of the Crisis.

5.3.6 Diplomacy at the Cuban Missile Crisis

Despite the great deal of attention paid to the Cuban Missile Crisis, the role of diplomacy as such has not been analyzed yet. The first phase; pre-discovery phase, is characterized by ineffective signaling and little listening. Diplomacy in this phase is in the form of highly charged rhetoric. There was little in the way of real negotiation during this phase. The only potential good quality channel of communication was a back channel between White House and Kremlin.

The second phase; private week is the time between the discovery of Soviet strategic nuclear missiles in Cuba on 15 October and Kennedy's announcement of the discovery on 22 October. In a previously scheduled meeting at the White House with Soviet Foreign Minister Anatoly Gromyko on 18 October, Kennedy warned of the grave consequences of any attempt on the part of the Soviet Union to deploy offensive weapons in Cuba. Gromyko replied that the Soviet Union was sending only defensive weapons to Cuba. This valuable face to face channel of communication was spent primarily on deception.

The third phase; public week is characterized by frenetic activities through multiple channels. The overwhelming goal of all actors during this period was to find a peaceful resolution to an extremely dangerous nuclear stand-off through mutually acceptable compromise. Khrushchev agreement on 28 October to withdraw the weapons marked the successful resolution of the crisis.

The fourth phase, the November Crisis has the question of exact weapons Khrushchev had committed to withdraw. He committed to withdraw strategic nuclear weapons alone. Another issue was the inspection condition. Kennedy had agreed to pledge not to invade Cuba in return for the Soviet withdrawal of missiles, but only on the condition that the United Nations certify their removals.

The final phase was clean-up. The two super powers promoted considerable effort to establish rules of the road for communicating. An immediate concrete measure was the 1963 'Hot Line Agreement', which established secure direct communications between Washington and Moscow.

The Cuban Missile Crisis offers few timeless truths for diplomacy. First, neither vague nor duplicitous diplomacy is likely to be useful over the long run. The resolution of conflicts of interests requires an ability to communicate clearly, a capacity to elicit trust, and ability to trust in return. Broadcast diplomacy accomplished a little in the Crisis; earnest private diplomacy accomplished a great deal.

Second, effective diplomacy requires cultivating empathy. It is difficult to solve tangible conflicts of interest without understanding next party's wants, needs, fear and general understanding. The handmaiden of empathy is trust. Mutual understanding is a precondition for identifying viable settlements of dispute.

In sum, the Cuban Missile Crisis began because of the differing positions of Khrushchev, Kennedy and Castro. The Crisis was resolved in a peaceful manner because all parties wanted to avoid the nuclear war which was not going to satisfy the interests of all parties. The Crisis was negotiated in the distributive and competitive manner in the beginning. Eventually, the Crisis was settled down in an integrative way. The positional bargaining in the Crisis was transformed into the interest focused one.

CHAPTER 6: AN ANALYSIS OF INFLUENCE OF POWER FACTORS IN INTEREST BASED NEGOTIATION PROCESSES AND OUTCOMES

This chapter has analyzed the implications of symmetrical and asymmetrical relations between the parties on the efficiency, legitimacy, fairness, amicability of the negotiation processes and outcomes. It has also explored the behavioral traits of the powerful actors in the negotiation table. It has diagnosed the common hard bargaining tactics of the weaker parties to balance the asymmetrical power of the other parties. The effect of power on the seven elements of the framework has also been discussed under this chapter.

Similarly, the international negotiation has been examined from the perspective of international relations theories, particularly realism, constructivism and post structuralism. The level of analysis in negotiation has been used to dissect the level wise traits, tendencies of the bargaining cases. The chapter has wrapped up with the findings which are categorically mentioned as the strategies and tactics in the competitive and cooperative bargaining cases.

6.1 Structural Analysis: Symmetric and Asymmetric Negotiations

Common wisdom holds that perceptions of equal power among negotiators tend to result in more effective negotiation and more satisfactory outcomes than perceptions of unequal power. Its logic comes from its basic principles of negotiation, the ethical norm of reciprocation, equality, and the structural positions of parties as veto holders, also implying equality. Furthermore, common wisdom also holds that in situations of perceived asymmetry, the stronger party tends to act exploitatively while the weaker acts submissively, an unpropitious situation for effective and satisfying negotiations.

Contrary to the received knowledge and experimentation, it appears that perceived asymmetry is the more productive condition for negotiation, whereas perceptions of equality actually interfere with efficient processes and satisfying results. Symmetry produces deadlock because behaviors associated with the particular power status produce impasse rather than an effective process to satisfying results. This resembles the balance of power theory, which indicates that equality is the most unstable condition.

Symmetry in conflict situations tends to produce and reinforce hostility and prolong negotiations. High power symmetry brings together two parties experienced in dominating behavior: it makes them primarily concerned with maintaining their status locking in their side of the symmetry- rather than reaching an agreement. Low party symmetry brings together two parties that act in the reverse way- symmetrically- to produce the same result. They deadlock because they do not have the power to make the other move.

Perceived asymmetries- based on such things as gross national product, military strength, physical size, and other objective indices- do indeed produce different attitudes and actions in the exercise of power. The more powerful do indeed attempt to dominate in their exchanges with less powerful counterparts.

The notion of structural analysis of power and negotiation has shifted to the tactical analysis having causal effect from initial formulation that power determines every outcome in the negotiation.

> Structural analysis has moved away from its initial post hoc formulation that outcomes are pre-determined by power position of the parties towards a tactical analysis based on the definition of power as a way of exercising a causal relation.

> Tactical analysis thus treats power as a responsive or situational characteristic of negotiations where outcomes depend not just on absolute capabilities but also bargaining skills and knowledge and the way such resources are organized and utilized. (Hampson, Crocker & Aall, 2013, p. 321)

The traditional notions of power as force has also moved toward the concept of causation and force just an element of power among others. The traditional definition equates power with force, as in the realist school in international politics. Conceiving of power as force alone is ideological because it becomes a justification for violence and a devaluation of non-violent means of causation. Force is indeed an element of power.

The notion of power also evolves to possession. Defining power as resources, leads to the neo-realist view of power as a possession. Power is defined as an action by one party intended to produce movement by another. Thus power is defined neither as a component (resources) nor as a result (cause), but in between the two, as a purposeful action.

Power can also be defined in such a way as to eliminate the Structuralists' paradox completely, by making power synonymous with or measured by payoffs, so that the strongest do not always win. One way of categorizing the action intended to produce movement is as pressure (negative), inducement (positive), and resistance (negative or positive response). These concepts set up the Structuralists' Paradox that the most powerful party in terms of force or resources does not always win at the negotiation.

Through diverse efforts, the weaker parties find ways to borrow sources of power and enable actions intended to move the stronger party in a desired direction and countering the actions of the stronger party.

Weaker parties try to borrow power from the stronger target itself, by appeals to common interests, solutions to common problems, pairing positions, appeals to relationships. Weaker parties try to borrow powers from various third parties and sources by coalitions with other parties, links to internal factions, joining one's enemy's enemy, co-opting external forces, use of public opinion. Weaker parties try to borrow power from the context by use of rules, appeals to higher authority, appeals to principle, use of intermediaries. Weaker states gained sources for power by using the negotiation process itself and its evolution to make their moves at appropriate times by efforts to seize opportune moments and attention to details.

The source of power in the international negotiation is the combination of the several factors. Attractive proposal to the other delegations, the bilateral relations of the parties, the in-depth knowledge of the agenda, activeness, hard work, flexibility in meeting the concerns of the next party, creativity constitute the power of the parties in the international negotiation. In short, power relationships between the parties are relevant in a bargaining table; but they are far from being the whole story.

It is soon evident that some individuals are better negotiators than others. Some individuals are by temperament unusually well equipped to be negotiators. When it comes to temperament and personality, many different styles can be effective in negotiation at international negotiation. Self-confident and determined certainly helps in the negotiation but sometimes it appears to be insensitive to the concerns of the next party and also arrogant.

Moreover, a party gains power in the negotiation table putting themselves in the shoes of other parties to understand their constraints and concerns. This is called empathy that helps to realize what the other party can agree or disagree.

By manipulating deadlines, asking for mediators, withholding signatures, splitting coalitions, pairing demands with more powerful actors, weak states can also increase their bargaining leverage. Effective use of linkage strategies and reciprocal strategies can also be the source of power for weak. Coalition behavior can also affect bargaining strategies and outcomes. A coalition of weak can affect regime-creation if it stays unified and develops bargaining strategies appropriate to the context of the decision.

Weaker parties can overcome the effects of power and achieve bargaining outcomes that are favorable to themselves. Strong parties do not always prevail over the weak at the bargaining table. There are ways weaker parties can manipulate bargaining situations to their advantage. Weaker actors can react to asymmetries in structural power by adopting bargaining tactics and strategies that change the status quo and raise their own security points (Hampson, Crocker & Aall, 2013, p. 321).

6.2 Advantages of being Powerful Negotiators

The powerful negotiators' behaviors are different than weaker ones in the context of bargaining. This is because of the asymmetrical power that gives confident to the negotiators.

Power leads negotiators to behave more proactively throughout the negotiation process, because of their strong BATNA, a powerful role, or a sense of confidence. The negotiation research also showed that powerful negotiators are more inclined than less powerful negotiators to make the first offer.

Power offers protection against the opponents; the powerful are not easily manipulated. They may enjoy the support from their home.

Psychological power helps people identify novel ways of thinking about problems and makes them less likely to conform to the constraints imposed by the other side's offer. The powerful often risk revealing information about their preferences and priorities – a crucial step in creating value and expanding the size of the pie in integrative negotiation.

One of the most crucial skills that negotiators can develop is perspective taking, or the ability to appreciate and understand the world from another person's vantage point. Power in negotiation is most effective at the bargaining table when combined with perspective taking.

6.3 Weaker Parties' Common Hard-Bargaining Tactics

To prevent your negotiation from disintegrating into hard-bargaining tactics, you first need to make a commitment not to engage in these tactics yourself. There are typically better ways of meeting your goals, such as building trust, asking lots of questions, and exploring differences.

Next, you need to prepare for your counterpart's hard-bargaining tactics. To do so, you first will have to be able to identify them. In their book Beyond Winning: Negotiating to Create Value in Deals and Disputes, Mnookin, Peppet, and Tulumello (2000) offer advice to avoid being caught off-guard by hard bargainers.

Perhaps the most common of all hard-bargaining tactics, making extreme demands and slow concessions protects dealmakers from making concessions too quickly. However, it can keep parties from making a deal and unnecessarily drag out business negotiations.

It is good to find out the authority of negotiators who have greater authority to do business. Offers should rarely be non-negotiable. Focus on the content of the offer instead, and then make a counter-offer that meets both parties' needs would help resolve the disputes.

Take a break if you feel yourself getting flustered, and let the other party know that you won't tolerate insults and other cheap ploys. Be skeptical about claims that seem too good to be true and investigate them closely. The other party might try to make you cave in by belittling your BATNA.

6.4 Power Factor on Seven Elements Frameworks

Power as resources, capability and possession exerts implicit or explicit influence on the underlying interests of the parties in the bargaining. The positions and interests are generated based upon the contextual, geographical, economic, social needs of the parties in the negotiation. Powerful parties have hard interests.

Similarly in the options available would be limited to the weaker parties since they cannot simply turn the scarce resources in exploring the options in the negotiation table. Alternatives or BATNA are the source of power and vice versa. Power enhances the richness of one's BATNA and once it is set out, this BATNA serves as the key source of power. Thus, in the bargaining process, the powerful actors tend to enjoy the privilege of having best alternatives.

Fairness or legitimacy of the outcomes is a subjective phenomenon. It is a matter of interpretation. The weaker party cannot enjoy the leverage to interpret the outcomes as not satisfactory to them. This is because of the institutional lacking. The powerful do have upper hands in the institutions which serve to decide on the fairness or legitimacy.. Regarding the

commitment, it is the weaker party which sticks to implement the agreement. Powerful tend to avoid the deal if it is not serving their underlying hidden interests.

With regard to communications and relationship, both strong and weak tend to have equal hands. A crucial variable that can change this scenario of the influence of power in every element of principled negotiation is to equip the negotiators with the better bargaining strategies and tactics.

When the power capability variable in the structural asymmetric negotiation dominates the bargaining capacity tactics and strategies, the outcomes become sub-optimal meaning there could have been better outcome than the packaged agreement. This kind of negotiation bears the features of positional bargaining focusing on the positions and taking the power leverage in the negotiation. On the other hand, if the bargaining strategies prevail over the power resources in the negotiation table, the outcomes turn out to be Pareto-optimal meaning there could have been no better solution to the dispute than the existing one. This sort of negotiation entails the characteristics of principled negotiation which is focused on creating values.

6.5 Theoretical Foundation of International Negotiations

The perspectives on international negotiations through some of the school of thought of international relations are dissected as follows.

I. Realism

Realism sees the international negotiation as the power play between the parties. It entails the implicit and explicit uses of power in the pursuit of desired outcomes in the international negotiations. The power maximization is the core of realist notion to maintain the survival of

states in an anarchical world system. Thus, every negotiation is the playground to maximize the resources.

The balance of power theory of international relations is equally applicable in the international bargaining cases as well. The weaker parties tend to seek alliance formation with other parties to counter power balances.

II. Constructivism

Constructivism assumes power as ideas. Concepts are the result of human conscience and ideas, norms, customs. Power is also a concept. In international negotiations, the parties who have better ideas, knowledge regarding the subject matter of the agenda, they tend to have greater hand in the negotiation process.

III. Post-structuralism

Post-structuralism defines discourse as power. Communications and language is the significant feature of power relations between the parties in the negotiation. Communication is also an element of principled negotiation. Thus, the better communicators of agendas, interests, the better negotiators they are. This is the essence of post-structuralism.

6.6 Power at the levels of Analysis

As power is prevalent in every element of principled negotiations, it also tends to make influences on five different levels of analysis of negotiation.

I. Intrapersonal Level

At the intrapersonal level, power means psychological power. Psychological power is examined as a state and as a trait. Negotiators with attractive BATNAs are considered as

powerful and they are more assertive in negotiations. Although having power may increase a negotiator's propensity to make first offer, this may depend on the nature of the negotiation.

II. Interpersonal Level

At the interpersonal level, emotions, subjective value, trust and tactics, relationship shape the entire process of negotiation and affect the outcomes of the negotiation.

III. Group Level

At the group level, social and group identity, relational and collective identity, group culture has impacts on the negotiation. According to the group identity perspective, the stronger an individual's group identity, the less sharply he or she distinguishes between self-interest and collective interests. For negotiation, this implies that distributive (personal gains) are less focal than integrative (mutual gains) for negotiators who consider counterparts members of their group.

IV. Organizational Level

At the organizational level, the negotiator is embedded in a larger networks or marketplace. The choice of negotiation partner, the reputation, the time of negotiation is pervasive to determine the negotiation outcomes.

V. Virtual Level

At the virtual level, the emphasis is given in the real time negotiation. When negotiations are not face to face but rather computer mediated, many variables come into play in determining whether computer-mediated negotiations harm or facilitate negotiations.

6.7 Strategies and Tactics of Weaker Parties in Negotiation

Negotiation has basically been categorized as integrative and distributive. The processes and the outcomes, negotiation behaviors, negotiating strategies and tactics differ in these two types of negotiations. In both competitive and cooperative bargaining, the negotiation strategies of the weaker parties are mentioned as below.

6.7.1 Competitive Bargaining

In competitive bargaining- a gain by one party is an equal loss by the other, each party is primarily concerned to maximize its own gains and minimize the cost to themselves. The important tactical principles are:

I. Asking for more than expected would definitely help in the competitive bargaining. Things asked for are negotiation coin that can be traded away in order to achieve the objective.
II. Starting off by demanding things not hoped to achieve and is definitely be opposed by other party makes the party to make concessions to refrain from pressing such demands.
III. Hiding the bottom line is another tactics in competitive bargaining because there is chance of getting more.
IV. It is better to have moderate concession rate. Taking early and giving late helps to achieve the objectives.

6.7.2 Cooperative Bargaining

In a cooperative problem solving- working to reach the objectives of other party to the extent that such effort is compatible with your objectives, the following principles may apply.

I. It is not good to ask for concession which is impossible to be met by other party. Concession rate is also not important in cooperative bargaining.

II. Unveiling the bottom line would help know one's bottom line and the next can calculate how close it is to meet it.

III. The discussion should always be about the points at issue and great care should be taken to show no hostility with individuals.

IV. Empathy is very important in the cooperative bargaining which is the ability to put yourself in others shoes and thus the ability to feel as they do.

V. The way of approaching the other party influences their reaction. Demands or any other forms of rudeness likely to backfire. In a civil manner, it is better to explain position and request for support.

VI. Reason and logic is a very powerful. The most persuasive argument are those which appear reasonable.

VII. Fully understanding the technical, legal, financial, practical and other aspects of the issue makes it easier to persuade others.

VIII. Accepting an outcome the next party considers less desirable in exchange for something is often useful because parties place different importance on the same point. This is reciprocity.

IX. Negotiating in groups, negotiating with intermediaries is useful to the weaker parties because it aggregates the power and counter balances the asymmetrical relations.

X. Bringing new perspectives to the issue and see the opportunities that can be found in the very differences between the objectives of the parties help from the outcomes acceptable to both sites. This is creativity.

In a nutshell, the asymmetrical and symmetrical power relations between the parties are found to be both beneficial and detrimental as far as the fairness and legitimacy of the outcomes are concerned. It depends on the parties' behavior, strategies, tactics, context and the issues.

CHAPTER 7: SUMMARY AND CONCLUSION

This chapter has summarized the study and presented the conclusion. A chapter wise synopsis with the core ideas are mentioned in the first part of this section. In line with the findings discussed in the previous chapter, the conclusion of the study is outlined in the second part. The conclusion is formulated in a way to answer the three research questions and objectives.

7.1 Summary

The chapter one has set the background of study with the concepts of symmetric and asymmetric power, principled negotiation, and structural analysis of international negotiation. The background has set the tone that role of power in principled negotiation is the worthy to study. It has also explored the statement of problem that the influence of power asymmetric relations has yet to be studied. In line with the research questions, research objectives have been outlined as: to assess the influence of power in negotiation; to analyze the structural approach to negotiation and; to explore the measures to overcome such structural impediments.

The significance of the study has been identified at the individuals, national, global level and also to enriching the existing literatures. The limitation of the study has categorically been mentioned as methodological; qualitative in nature, not quantitative or mixed, scope wise; influence of power on principled negotiation, and theoretical; realist, structural approach, constructivist. The chapter has wrapped of with the definition of key terms.

The chapter two has reviewed the literatures on concept of symmetry and asymmetry of power, structural approach to negotiation, principled bargaining, realist, constructivist and post-structuralist theories of international relations, Cuban Missile Crisis and Allison's three

conceptual models of foreign policy analysis. It has been found that there exist no literatures on the particular topic of this study. The concept of power has been reviewed as resources, capability, influence and strategies.

The chapter three has incorporated the methodology and conceptual framework of the study. This research study was qualitative in nature. The sources of data were secondary. The published and unpublished data and information have been analyzed. The explanatory and case study method were used. The Cuban Missile Crisis was chosen for case study. The content analysis and discourse analysis were the methods of exploring the details of the international negotiation cases.

The process tracing framework of power asymmetry leading up to sub- optimal outcome and Pareto-optimal outcome in the negotiations table along with the presence and influence of two variables: power capability and power capacity has primarily been conceptualized in this study. Power oriented explanations of international negotiation called structural analysis, Realist notion of power centrism, constructivist assumption of four variations of power and post-structuralist conceptualization of power as productive have served as the theoretical framework in this study.

Allison's three conceptual Models of foreign policy analysis: Rational Actor Model; Organizational Behavior Model; Governmental politics Model were foundational for analyzing processes and outcomes of the Cuban Missile Crisis. This study also used intrapersonal, interpersonal, group, organizational and virtual levels of analysis in international negotiation cases.

The chapter four has outlined the rationale for preference for negotiation among other means of dispute settlement: globalization, the surge of international organizations, and the attachment to sovereignty. It has also explained the seven elements of principled Negotiation: interests, options, legitimacy, alternatives, commitments, relationship and communication. It has distinguished between hard and soft negotiation. It also examined the stages of diplomatic negotiation: pre-negotiation, formula and detail stage. It set the measures to preserve the diplomatic momentum and the procedures to package the agreements.

The chapter five has studied the case of Cuban Missile Crisis with the outline of its chronology, the hypothesis regarding underlying causes of the Crisis. This chapter has also examined the Cuban Missile Crisis through seven element framework of principled negotiation. It has also analyzed the Crisis through Allison's three conceptual models: Rational Actor Model, Organizational Behavior Model and Government Politics Model. The Crisis has been assessed from the realist, constructivist and post-structuralist theories of international relations. The relational framework of asymmetrical power leading to the Pareto Optimal and sub-optimal outcomes in the negotiation has also been exhibited in this chapter.

The chapter six has analyzed symmetrical and symmetrical negotiations. The pros and cons of these two types of negotiation have been explored in this section. It has explored the negotiating behavior of the powerful negotiators. It has excavated the weaker parties' hard bargaining tactics. It has examined the international negotiation from the theoretical foundations of the international relations. The role of power at different five levels of analysis of negotiation was also examined. As far as the findings of the study are concerned, this chapter has presented them categorically as the competitive and cooperative bargaining strategies and tactics of the

weaker parties in the negotiation table. The chapter seven has summarized and concluded the study.

7.2 Conclusion

Regarding the first research objective to assess the influence of asymmetric power on the seven elements framework of principled negotiation, the study has concluded that the asymmetrical power in the negotiation table influences on every element. Power has influenced the underlying interests of the parties. The interests have been generated based upon the contextual, geographical, economic, social needs of the parties. Powerful parties have had harder interests. The options have been limited to the weaker parties because they have not simply been able to transform the scarce resources in exploring the options in international negotiation.

Alternatives or BATNAs have been found as the source of power and power has also been assessed to have implications in enriching the BATNAs. Power has enhanced the attractiveness of BATNAs and BATNAs have also served as the key source of power. Fairness or legitimacy of the outcomes has been a matter of interpretation. The weaker parties have been diagnosed to have lower hands in interpreting the outcomes not satisfactory to them. Regarding the commitment, powerful parties have been found to avoid the deal not serving their underlying interests. With regard to communications and relationship, both strong and weak are explored to have equal hands of influence.

An important independent variable to change this scenario of power effects on every element of principled negotiation has been identified as equipping the negotiators with the better bargaining strategies and tactics. When the power capability variable in the structural asymmetric negotiations has prevailed over the bargaining capacity tactics and strategies, the

outcomes have become sub-optimal meaning there could have been better outcome than the packaged agreement. These kinds of negotiations have witnessed the features of positional bargaining focusing just on the positions and taking the power leverage in the negotiations.

On the other hand, if the bargaining strategies have prevailed over the power capability in the negotiation table, the outcomes would have been Pareto-optimal meaning there could have been no better solution to the disputes than the existing one. These sorts of negotiations have entailed the characteristics of principled negotiation focusing on interests and thus, on creating values.

With regard to the second research objective to analyze the co-relation between structural approach and interest based negotiation, the study has concluded that they have both inclusive and exclusive relations. The variables like power capabilities, bargaining capacities, negotiation strategies and tactics, the contexts and individual traits of the negotiators have been excavated as the determining factors to shape the co-relation.

Common wisdom has held that perceptions of equal power among negotiators have resulted in more effective and more satisfactory outcomes than perceptions of unequal power. Contrary to the received knowledge and experimentation, it has appeared that perceived asymmetry has been more productive condition for negotiation, whereas perceptions of equality have actually interfered with efficient processes and satisfying results. Symmetry has produced deadlock because behaviors associated with the particular power status have produced impasse rather than an effective process to satisfying results. Logical Reasoning, creativity, empathy, trust, reciprocity, and identification of underlying interests are found to have shaped the co-relation either to be inclusive or exclusive.

Referring to the third research objective to explore the measures to overcome the effects of structural impediments in negotiations, the study has concluded that with the application of bargaining tactics and strategies, the influence of symmetrical power relations could have been overcome. Equipping the negotiators with tactful strategies might have avoided the negative implications of the structural impediments in the international negotiations processes. Thus, the outcomes of the negotiation have not always replicated the interest of the powerful parties only.

Weaker parties have attempted to borrow power from the stronger ones by appeals to common interests and relations, solutions to common problems, pairing positions. They have also tried to borrow powers from various third parties and sources by coalitions with other parties, links to internal factions, joining one's enemy's enemy, co-opting external forces, use of public opinion.

Weaker parties could have overcome the effects of power and achieved bargaining outcomes that are favorable to themselves. Strong parties have not always prevailed over the weak at the bargaining tables. There have been ways weaker parties could have manipulated bargaining situations to their advantage. Weaker actors are found to have reacted to asymmetries in structural negotiation by adopting bargaining tactics and strategies. By manipulating deadlines, asking for mediators, withholding signatures, splitting coalitions, pairing demands with more powerful actors, weaker parties could have increased their bargaining leverage.

The source of power in the international negotiation has been the combination of the several factors. Attractive proposal to the other delegations, the bilateral relations of the parties, the in-depth knowledge of the agenda, activeness, hard work, flexibility in meeting, the concerns of the next party, creativity have constituted the integral power of the parties in negotiations.

Effective use of linkage and reciprocal strategies could have also been the source of power for weaker actors. Coalition behaviors have also affected bargaining strategies and outcomes. A coalition of weak have been found to have effects on regime-creation by staying unified and developing bargaining strategies appropriate to the context of the decision.

Power factor has always prevailed in the processes and thus have determined the outcomes of international negotiations. Though the structural asymmetry have affected the entire negotiation process and outcomes, the negotiation process has not always been the story that powerful parties win and weaker one lose.

Cuban Missile Crisis has been found to be an example of how power dynamics in the negotiation could have been surpassed by exploring the interests of the parties in the negotiation. Equipping the negotiators with tactful strategies has overcome the structural impediments in the international negotiations process.

International negotiations have not necessarily become either distributive or integrative. They could have been distributive cum integrative: thus, distributive- integrative continuum has featured in the international negotiations cases. The evident example has been the Cuban Missile Crisis which started as distributive bargaining and ended in an integrative manner.

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