

Nego: A conceptual model to reflect on negotiations in public policy development

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1 Introduction

Public policy making is by its very nature a negotiation process in which a variety of stakeholder representatives search for acceptable compromises between a range of often conflicting interests. Ideally, this negotiation process results in a feasible, viable and consensus-based policy action, but policy development processes are highly complex and proceed in fits and starts. The conceptual model we propose in this paper is intended to facilitate structured reflection on policy negotiations and to provide handholds for process design, hence its name: Nego – an allusion to the famous construction toy.

2 Conceptual model

The Nego model has been developed on the basis of a conceptual analysis of a broad literature base. At a meta-level of analysis, we postulate that the desirable outcome of a negotiation process in the context of public policy development is a meaningful consensus: all actors agree on a policy option that has the potential to deal with the policy problem, they support its implementation, and commit to it. Agreement on policy options that are undesirable or unfeasible ('negotiated nonsense') is considered as a failure of the process.

To be able to link process to outcome, we assume that a negotiation process and its eventual outcome are governed by a weak form of determinism, based on two possible relations (*may lead to* and *may inhibit*) between three categories of factors (*preconditions*, *mechanisms* and *effects*). For any two factors A and B, 'A *may lead to* B' is to be interpreted in terms of Bayesian conditional probabilities as $P(B|A) > P(B)$, and 'A *may inhibit* B' as $P(B|A) < P(B)$.

Effects correspond to actor behaviors and attitudes that are relatively easy to observe in a negotiation process. Effects are the immediate determinants of the negotiation process and its outcome: in a sense they *are* the negotiation process. Effects are seen as (direct or indirect) consequences of *preconditions*. Lack of true freedom of speech, for example, may

lead to masking behavior. Certain preconditions must be met for a negotiation to be started, or to make its outcome consequential. *Mechanisms* are systemic properties that emerge (become functional) as a result of specific actor behaviors under specific conditions, and function as catalysts for particular actor behaviors. Mechanisms can therefore be self-reinforcing.

While identifying and categorizing concepts, we found it enlightening to structure the model in three concentric layers. *Actor choices* lie at the core, as the objective of the Nego model is to provide explanation grounds for human behavior in negotiations and to suggest to which extent factors that shape human behavior could be managed. The *organization of the negotiation process* forms the intermediate layer. The factors in this layer constitute the basis for actor interaction while providing the actors with the rules of the negotiation. The *institutional context* is the outer layer. The institutional context provides the foundations for the design and formulation of the process rules. Institutions comprise the established environment within which individuals change their behaviors and their perceptions towards social problems.

Table 1: Elements of the Nego model

Layers	Sectors		
	<i>Preconditions</i>	<i>Mechanisms</i>	<i>Effects</i>
<i>Institutional context</i>	Free speech Core values protection	Participation Interdependencies	
<i>Negotiation process organization</i>	Openness Transparency Public awareness	Information pool Continuous bargaining Time pressure	
<i>Actor choice</i>	Public motivation Consistency	Dilemma of trust Dilemma of honesty Coalition formation	Professional self-constraint behavior Opportunistic entry/exit of actors Opportunistic use of power Masking behavior Rigid perception behaviors Constructive use of power Seeking-the-mean behavior Cooperative behavior Time pressure effects Loser's behavior Free rider's behavior Joint commitment to the outcomes

The generic model elements (the 'Nego blocks' listed in Table 1) have been distilled from conceptual models of negotiations and policy development processes found in different fields, notably social psychology, negotiation and policy science. These models, albeit concise and internally consistent, were found to be limited in scope and at times incompatible with each other, whereas we needed something integrative to describe and explain the policy negotiation processes we are interested in. In the full paper, we will briefly present the origins of each Nego block and discuss its position in the conceptual model, and then present an analysis of the interdependencies of the blocks in terms of *may lead to* and *may inhibit* relations. The precise meaning and practical use of blocks and their

interdependencies will be elaborated in a number of examples. In this extended abstract, we can show only one configuration to illustrate how the Nego model can be applied.

3 Illustration

The configuration of Nego blocks in Figure 1 is generic, rather than specific for one particular negotiation process. It summarizes various sources of *conflict* that can occur separately or in combination in real-life negotiations.

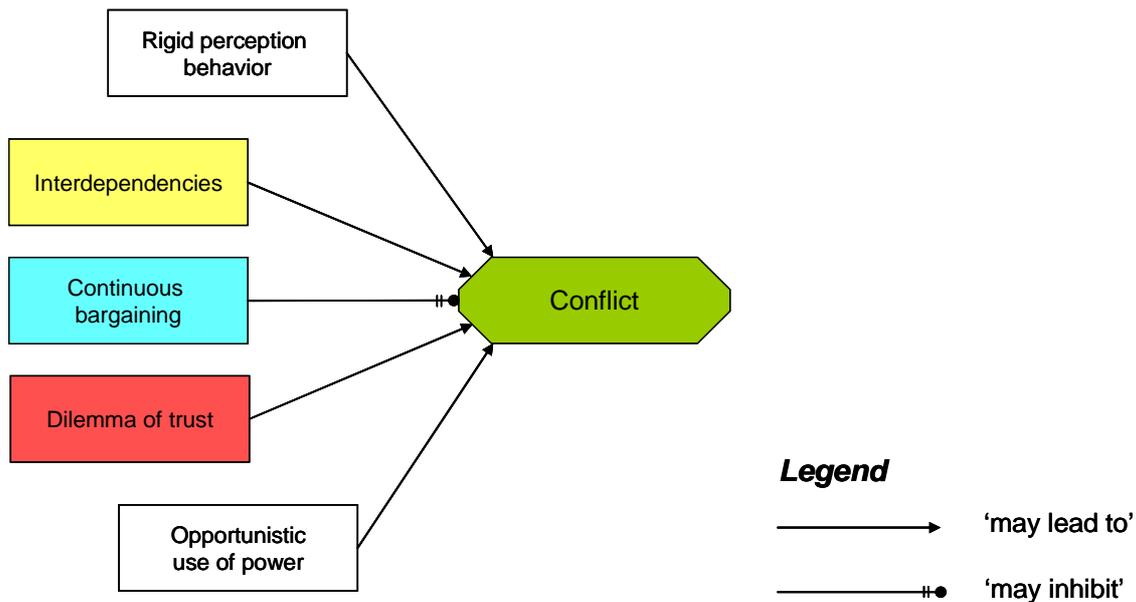


Figure 1: Nego-block configuration related to conflict

This generic Nego-configuration is largely based on the work by Wall and Roberts-Callister (1995, p. 517-523) on different behavioral patterns that conduct towards a conflict state. It identifies rigid perception behaviors (which include “commitment to position”, “perception that other has high goals” meaning that other’s success is on my cost, “other’s behavior seen as harmful”), the dilemma of trust (“distrust of other”), opportunistic use of power (“hostility”, “intended distributive behavior”, “power struggles”¹), interdependencies², and a *dysfunctional* mechanism of continuous bargaining (“low interaction”) as sources of conflict.

Moreover, a conflict may evolve with time since participants bring with them their past experiences and history in the arena. There is a possibility that disappointing experiences,

¹ Differences in power as well as differences in utilizing power cause an intentional pressure on actors that can also lead to a conflict (Larson, 2003, p. 137), while a change in the level of power that is used from different actors can inflame or resolve a conflict.

² One of the causes of conflicts comes from the structure of the relations in the arena. As Wall and Roberts-Callister, (1995, p. 521) argue “such interdependence can restrict or redirect the parties behavior, aspirations and outcomes and thereby generate conflict.”

frustration, mistrust, prejudice, pessimism or other negative feelings having their roots in the recent history to be projected onto the present and give rise to a conflict (Abma, 2000, p. 204; Wall and Roberts-Callister, 1995, p. 522).

4 Discussion

In the discussion section of our paper, we will contend that by mapping both controllable and uncontrollable factors, the Nego model can provide useful insights to process designers, facilitators, policy analysts, evaluators and negotiators. The model can help not only to understand actor behavior in policy arenas, but also to design processes in such a way that undesired behavioral attitudes are constrained. If anything, the Nego model can stimulate and enhance reflection on how to establish preconditions and/or empower mechanisms that can improve the probability of achieving a meaningful consensus.

References

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