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Knowledge Base Essay

Action-Forcing Mechanisms

By [Brad Spangler](#)

June 2003

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What are "Action-Forcing Mechanisms" or Deadlines?

Action-forcing mechanisms are external events or stipulations created in the course of [negotiation](#) or [mediation](#), that are designed to force parties to take steps toward reaching or implementing an agreement." According to negotiation experts Michael Watkins and Susan Rosegrant,

Action-forcing events are clear breakpoints [in negotiation], imposed by outside forces or by the actions of negotiators, that force some or all of the participants to make hard choices or incur substantial costs.[1]

"Broadway theatre musicians are set to go on strike unless a deal on the size of their orchestras can be resolved on Thursday." -- BBC News, *March 2, 2003*.

Deadlines are classic examples of action-forcing mechanisms, and are the most common way to manipulate time in order to induce a settlement. They may "delineate the period of time in which an agreement must be reached,"[2] or <http://www.springerlink.com/content/0748-4526/ay> "specify the date and time by which actions must be taken."[3] Deadlines may be necessary because a party is purposely using stall tactics to delay reaching agreement. Deadlines may also be incorporated into agreements to ensure that parties do what they are supposed to do to carry out an agreement's

conditions.[4]

Sometimes, the goal of setting a deadline is to break a stalemate or deadlock in which parties are not willing or able to work out an agreement.[5] The longer parties remain deadlocked, the more likely it is that any trust they have developed will break down. Given this, it is best to take steps toward breaking the deadlock as soon as possible.[6] Deadlines can also help force parties to start working in a more constructive manner toward resolution. However, setting hasty deadlines can be dangerous as parties may come up with an agreement that is impossible to implement, because they were rushing to get it done.[7]

Types of Deadlines

There are many different types of deadlines. The most effective ones tend to have negative consequences associated with failing to meet them.[8] The consequences do not have to be severe, but they should present a worse option than settlement. The two most basic choices associated with negotiation deadlines are to come to an agreement, or to terminate the negotiation altogether. Often, both parties will lose if the negotiation is terminated, so avoiding this sort of consequence motivates the parties to work better together. In other cases, deadlines are merely used as "mileposts" to measure progress and do not involve serious consequences.[9]

Deadlines may be set up by a variety of actors. A party can set its own deadline (*internal*) or the deadline may be imposed by outside forces (*external*). An internal deadline might be set by either a mediator or one of the parties who can threaten to quit before the issue is resolved if the parties do not make progress or come to an agreement by a specified date or time. An example of an externally established deadline is an upcoming court date, which often encourages settlement between parties that really do not want to go to court.[10] *Actual* deadlines align with real events such as an election, and are rigid. They cannot be changed and therefore the cost of not reaching agreement is high. *Artificial* deadlines are arbitrarily set, just to force progress on an issue. These deadlines may be more flexible, though if they are completely changeable, they are meaningless.[11]

As noted above, deadlines usually promote settlements because they imply negative consequences if the time limit is not met. *Explicitly defined* deadlines with clear consequences can help motivate a fast solution. However, they can cause resistance and/or bad agreements if there is not enough time to consider all options. Explicit deadlines work well when both sides will suffer equally by not meeting them.[12]

Undefined deadlines can be effective because they make parties think that the negotiator is willing to spend as long as necessary to reach agreement. For example, if you are willing to negotiate for longer than your opponent, he may give in to your demands as time becomes scarce for him.[13] Alternatively, he may make concessions and act faster, because he doesn't want to incur the costs of delaying.

The "Deadline/Eleventh Hour Effect"

Many settlements are reached just before a deadline, a phenomenon called "the deadline effect" or "the eleventh hour effect." This refers to the common occurrence of parties waiting until the last hours before the deadline to make concessions, hoping the other side will concede first. But if that doesn't happen, then both sides begin serious negotiating right before the deadline, as they still think that an agreement is superior to none. An approaching deadline may prompt a party to change the bottom line of what they are willing to accept, making an agreement possible when it was not possible before (see [ZOPA](#)).

The deadline effect sometimes leads parties to alter their goals. Initially, parties may have competitive, individualistic goals. The need to meet a deadline encourages disputants to put aside their individualistic concerns and reach agreement. This change of heart may occur because the party does not want to lose out on the possible benefits of a cooperative group agreement.[14] However, individualistic actions prior to the deadline can cause problems. If competitive concerns are revealed only when the group is near agreement, these can derail the process.[15] To avoid this problem, it is best to make sure that individual concerns are openly discussed long before the deadline. Another option is to set a flexible deadline, which can be extended if the parties become serious about

negotiating near the end of the time limit. But if they are still deadlocked, the deadline can be kept necessary.[16]

[1] Michael Watkins and Susan Rosegrant, *Breakthrough International Negotiation: How Great Negotiators Transformed The World's Toughest Post-Cold War Conflicts* (San Francisco: Jossey-Bass Publishers, 2001), 123.

[2] Christopher Moore, *The Mediation Process: Practical Strategies for Resolving Conflict, 2nd Edition* (San Francisco: Jossey-Bass Publishers, 1996), 291. Pages 291-300 of this work present an in-depth discussion of deadlines and time constraints. The author discusses the mediator's role in manipulating deadlines, the associated dangers, and strategies for avoiding them.

[3] Heidi Burgess and Guy M. Burgess, *Encyclopedia of Conflict Resolution* (Denver: ABC-CLIO, 1997), 92.

[4] Ibid, 92.

[5] Michael Watkins and Susan Rosegrant, op cit.

[6] Susan L. Carpenter and W.J.D. Kennedy, *Managing Public Disputes* (San Francisco: Jossey-Bass Publishers, 1988), 267.

[7] Lawrence Susskind and Jeffrey Cruikshank, *Breaking the Impasse: Consensual Approaches to Resolving Public Disputes* (New York: Basic Books, Inc., Publishers, 1987), 191

[8] Heidi Burgess and Guy M. Burgess, *Encyclopedia of Conflict Resolution* (Denver: ABC-CLIO, 1997), 92.

[9] Christopher Moore, *The Mediation Process: Practical Strategies for Resolving Conflict, 2nd Edition* (San Francisco: Jossey-Bass Publishers, 1996), 299.

[10] Ibid, 292.

[11] Ibid, 293.

[12] Ibid, 294.

[13] Ibid, 294.

[14] Roy J. Lewicki and others, *Negotiation, 3rd Edition* (San Francisco: Irwin McGraw-Hill, 1999), 430.

[15] Ibid, 430.

[16] Ibid, 431.

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Sources of Additional, In-depth Information on this Topic

Additional Explanations of the Underlying Concepts:

Online (Web) Sources

"Action Forcing Mechanisms/Deadlines." ,

Available at: <http://www.colorado.edu/conflict/peace/treatment/actforce.htm>.

This page discusses action-forcing mechanisms in negotiation. These mechanisms serve to counter-balance delay tactics by using deadlines or other strategies that require parties to take specific actions by specific dates. To be effective, these mechanisms must also impose meaningful penalties when the parties fail to meet their obligations.

Deadlines and Compliance Guarantees.

Available at: <http://www.colorado.edu/conflict/peace/treatment/deadline.htm>.

This page summarizes the use of deadlines to ensure implementation of negotiated agreements. The inclusion of deadlines (and penalties for a failure to meet these deadlines) can help assure parties that the provisions of an agreement will be carried out. This can reduce the risk that a lack of trust between the parties will block an agreement that would otherwise benefit all the parties. Deadlines within the negotiation process can also limit deliberate delay tactics. Compliance agreements help settle fears about the other sides' willingness to meet commitments.

Offline (Print) Sources

Moore, Christopher W. "Discussion of Deadlines." In *The Mediation Process: Practical Strategies for Resolving Conflict, 2nd Edition*. San Francisco: Jossey-Bass Publishers, 1996. Pages: 291-300.

This excerpt of *The Mediation Process* presents an in-depth discussion of deadlines and time constraints. The author includes a good bit about the mediator's role in manipulating deadlines, as well as the dangers of deadlines and strategies to avoid them. [Click here for more info.](#)

Rubin, Jeffrey Z. and Bert R. Brown. "Presence of Time Limits." In *The Social Psychology of Bargaining and Negotiation*. New York: Academic Press, 1975. Pages: 120-125.

An older publication, this work includes a section on the effect of time limits on negotiation focusing a good deal on collective bargaining. The authors call last minute settlements in the face of deadlines the "eleventh hour effect", and discuss some studies that have been done on the phenomena.

Watkins, Michael, Susan Rosegrant and Shimon Peres. "Time and Forcing Action in Negotiation." In *Breakthrough International Negotiation: How Great Negotiators Transformed the World's Toughest Post-Cold War Conflicts*. San Francisco: Jossey-Bass Publishers, 2001. Pages: 123-126.

This excerpt of *Breakthrough Negotiation* looks at steps that can be taken to build momentum toward agreement in negotiation. It focuses on shaping one's opponent's perception of time constraints and also discusses the tactic of structuring action-forcing events (deadlines). [Click here for more info.](#)

Lewicki, Roy J., David Saunders and John Minton. "Time Constraints and Deadlines." In *Negotiation, 3rd Edition*. Burr Ridge, IL: Irwin-McGraw Hill, 1999. Pages: 430-431.

This short section of *Negotiation* discusses why time is a critical factor in an effective group process. In addition, it addresses the issue of deadlines and offers advice on how to avoid the natural tendency toward individualism as a deadline approaches. [Click here for more info.](#)

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Examples Illustrating this Topic:

Online (Web) Sources

Cutcher-Gershenfield, Joel, John Calhoun Wells and Thomas A. Kochan. "How Do Labor and Management View Collective Bargaining?." ,

Available at: <http://www.bls.gov/opub/mlr/1998/10/rpt2full.pdf>.

Deadlines play a critical role in collective bargaining as unionized workers plan to go on strike on a given date if their contractual demands are not met. "This report examines the pressures affecting labor and management involved in negotiations, the issues most frequently addressed in bargaining, the role of the contract deadline, pressure tactics used by unions and employers to influence the process and its outcomes, and the quality of the relationships, as well as the direction and pace of change in labor-management relations." This report includes quantitative survey data.

Stambaugh, Colonel Jeffrey E. "Peacekeeping Exit Strategy: A Renaissance for the Deadline?." , May 21, 2001

Available at: <http://www.stormingmedia.us/31/3177/A317704.html>.

This scholarly work examines the role of deadlines in peacekeeping, considering whether they offer an acceptable exit strategy for nations wanting to end peacekeeping operations. The author looks at relevant theory, historical practice, and the application of deadlines in peacekeeping operations in the Balkans.

Durkan, Mark. "The Negotiations in Practice: Steps Toward the Belfast Agreement." Accord, Vol. 8 , December 1999

Available at: [Click here for more info.](#)

This article reviews the 22-month formal negotiation process that led to Northern Ireland's Belfast Agreement in 1998. The article specifically discusses the different strategies and mechanisms, pertaining to the format of the talks, employed by the negotiating parties. This particular peace process demonstrates the integral role of setting deadlines, as they turned out to be critical for forcing the parties to make progress toward an agreement. To access the article, scroll down the page and click on "The Negotiations in Practice."

Offline (Print) Sources

Roth, Alvin E., J. Keith Murnighan and Françoise Schoumaker. "The Deadline Effect in Bargaining: Some Experimental Evidence." American Economic Review 78:4, September 1, 1988.

This paper reports on findings from some negotiation experiments, which showed that a high percentage of agreements are reached in the final moments before a deadline. The paper includes much quantitative analysis. This academic paper presents data and quantitative analysis of four bargaining experiments conducted to test theoretical models of bargaining behavior. This paper will be useful to those interested in theory and concrete data on how deadlines affect negotiation outcome.

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Audiovisual Materials on this Topic:

Offline (Print) Sources

Security Council . First Run Icarus Films. 1982.

The film reviews several United Nations Security Council cases involving disarmament and arms limitation agreements, security guarantees, deadlines, and sanctions. It explains the role formal intermediaries and elite leaders play in the enacting and enforcing of UN policies. [Click here for more info.](#)

The Deadline. Directed and/or Produced by: Jammy, David. First Run Icarus Films. 1996.
Filmed in the closing stages of the writing of South Africa's new constitution, The Deadline provides a unique and intimate look at the realpolitik of South Africa's negotiated settlement. [Click here for more info.](#)

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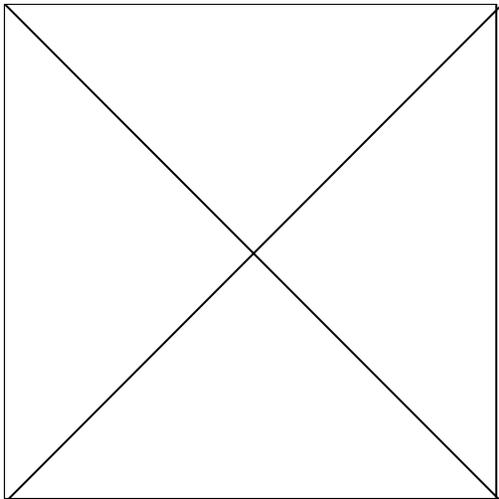
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Abstract

Using the negotiations over the future of Northern Ireland and other case examples, the author develops a conceptual framework for analyzing how negotiators seek to build momentum and overcome stalemate. The framework focuses on the choices negotiators face between taking action and waiting in the hope that counterparts will make concessions, exploring the importance of perceptions of time-related costs and

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Early on the morning of Friday, 10 April 1998, word began to leak out that negotiators in Northern Ireland had reached a landmark peace accord. The "Good Friday" agreement emerged only after the contending parties had negotiated far into the night and made wrenching concessions. Republican leaders confronted the hard truth that their dream of a united Ireland would be deferred, perhaps indefinitely. On the Unionist side, grudging acceptance was given to a North-South Ministerial Council that many feared would be the thin edge of the nationalist wedge.

Michael Watkins is associate professor of management at the Harvard Business School, 139 Morgan Hall, Soldiers Field, Boston, Mass. 02163.

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One approach is to set up action-forcing events —events that induce people to make commitments or take actions. Those who make commitments should be locked into

timetables with incremental implementation milestones. Meetings, review sessions, and deadlines can all sustain momentum: Regular meetings to review progress, and tough questioning of those who fail to reach agreed-on goals, increase the psychological pressure to follow through.

Be careful, though: Avoid pressing for closure until you are confident the balance of forces acting on key people is tipping your way. Otherwise, you could succeed in forcing them to take a stand, but inadvertently push them toward the “opponent” side of the ledger. Again, you need to rely on your conversations with the people involved and with your “intelligence network” to get a sense of where the situation stands.

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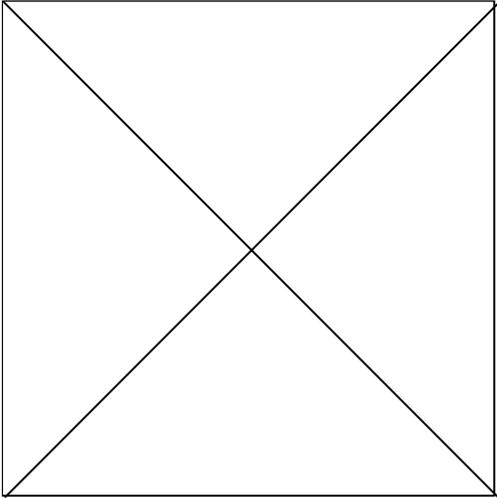
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Building Momentum in Negotiations: Time-Related Costs and Action-Forcing Events

Michael Watkins

Using the negotiations over the future of Northern Ireland and other case examples, the author develops a conceptual framework for analyzing how negotiators seek to build momentum and overcome stalemate. The framework focuses on the choices negotiators face between taking action and waiting in the hope that counterparts will make concessions, exploring the importance of perceptions of time-related costs and action-forcing events in shaping decision making. The framework highlights the uneven, nonlinear nature of the flow of negotiation processes from initiation to agreement or breakdown, and focuses on the ways negotiators seek to influence the flow by shaping perceptions of time-related costs, structuring action-forcing events, and creating linkages among sets of negotiations.

Early on the morning of Friday, 10 April 1998, word began to leak out that negotiators in Northern Ireland had reached a landmark peace accord. The "Good Friday" agreement emerged only after the contending parties had negotiated far into the night and made wrenching concessions. Republican leaders confronted the hard truth that their dream of a united Ireland would be deferred, perhaps indefinitely. On the Unionist side, grudging acceptance was given to a North-South Ministerial Council that many feared would be the thin edge of the nationalist wedge.

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