



# One-Text Procedure

## Overview of the One-Text Procedure

The One-Text Procedure is an effective way to facilitate creative, joint problem-solving whenever there are multiple stakeholders whose input to a decision or plan needs to be considered or whose support may be needed for implementation.

The One-Text Procedure places all drafting authority in the hands of a single drafter or drafting team. All other parties are involved in the process only as critics who provide input. In this way, the inefficiencies of working with multiple drafts are avoided. From the outset, parties work together to iterate and improve a single, shared working draft (hence the name, One-Text). Parties are asked to note how and why the current draft version of the agreement is not acceptable. This approach capitalizes on people's natural willingness to criticize, and in the process exposes their underlying interests.

The drafting team iterates between soliciting criticism and revising the One-Text draft until (1) they feel they can do no better, (2) the benefits of further incremental improvement seem not worth the cost in time and effort, or (3) a hard deadline for making a decision is reached. At this point, for the first and only time, the drafting team presents all parties with a stark choice: accept the draft as is, or accept the consequences of no agreement. Unlike the common shuttle diplomacy approach, where people are constantly asked to make commitments to give things up (with no clearly defined benefit in return), the One-Text Procedure defers all commitment to a single, clearly defined decision point at the end. At this point, consequences of making or not making a decision have been clarified as much as possible and all reasonable alternatives have been carefully explored and evaluated.

## Purposes of Using the One-Text Procedure

- To develop a solution that will best meet a group of decision makers' interests when each has varied needs and priorities
- To establish commitment efficiently to a joint plan or set of decisions

## Using the One-Text Procedure

### Step One

#### Choose the drafting team (or drafter)

- Choose an individual or small team to be solely responsible for all drafting and redrafting.
- Choose drafters who are:
  - Widely respected and trusted
  - Known to be good listeners and facilitators
  - Good at coming up with creative solutions
- Consider asking people with no direct stake in the decision, but who understand the context and issues, to serve as drafters.
- Look for people who are more invested in reaching an agreement than in the precise terms of that agreement.
- Consider forming a drafting team composed of representatives from each of the major constituencies.



## Step Two (optional)

### The drafting team explains the process to those who will be involved

- Explain to all parties how the One-Text Procedure will work. Note that you will probably go through several iterations of inviting input and revising the draft before asking for commitments.
- Explain the reasoning behind the steps. Help those involved understand the benefit of working from a single draft and of soliciting criticism rather than edits. (Criticizing a third-party draft is a way to explore options without making concessions, backing down, or looking weak.)
- In some cases it may make sense to initiate the One-Text Procedure without explaining the process or asking parties to agree to it. This may be wise, for example, in a situation of high conflict where parties may be unwilling to agree to anything — even a process — at the outset.

## Step Three

### The drafting team elicits interests and criteria

- Interview each party to explore the range of their interests and arguments for how conflicting interests should most fairly be resolved. As you do so, expect to hear a case for what the solution should be. Try to keep the person you are interviewing focused on the interests and principles *underlying* their preferred solutions and current positions.
- When someone tells you what they think the best solution is, ask why that person thinks that is the best answer and what it would accomplish that no other solution would.
- Ask parties to describe their ideal outcomes and their worst nightmares. Derive their interests from these scenarios and then share your interpretation for their confirmation.
- Speculate about things each party might care about or be worried about. Share your speculations as hypotheses and ask what is missing or wrong.

## Step Four

### The drafting team creates an initial rough draft

- Equipped with a sense of what the different parties want, write a draft solution or agreement that is responsive and impartial.
- Emphasize that the draft is not final and it is not a proposal. Write “DRAFT FOR DISCUSSION ONLY” on each page, and be clear that you are seeking criticism only.
- Particularly on sensitive issues, the first draft can be more of an outline than a detailed and operational blueprint. In some instances, you might want to include several possible approaches.
- To further emphasize the provisional nature of the draft, consider including certain issues or components of a solution as section headings without yet including any substantive ideas.
- Where specific terms may be at issue, consider outlining the term and leaving the specifics blank: “Both parties will provide an initial investment of \$X to the project.”



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### Step Five

#### The drafting team asks for criticism

- Review the ground rules: “During this process, you can neither accept nor reject any part of the draft, as it is not being proposed. When we have finished our work, we will propose a draft that you will have an opportunity to accept or reject. No one will be asked to commit to any part of this draft or to the whole draft until the end of this process.”
- Ask for criticism: “What would be wrong with something like this? Which interests of yours are not reasonably met by this draft?”
- Do not defend or explain the draft. Ask genuine questions to understand the criticism and the underlying interests better.
- Do not solicit or accept edits to the working draft or you will likely end up with conflicting edits that cannot be reconciled.
- Avoid defending the draft to anyone; remember that critiques of the draft provide further clues about interests and help clarify priorities among them.
- As appropriate, explore why and to what extent people think particular interests deserve to be met.

### Step Six

#### The drafting team revises and repeats until the draft can no longer be improved

- As you work to refine the draft, look for ways to reconcile differences to produce joint gains. You do not need to get everyone to agree about everything. In fact, agreement might be possible precisely because the parties have different interests, opinions, expectations about the future, and so on.
- With new information from each round of criticism, revise the draft to better meet the interests of the different parties or explore different possible approaches.
- Continue to present successive drafts for criticism. Draft, ask for criticism, and then redraft until you either run out of time or believe that you cannot significantly improve the draft.
- Make no commitments to anyone regarding how you will redraft the text.
- To the extent possible, receive criticism on successive drafts in a forum where parties can hear and be educated by each other's comments. This helps build a common understanding of the concerns and trade-offs the ultimate solution will need to address, and the various arguments and standards that will be needed to explain why one outcome is agreed to over another.
- Sometimes it makes sense to explore radically different alternative approaches in consecutive drafts, especially early in the process.

### Step Seven

#### The drafting team presents the final text and this time, asks for acceptance rather than criticism

- Explain the choice: “We have prepared this final proposal after incorporating your input as best we can. We believe this is the best we can do. Please let us know if you will accept this proposal in its current form by responding simply with a ‘yes’ or a ‘no.’ If everyone accepts it, we can move quickly to implementation. If not, we will be back to square one and you will need a new facilitator. Will you now agree to this proposal?”
- Each party decides either to accept the text as it is or to be left with whatever consequences result from no agreement.



## The Problem

NOGas, Partiale, the Ministry of Energy (MOE), and three Saharan regional governments have each expressed a strong, inconsistent position on the routing of the Sunrise pipeline and terms for the Gas Transportation Agreement (GTA). Judging from the sessions so far, relationships are deteriorating and BigEnergy thinks the chances of reaching agreement are minimal unless something changes radically.

After each party presented and explained their proposal at the most recent stakeholders' meeting, it was clear that the route of the pipeline would be the critical issue. Faced with this challenge, Gus Gasman, Vice President of Gas Marketing for BigEnergy Sahara, suggested to the BigEnergy team that they try changing the process by putting together a "One-Text" of a possible agreement for the stakeholders to criticize at their next meeting. Because trust among the parties was low, Gus was not sure he could get everyone to agree to the One-Text Procedure knowingly, so he and the BigEnergy team decided to proceed without asking for permission. Gus did, however, have a detailed discussion of the process with Sal Saharete, Country Manager for Partiale Sahara, who was supportive of the effort and agreed to help support it.

With another meeting scheduled in two weeks, the BigEnergy team held a series of one-on-one and group meetings to explore each party's interests. With some work, Gus was able to narrow the list of interests enough to develop a framework agreement in time for the meeting. He then circulated this draft to all parties a few days before the meeting with a note that read:

The attached discussion draft is NOT a proposal, because I don't think we yet understand each others' interests and the possible options well enough to craft a proposal with confidence. However, I believe it may be useful to have a concrete draft as a focus for our discussion. I ask that you come to our next meeting prepared to speak for up to ten minutes about ***what would be wrong with a solution like this***. I believe it will be most useful at this point to focus on criticisms and the underlying rationale for them, rather than suggesting changes or talking about what parts of the draft might be acceptable or unacceptable as is. I think we should focus more on understanding the concerns we would like an agreement to address before we brainstorm further about how best to meet them. If it still seems useful, I will try after the meeting to create a second draft that reflects the criticisms offered, which we can use for further discussion.

At the stakeholder's meeting, Gus started by saying, "I hope you all received the discussion draft I created. I want to reemphasize that this is not a proposal, either mine or BigEnergy's, but just something I thought might enrich our discussions. Let me now ask the question I promised to ask about it, namely, 'What would be wrong with something like this as an agreement?'" One of the regional government representatives immediately volunteered some specific criticism of the draft and then launched into strong advocacy of his previously stated position. In response, Gus simply asked questions to help elicit the underlying interests that the representative felt were not being met by the draft. After ten minutes, Gus turned to Sal and asked if he had criticisms. Sal, well prepared, set an example for how to confine his comments to criticizing the draft.

As the rest of the parties took their turn, the impact was evident: in listening to each other's criticisms, each began to realize how and why they would have to make adjustments to their position. With twenty minutes remaining, Gus explained the One-Text Procedure he had been using and suggested that the group continue using it for at least a few more iterations. The group unanimously agreed. Gus then promised to circulate a second draft within a few days, along with a worksheet to help each participant articulate criticisms and questions. *(See the end of this section for the Governor of East Sahara's criticisms of the draft.)*



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### The Result

After seven more rounds of drafting and criticism of the draft agreement, four of which were reviewed together at formal stakeholder meetings, Gus believed they had achieved a draft that was workable and that there was no obvious way to improve further. He then recirculated this draft saying:

I believe this draft is about the best we can do. I cannot find, and have not heard, any way to better meet our collective interests. Therefore for the first and only time, I now circulate the draft as a proposal and ask if you are willing to accept it as our agreement. If enough parties answer ‘yes,’ I think we can move forward. If not, then I do not know what to do next, and will ask someone else to take on the job of managing our meetings. Please come to our next meeting prepared with your answer.

At the meeting, almost everyone was ready and willing to agree to the proposal, including all the critical parties. This was true in part because the parties had created the proposal together, had explored every option anyone had been able to think of, and understood why this seemed to be the best possible solution to the challenges at hand. While the process took time and effort, it seemed worthwhile to all involved, because it produced a strong agreement and repaired and improved working relationships through the process of working together on a common draft.