

Electronic Book Summaries

THE SKILLED NEGOTIATOR



The Summary

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BRIEF OVERVIEW

Whatever your job or profession, sooner or later you will need to negotiate - lobby for a pay rise, restructure your team, agree on a distributor, cope with conflict, further your interests, or seek common ground. In *The Skilled Negotiator* Kathleen Reardon engagingly describes how to expand on negotiation strategies and develop language skills to enhance success in negotiation. The book is filled with real-life examples revealing how to detect subtleties in manner and speech that negotiation novices fail to notice. The author helps you to:

- ★ identify your negotiation style and it's limitations
- ★ use language strategically whether you're being subtle or direct
- ★ recognize deception and manage it
- ★ position and persuade artfully
- ★ effectively negotiate one-on-one and in teams
- ★ deal constructively with your own and others' heated emotions.

DEFINING THE ART

Negotiations are as varied as roller coasters. Some are gentle, others frighteningly fast and treacherous, with surprising twists and erratic turns. Successful negotiators know that although negotiation occurs often in daily life, it is rarely a simple process. Ups and downs - gains and losses - must be expected. Managing these requires several skills, all harmoniously becoming tighter to ensure progress toward the desired outcomes. *The Skilled Negotiator* focuses on how successful negotiation alliances are formed. The more skilled among us in this domain are people who have trained themselves to be versatile; who have studied their own habits and set themselves free from dysfunctional ones. They are both detectives and scientists, searching for clues regarding their counterparts' interests and studying their communication. They are by nature inquisitive and by practice insightful. Their mastery of language is at the heart of their success.

A VERSATILE FRAME OF MIND

Effective negotiators are adaptable. They do not become wedded to static approaches or strategies. They remain vigilant on the real issues from start to finish, all the while absorbing information about their counterpart's habits, speaking and presentation patterns, and personal style. They monitor themselves as well, making sure to avoid mere reaction to choices the other side presents. This level of performance, not easily achieved, is at the heart of what separates the skilled negotiator from the amateur.

DANGERS OF ASSUMPTIONS

One of the first choices a negotiator makes is whether to take an integrative or distributive approach to negotiation - or an approach somewhere in between the two. (Ultra-Distributive negotiation - where there is no regard for the needs and interest of the other side, versus Ultra-Integrative negotiation - where negotiators focus almost exclusively on the needs and interests of the other side.) Somewhere near the middle of the continuum, moving as needed toward the integrative or distributive end - but never too far in either direction - are flexible negotiators. At their best, they are so well prepared in their goals prioritization that they know how much to give, how much to retain, and when to do either - or both.

Skilled negotiators are not committed to either "win-win" or "win-lose". They know that while the former is typically preferable, understanding how to engage in the latter (or in some model in between) is what enables them to achieve their goals. They don't memorize strategies and apply them in lockstep order; rather, they practise versatility.

DANGERS OF ASSUMPTIONS

For a negotiator to achieve versatility requires a clear understanding of the primary obstacles to successful negotiation inquiry - faulty assumptions. As humans, we tend to categorize. Many of us take in superficial information about others (their dress, manner, expressions, and so on) and decide that we know much more about them than in fact we do. We quickly determine whether they are like or unlike us - friend or foe.

Skilled negotiators do not impose assumptions of commonality or disparity on others. They study them and endeavour to make sense of who they are, how they think, and what they desire. The versatile negotiator is first and foremost a detective, skeptical of easy categorization and alert to the limitations of even the most astute judgments.

This kind of detective is what good managers and negotiators do for much of each day. They bypass easy assumptions and instead operate in a mind-set that expects shifts in perception. They remain flexible even while powerfully destination-orientated; they put a premium on observation and encourage frequent updating. They ask questions. This balance between observation and action is what negotiators need to achieve.

All parties to negotiation bring a set of general expectations. Expert negotiators understand this. They know they must identify these expectations or they risk speaking in ways that appear irrelevant or offensive to their negotiation counterparts. This is why the early stages of negotiation should involve considerable use of questions.

USING QUESTIONS

Questions are critical in unearthing assumptions, but how exactly do they work? Skilled negotiators typically enter negotiations with a number of questions already prepared. Questions asked early in negotiations should seek general information about:

The Skilled Negotiator Mastering the Language of Engagement.

Selected by Knowledge Resources as an Outstanding Book for Business People.

The author:

Kathleen Kelly Reardon is professor of management and organization at one of the world's leading business schools, the University of Southern California's Marshall School of Business. During the research and writing for this book, she was also visiting professor of philosophy at University College, Cork, and distinguished research scholar at the Irish Management Institute. A member of Phi Beta Kapa and a prolific, best-selling author, speaker and consultant, Reardon is an expert in negotiation, persuasion and politics in business.

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UPS AND DOWNS OF INTERACTION

- ★ what the other person thinks will be achieved
- ★ what expectations he or she has regarding each side's goals
- ★ attitudes on key issues
- ★ relational percepts (for example, advisory or friend)
- ★ interest in developing or maintaining a relationship
- ★ goals of his or her own
- ★ outside constraints - actual and perceived

Open-ended questions such as "How do you feel about X?" or "What are you hoping to achieve today?" should be asked in the early stages. As negotiation proceeds, conditional questions become more useful. These involve probing for specific information about proposals. Questions like "What would happen if we were to...?" And "If we proceed as you suggest, what will that mean for...?" are useful. Conditional questions don't pin either side down. They focus on hypothetical conditions e.g. "If we develop a three-year contract, what would be the advantages and disadvantages for you?" This question doesn't specify that a three-year contact is the choice being made but rather explores what the effects of such an approach might be. "What if?" questions can be a good way to disagree when a direct "no" might damage a relationship e.g. "Before we decide, we should ask ourselves whether the three-year approach makes us less committed to the project. Three years passes quite quickly. Do you think either of us will jump ship, knowing in a year or two that there is only on year left?"

Questions constitute a critical component of negotiation. They can be used to unearth hidden assumptions and to ensure that what was said is also what was heard. We're not referring here only to the denotative or dictionary meanings of words but also to the connotative or personal interpretations of words and non-verbal messages. Even phrases common in one community can be annoying in another. Certain words or phrases that may irritate the other side should be omitted. For example, phrases such as "To tell the truth", "I will be honest with you," "I'll do my best," and "It's none of my business, but ..." convey a sense of distrust and make the other person more apprehensive and possibly less co-operative.

Questions are also a means of influencing the other side to participate more in the discussion. Persuasion research tells us that when people are involved in a decision, they're more likely to be committed to it. Good negotiators strive to do less than a majority of the talking, allowing the other side to make most of your side's points by asking questions that lead to the desired result. For example, "Have you considered approaching this from the vantage point of X?" or "If you were in our shoes, would you take this approach?" are questions of a somewhat leading type?

MEASURING THE ENVIRONMENT

Optimism and confidence in negotiation emanate not only from a thorough examination of how the other side views things but also from a keen awareness of the conditions that surround the negotiation. Negotiations do not occur in a vacuum. They are influenced by such internal and external factors as time pressure, number of parties involved, proximity and location.

VERSATILITY IN ACTION

Versatility in the formulation of assumptions is crucial to information gathering. Versatility in action refers to having at one's disposal a repertoire of responses. Communication is like chess in its complexity and in its process as well. Each player's move in chess limits or expands the moves available to the other player. In this sense, negotiators are interdependent, even if one has more power or some other factor apparently in his or her favour. In chess, the more expert players think beyond the current move to subsequent ones, to what the other player is likely to do if they take a particular course and how their own options will be limited or expanded in turn. They observe carefully and make sense of the types of actions the other side takes. The effective negotiator then selects, from a repertoire of worlds and non-verbal behaviors, those that will influence the other player to make a desired selection among moves available to him.

HOW A NEGOTIATOR ASSESSES AND INFLUENCES

When asking questions, the skilled negotiator is attempting to understand many things. The first of these is the type of talk the other side assumes they're engaged in, and the patterns that emanate from this type of talk. Only then can he consider whether those need to be altered for him to achieve his goals and how that might be done. People don't simply talk. They engage in types of talk e.g. greetings, discussions, debates, arguments like "Let's have a chat," "Now we're bonding," and "Can we discuss this?" Often they never mention the type of talk but operate on an unstated mutual understanding. In either case, the type of talk allows certain things to be said or done and prohibits others e.g. "Let's have a chat" suggests informality and brevity, perhaps some soul-searching, but tends to exclude long-winded lectures and formal meetings. Perhaps communication would be easier if people clearly and honestly articulated the types of interaction they intend to create e.g. "Let's have a friendly discussion." People often just engage, letting the type of talk meander.

THE UPS AND DOWNS OF INTERACTION

Researchers have taken many approaches to studying patterns of interaction that make people predictable. One approach assesses preference for types of "moves" made. Some people assert themselves constantly. They tend to use mostly one-up moves (↑). Others are prone to acquiesce (one-down, ↓) or to sidestep (one-across, →←). If you know that someone is inclined to be assertive, especially if provoked, it is possible to manage interactions with that person.

FOR EXAMPLE:

Michael: You are coming on a bit strong in this planning document, aren't you? (↑)

Jessica: Are we? We were just trying to make a point. (↓)

Michael: Well, you sure did that. (↑)

INTELLIGENCE GATHERING

Jessica: Do you think we overdid it? (↓)

Michael: It isn't what I think that counts. (↑)

Jessica: Did Mr. Jenkins say anything to you about it? (↓)

Michael: He didn't have to. You should have seen his expression. (↑)

Once you are able to detect such inclinations in direction, you are in a better position to manage or direct the other negotiator. It is also important to know our own inclinations in conversation so that you do not fall into the rut of predictability. It is also useful to determine whether you and your counterpart are creating a dysfunctional pattern. For example, if you both tend to use one-up statements, your interaction will be competitive. If you both tend to use one-down moves, little is likely to be accomplished. I recall standing in line to buy a pie behind an affectionate couple. Their conversation went like this:

She: "What kind of pie would you like?" (↓)

He: "Why don't you pick this time?" (↓) → ← ↓

She: "That's OK. You pick." (↓)

He: Isn't it your turn?" (↓)

PREPARATION AND PLANNING

Knowing what to prepare is vital. Among the many things a negotiator should know before commencing the interactive phase of negotiation are the following:

- ★ The other party's needs and interests, to a reasonable extent
- ★ The resources available to the other party
- ★ The negotiation reputations and styles of the other party
- ★ The ability and authority of the other party to make agreements
- ★ Strategies and tactics the other side is likely to use
- ★ A sense of the point at which the other party is likely to walk away

The following are steps to be taken in preparing for negotiation:

1. Organize your thoughts into primary issues, secondary issues and clutter issues.
2. Organize primary issues into ideal outcomes.
3. For each primary issue and its ideal outcome, develop contingency plans and a BATNA (best alternative to negotiated agreement.)
4. Decide how important maintaining the relationship is to your desired outcomes.
5. Determine your opening tone (e.g. apologetic, determined

etc.) and consider how you will maintain that tone - or when to alter it.

6. Develop frames (analogies, metaphors, definitions) to describe your positions on each primary and secondary issue.
7. Decide what you will do in terms of body language to enhance your credibility.
8. Decide how you will test your assumptions about your counterpart's interests and identify what they truly care about.
9. Identify any common interests you believe you share
10. Decide how you will link your interests to those of the other side.
11. Determine your strongest claims for each of your ideal outcomes and your strongest data, especially objective criteria.
12. Consider what weaknesses your counterparts might point out and how you will then defend your position.
13. In terms of each ideal outcome, identify what you are willing to concede that the other may want - and what you are definitely not willing to concede.
14. Decide what you will ask for when you make concessions.
15. Plan what to do or say if something the others do or say starts to pull you off track.
16. Watch out for words that frame the discussion in ways not helpful to your desired outcomes.
17. Plan what kinds of questions you might ask of the others if they begin to focus on clutter issues.
18. Consider how you will involve them in the development of the solution.
19. Consider which persuasion strategies might prove useful.

INTELLIGENCE GATHERING

The following is a list of various forms of intelligence that should be amassed in the service of effective negotiation:

- ★ Interests - mutual and divergent
- ★ Concerns - mutual and divergent
- ★ Emotional issues
- ★ Primary claims
- ★ Evidentiary support - strengths and weaknesses
- ★ Potential avenues around resistance
- ★ Style compatibility considerations

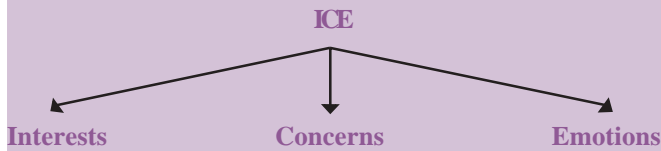
It is widely accepted that an understanding of each party's key interests and how they align is crucial. Typically, sophisticated intelligence gathering involves asking strategic questions and observing how they are answered. Most people are not very good liars. Many are uneasy about providing

ETHICAL CONSIDERATIONS

only part of the truth. When they are attempting to deceive, their bodies provide clues.

The three key perspective-shaping factors - interest, concern and emotions - form the acronym ICE.

Figure 1: The ICE model: Three key perspective-shaping factors



Before diving into negotiation, these should be assessed - not assumed. If among your co-negotiator's interests, concerns and emotions are the factors likely to prove detrimental to desired outcomes, you need to take steps early to address or reduce their importance.

Once you've identified interests, concerns, and emotions and made efforts to prioritize and address them in a manner conducive to achieving your goals, the next step is to establish some process guidelines for the negotiation, including an agenda. Process guidelines include the following:

- ★ Who will start
- ★ Order of topics to be addressed
- ★ Time to be allocated to each topic
- ★ Issues that should not be address during the negotiation

In short, negotiating about the negotiation should take place beforehand to avoid rambling and hazardous diversions. In-person meetings may not be required during this phase. Phone calls, e-mails and other communications often suffice.

ASSESSING STYLE

Another important form of intelligence gathering in the preparation phase of negotiation involves assessment of style compatibility. Even if you've identified a number of potential avenues for approaching key issues, if your negotiation counterpart's style preference is incompatible with your own, those avenues are likely to be blocked. There are four negotiation styles: the Achiever, Analyzer, Motivator and Mediator.

Figure 2: Negotiation Styles

| | |
|---|--|
| Analyzer - Focuses on logic - Makes rational arguments - Relies on data - Prioritizes outcomes | Motivator - Focuses on creativity - Uses analogies - Fosters collaboration - Encourages imagination |
| Achiever - Focuses on outcomes - Desires control - Adheres to plans - Seeks compliance | Mediator - Focuses on rapport - Favours consensus - Listens intently - Seeks mutual gain |

These negotiation style categories are useful in determining

how you are likely to respond in negotiation as well as determining how your counterpart is likely to respond to you. (Notice the term likely.) If you know that he is an Achiever, and a staunch one at that, the likelihood is high that somewhere along the line, he will use hard tactics. It's important to be ready for this or have someone on your team who is.

PRIORITIZING ISSUES, SETTING AND REVISING GOALS

Once a negotiator has identified, through intelligence gathering, the interests of the other side, as well as his or her own, and has also considered how those interests can or cannot be supported, the negotiator is ready to decide which interest is not only a priority but also capable of being advanced and sustained throughout the negotiation. This requires thoughtful rank ordering of desirable outcomes according to research-based predictions.

For example: Assume that you want to find a job that will allow you to rent an apartment on Manhattan's West Side. That is your ideal outcome. As you do research, you realize that employer expectations and competition might make this goal unattainable. In that case, you might decide to alter the initial ideal outcome. Perhaps an apartment in Brooklyn, Queens, Long Island or New Jersey makes more sense. So your ideal outcome could become your favorite among these. Let's say you choose Brooklyn Heights. It's pricey, but it's your ideal, and you believe that if all goes well in the interviews, it is even attainable. You need contingency goals, though, in case things don't work out. If you like Brooklyn, a less expensive area could be your first contingency goal, followed by a desirable area of Queens, Long Island or New Jersey. Your prioritization of goals would then look like this:

Ideal Outcome: A home in Brooklyn Heights

Contingency Goal 1: A home in a less expensive area of Brooklyn

Contingency Goal 2: A home in a desirable part of Queens

Contingency Goal 3: A home in a desirable part of New Jersey or Long Island.

BATNA: Get a job somewhere else.

You can now look at a form of contingency goal known as BATNA - (The Best Alternative To Negotiated Agreement). A BATNA answers the question: "What will I do if we can't come to an agreement that meets my needs?" If it becomes clear that your ideal outcomes and all contingencies are not attainable, the BATNA is the answer. In our relocation example, if you can't live in New York, you could simply say, "I'll just get a job somewhere else."

ETHICAL CONSIDERATIONS

To avoid slipping toward the ethically suspect end of the persuasion continuum or into manipulation or coercion, negotiation counterparts need to draw a line that they agree

THE PERSUASIVE OPENING

not to cross. It is very difficult to develop a set of ethical standards that doesn't somehow ignore or trample on someone else's set.

THE STICKY WICKET THAT IS ETHICS

Unscrupulous negotiators can cause considerable harm to others. Lying, cheating and manipulating are all in a day's work for them. Negotiation occurs within social contexts. Some of these contexts encourage moral behaviour; others encourage the attainment of goals at any cost; still others are somewhere in between. Within these contexts, negotiators themselves are inclined or disinclined towards what they understand to be ethical behaviour. Ethics is always a matter of degree, not absolutes.

Perhaps we can at least say that certain types of behaviours should be avoided. These would include: bluffing, falsification, misrepresentation, deception and selective disclosure. Each of these is a form of lying.

RESPONDING ON THE SPOT TO UNETHICAL NEGOTIATORS

Even if you both agree, early on in the negotiation, to be ethical in your dealings, the other side may decide to deviate from that agreement at some point in the negotiation. It's always wise to be alert to this possibility.

What if you suspect, for example, that your negotiation counterpart is withholding critical information? You could confront him or her with your suspicions. You might say, "I have a feeling that you are not telling me the whole story," or less directly, "Have you shared with me all the details you'd want to have if you were making his decision?"

Alternatively, you might suggest that were you in your counterpart's shoes, you might be inclined to withhold critical information. Listen to the response. Then you could try what has been called a "chink in the defence" approach, in which the goal is to get the other side to admit to a small or partial lie about something, which you can then use to encourage further disclosures. For example, you might say, "Given that X is not totally true, can you tell me if I have all the facts on Y before we proceed?"

THE PERSUASIVE OPENING

When effectively employed, persuasion moves others from one view or course of action to another, more desirable one - not by force or deception but through compelling arguments or emotional appeals. At it's best, persuasion leads to private acceptance, whereby the person persuaded chooses to adopt a new view or take a different course of action.

Agendas stipulate the important issues for negotiators, just as the headlines and positioning of newspaper stories indicate their importance to the reader. A negotiation agenda indicates which issues are worth talking about and their order of importance.

Novice negotiators often fail to recognize that setting an

agenda is a negotiation in and of itself. It gives you an opportunity to

1. situate issues in a manner conducive to reaching your goals and
2. either trade issue positioning with the other side, to make them feel good, or resist such trading, to demonstrate that you won't be an easy mark in the negotiation to follow.

Expert negotiators know which positions they are willing to trade and how to use these trades to arrange desired positions for the issues of importance to them.

Many novice negotiators consider agendas a waste of time. Yet agenda setting, like all negotiation moves, should be strategic and based on informed observations regarding which positions and moves the other side is likely to take.

When you're forming an agenda, the first question to ask yourself involves primary and secondary issues. Many experts suggest beginning an agenda with secondary or even nearly irrelevant issues that are likely to result in early agreement. This approach often creates an atmosphere of success and co-operation, so it is generally a wise move.

Once you have considered primary and secondary issues and the anticipated level of agreement on each you should address the order of critical points. Here the major task is to identify the issues that the other side is likely to concede and the issues on which they are likely to hold fast. Even if a negotiator decides to open with the most contentious issue, she need not lead with the most contentious aspect of that issue.

Wording is important throughout negotiation, but the early stage is often an especially delicate time. In the opening moments, many impressions are formed - impressions that are often resistant to change. In negotiation as well, such impressions are created, and the words used early in the negotiation can make or break progress. It pays to plan exactly what will be said and how each issue will be introduced. Practice these introductions in front of people who understand how the other side thinks. Also, on your copy of the agenda, make a note of the words you'll be likely to use to introduce a new issue.

Agendas of all types benefit from negotiator's estimating the issue time allocation - including at what point to move on from an issue when complete success is unrealized.

The agenda-setting format would look like this:

- Issue 1:** _____ (45 minutes)
Issue 2: _____ (45 minutes)
Issue 3: _____ (25 minutes)
Issue 4: _____ (10 minutes or postpone)

How you ultimately set up topic choice within the agenda and time allocations for each is a matter of comfort.

NEGOTIATING THE AGENDA

Once you've decided on your preferred agenda, it's time to

A MATTER OF TRUST

share it with the other side before the negotiation begins. This doesn't mean you should share all your thoughts or strategies - it just means letting them know what you expect to cover and in what order. If you initiate the agenda discussion, remember to leave some room for their input. You could title your agenda proposal "Draft Agenda" or "Suggested Agenda." Some negotiators, by the way, refuse to do this; they prefer to negotiate the agenda at the beginning of the actual negotiation.

A STRONG OPENING STANCE

With an agenda in place, the next consideration in terms of persuasion is your opening stance. This differs from your opening tone. It conveys your initial position or attitude in the negotiation. Sometimes the opening stance must be a firm assertion, though perhaps with some recognition of the validity of the points the other side is likely to advocate. In such circumstances, it's wise to convey how convinced you are of the appropriateness or correctness of your position. Teachers have a saying among themselves: "Don't smile until its Christmas." (In other worlds, don't appear too friendly and cooperative until the students have come to respect you.) In negotiation, this might translate to: "Don't smile until they know you're not a pushover."

PERSUASION STRATEGY CHOICES

THE ACE MODEL

When people use reasoning rather than emotion to attempt persuasion, research indicates, they draw on three types of appeals, using one or a combination. The three appeal types are: appropriateness, consistency, and effectiveness, which form the acronym ACE.

Appropriateness appeals involve the application of social pressure. Say you ask someone to accompany you to a school reunion. He declines because he has far too much work to get done. You might say, "All our friends will be there. You have to go." That's an appropriateness appeal. If your friend is not easily swayed by social pressure, you might appeal to consistency. Consistency appeals pertain to what a person like himself (or like the type of person he aspires to be) would do. "It's not like you, a party animal, to miss this reunion" is a consistency appeal. It attempts to influence by appealing to some positive self-image. Effectiveness appeals relate to actions that will help bring about a result the person desires. In terms of the reunion, you might say to your friend, "If you take a break now and go to the reunion, it will stimulate you and recharge your mental batteries." The ACE model is a handy, hip-pocket technique for selecting a promising persuasive appeal.

INTRODUCE FIRST OR EXPLAIN LATER?

Once you know the persuasion approaches available to you, you face two questions: Should you launch right into these approaches without any introduction? And will you need to offer some post-appeal explanation? Compliance-gaining strategies often require a buildup at the front end or an

explanation at the back end. If you make a strong promise early in a negotiation, for example, people are likely to become skeptical of you. (Why is she offering this now? Is she worried, desperate or trying to dupe us in some way?)

IDENTIFYING AND PLANNING FOR OBSTACLES

It is necessary for negotiators to identify obstacles to persuasion before they occur and use this knowledge to help select strategies. It is useful for negotiators to consider how they might respond to delays, for example. Is a lengthy or even long-winded statement by the other side necessarily a delaying tactic? It may simply be a matter of a personal style, indicating a tendency to explore many options.

COMMUNICATION MEDIA AS FACILITATOR OR OBSTACLE

The choice of a vehicle for conveying information between negotiators has important implications for progress and can thus be a potential obstacle.

Before deciding on a medium of communication, negotiators should determine the significance of the issue as well as the importance of non-verbal cues in conveying and receiving messages. As a general rule, the more significant the issue, the more negotiators should rely on communication media that allow verbal and visual interaction.

CREDIBILITY AND EVIDENCE

Having identified potential obstacles, the next consideration for persuasion is whether the other side is going to believe you know what you are talking about. Here one can use:

- ★ objective criteria (information that informs a choice but is also independent of the will of either side) e.g. research reports, comparisons, expert opinions, expert affiliation or support, experience, analogies, examples and even a new twist.
- ★ subjective criteria (first-hand experience of a situation)

A MATTER OF TRUST

Much that is achieved in negotiation relates to the level of trust each party has with the other. Trust is often the result of subjective rather than objective considerations. There are several threats to trust i.e. unreliability, inconsistency, poor reputation, lies, ambiguity, excessive control, insincerity, etc. Trust is a fragile thing; its maintenance is essential to most successful negotiations. The more important the development of a long-term relationship is to a negotiation, the more important it is to establish and maintain trust.

THE ROLE OF POWER

Skilled negotiators work with power but do not focus on it exclusively. They concentrate on well-articulated outcomes. They make people feel good about being with them. Skilful negotiation isn't about sending the other side away unfulfilled

EARLY SIGNS OF CONFLICT

or longing for better treatment. There is no talent to that and little long-term reward. For skilled negotiators, heavy-handed use of power is a device of last resort. Authority is not half as valuable as respect. A senior executive of a Los Angeles-based Defence Company once told me, "I've seen supervisors with authoritative power alone get only what they ask for from people." Consequently, they have to expend much more energy to accomplish their work because they have to think of every move their people will make. Supervisors with respect find that people offer to do more and take on more responsibility, which in turn lightens the management load. Respect is crucial to negotiation. If the other side regards you as a fair and worthy counterpart or opponent (and if they too are fair people), the outcome of negotiation is likely to be positive for both parties.

Below is a list of important rules for the use of power in negotiation:

- ★ Establish credibility
- ★ Do your research
- ★ Don't have all the answers
- ★ Don't quibble over the small stuff
- ★ Create dependence
- ★ Use the power of who you know
- ★ Don't appear overbearing
- ★ Use time strategically
- ★ Choose the context carefully
- ★ Use threat only as a last resort
- ★ Don't play the same power hand twice
- ★ Remain flexible
- ★ Familiarize yourself with the political landscape
- ★ Don't go into negotiation alone
- ★ Don't let yourself become flustered
- ★ Find the soft spot

WHEN THE DISCUSSION GETS STALLED OR HEATED

Conflict is a normal, even expected part of negotiation.

AT THE EARLY SIGNS OF CONFLICT

Given that conflict is normal in relationships and even healthy at times, the most constructive way to view conflict is as a signal to reconsider a current approach. A sudden outburst of anger or expressions of disappointment may suggest that a reconsideration of tactics is in order. When body language and manners of speech signal that tempers are on the rise the best approach is conflict prevention. Halt the negotiation and say something like "I don't claim to be as psychic, but there seems to be some discomfort or tension in the air. Is there something I said that is causing that?" Far too many negotiators allow bad feelings to fester.

The PURRR Procedure is one conflict-reducing method to keep in mind during negotiation. The procedure was developed as a means to reading between the lines in conversation, especially in politically sensitive situations:

THE PURRR PROCEDURE FOR CHECKING ASSUMPTIONS

1. Pause the next time you're about to formulate a judgment about a person based on something he or she has said or done.
2. Make sure you understand (on the content and relationship levels) what the person meant by his or her words or actions, especially if hinting is involved.
3. Reflect briefly on the information you're using to form this judgment. Ask for more information if needed.
4. Reinterpret what just happened by applying an alternative favourable explanation to the one you first considered (for example, this is not personal but more a function of confusion or fatigue).
5. Redirect the conversation onto a path that better serves your goals.

HOW TO RESPOND TO POTENTIAL OR REAL CONFLICT

The following are some conflict-reduction tips for situations where you're confronted with potential or actual conflict:

- ★ Maintain an even tone.
- ★ Ask clarification questions.
- ★ Rather than be contentious, delay with process.
- ★ Make headway on less contentious issues, returning to others later.
- ★ Reposition or frame the problem in positive or mutual-gain terms.
- ★ Link something they believe or value to what you also believe or value.
- ★ Emphasize what has been accomplished over what has not.
- ★ Encapsulate conflict issues to avoid infection of other issues.
- ★ Avoid pushing on petty issues or ones that will resolve themselves later on.
- ★ If style is involved, meet them halfway.

WHEN AN IMPASSE IS REACHED

When the above constructive approaches are not welcomed by your counterpart, or when you have sufficient evidence that the infraction was purposeful and intended to harm you or the negotiations, you face an impasse situation. The following are some general ways to handle an impasse.

- ★ Take a break to strategize
- ★ Pose to both parties the cost consequences if agreement is not reached.
- ★ Reconsider the amount [amount of what?] that might be accomplished at this meeting.
- ★ Visibly lower your dependence on them or raise their dependence on you.
- ★ Break the problem into parts - fractionate it.
- ★ If the impasse is on substance, focus on process - how to proceed from here.
- ★ If the impasse is on process as well, try the share text approach.

DEALING WITH DECEPTION

- ★ Keep power in your pocket: a lawyer behind the scenes, advising; a name to drop; a party that may need to be brought into the negotiation; consequences that may obtain on other issues if agreement on this one is not reached.
- ★ Don't walk away without leaving a door open.

DEALING WITH DECEPTION

The pressures of negotiation can cause people to engage in deceptive tactics. Since skilled negotiators expect some level of deception in negotiation, they aren't taken aback when it occurs. They know that it is common for negotiators to engage in some degree of deception.

There are various levels of deception:

1. Benign deception

Its purpose is to avoid offence. Such deception is often used in the service of politeness. We all engage in it, otherwise we'd be ostracized. Society is built on a foundation of benign deception - people not saying all that they are thinking.

The following are examples of benign deception:

- ★ Building one's credibility a bit more than is deserved
- ★ Falsely implying that there is a competitor in the wings
- ★ Giving the impression of greater knowledge on a subject than one actually possesses
- ★ Creating the impression that something is of greater value than it actually is
- ★ Dressing in a manner unlike your usual style to give the impression of competence or wealth
- ★ Disclosing information to the other side in a manner that suggests it is private
- ★ Omitting or downplaying some of the less attractive aspects of a product or idea

2. Strategic deception

Its purpose is to achieve some advantage through the skilful management of information sharing. It is planned rather

- ★ Agreeing to do something you may not be able to do
- ★ Bluffing (to a limited extent)
- ★ Fogging or confusing an issue; using strategic ambiguity
- ★ Misrepresenting by omission - not mentioning unfavourable information
- ★ Making additional small requests after an agreement has been made
- ★ Feigning scarcity of an item

3. Ulterior motive deception

The primary purpose of this type is to achieve some gain without apprising the other side of any intention to do so. It's a slippery kind of deception, more self-serving and manipulative as it progresses along the continuum. Examples here include:

- ★ Agreeing to do something you know you won't or can't do
- ★ Threatening someone with power you don't have
- ★ Switching sides on an issue to create confusion
- ★ Suggesting that the other side will receive something you don't intend to deliver
- ★ Offering false flattery

- ★ Intimidating the other side with false claims
- ★ Making intentional misrepresentations (such as lying about value)
- ★ Pretending to be angry, insulted, or annoyed to induce co-operation

TAKING NEGOTIATION TALENTS GLOBAL

Crossing cultures in negotiation is complex. It requires extensive intelligence gathering and constant flexibility. First and foremost, however, it requires an understanding of one's own culture, the forces that impinge on one's own decisions and actions.

TEN GENERAL RULES FOR CROSSING CULTURAL NEGOTIATION

1. Before arriving for talks, learn as much as possible about each member of the other side's team i.e. interests and status concerns. Be sure to have your business cards ready and know how to present them in your counterpart's cultures. Try to bring along the same number of negotiators as they plan to bring. Bring suitable gifts and present these at culturally appropriate times; learn a few words of greeting if you do not speak your counterparts' language; and engage in appropriate greetings (handshakes, bows, hugs, kisses on both cheeks etc.)
2. Be prepared for differences in concern about time, punctuality, and logical process. (In some cultures, agendas should be used as informal guidelines.)
3. Remember that relationships are critical to success in most regions of the world. Treating contracts as binding legal instruments can be insulting and detrimental to relationships (particularly in China, Japan and Korea).
4. Don't automatically treat compromise as the answer to impasse.
5. If you don't speak your counterpart's language, find a good interpreter and practise with the interpreter.
6. Be sure others know your accomplishments and experience, but do not boast. You could send a biographical sketch in advance, along with some information about your company or a proposed list of key topics. This is a must for women who might otherwise find it difficult to be taken seriously.
7. Be patient. If questions are repeated or topics re-emerge, it may be a test of your knowledge, sincerity or commitment.
8. Prepare, prepare, prepare. Think in terms of four stages of intercultural negotiations: relationship building, task-related exchanges of information, persuasion, and concessions and agreement.
9. If misunderstandings occur, slow things down. Do not demand that the discussion return to a prior tone; instead, attempt to decipher where that problem arose and work with the other side to rectify it.
10. Use the strategies you've learned here, but be sure to balance attention to your goals with attention to your level of adaptations.