

CLASS 5

P&N ROADMAP

- In past 4 classes we introduced cognitive strategies for:
 - i) getting your piece of the pie,
 - ii) expanding the pie, and
 - iii) navigating the tensions and dilemmas when trying to do both.
- Going forward: COMPLEXITIES
 - Emotions, relationships, trust, culture, multiple parties, cognitive biases, fairness, ethics

HOW RESPOND TO ANGER?

- Common mistakes:
 - Reciprocating. This causes escalation & often impasse
 - Make concessions to appease the angry party
 - Interpreting the anger to mean something about the other side's RP, and lowering your own AP
 - Immediately abandoning integrative strategies

IF MUTUAL GAINS ARE POSSIBLE → DON'T BE REACTIVE.
PROACTIVELY SHIFT THE TONE TO COOPERATION

Does it matter if the anger is tactical or real?

HOW RESPOND TO TACTICAL ANGER?

- If the anger is tactical (not real) the counterparty is attempting to gain power through intimidation. It is not effective to respond with empathy. Instead, **match their power first, then attempt to turn dynamics around.**
 - Indicate your *capacity* to be equally angry, to assert your rights, or to make an extreme opening demand
 - Indicating capacity to reciprocate is different from reciprocating
 - Suggest you prefer to refrain from a shouting match in favor of finding mutually beneficial solutions.
- “We can continue shouting and blaming or we can move forward to finding a solution that meets our interests”

HOW RESPOND TO REAL ANGER?

- If the anger is real try to listen and understand (more on this later)
- How can you tell if real or tactical?
 - Tactical anger is used in early stages to unhinge, real anger is gradual and builds up (e.g., because one feels not listened to)
 - Real anger subsides when you allow venting, listen and acknowledge where they are coming from
 - Real anger escalates if you attempt a power-matching strategy
 - Research the reputation of your counterparty
 - Is the counterparty a lawyer?

DIFFICULT TACTICS

- EXAMPLES:
 - Intimidation/Anger
 - Extreme opening positions (most common)
 - Take it or leave it offers
 - Good cop/Bad cop
 - The Nibble
 - Chicken

DEALING WITH DIFFICULT TACTICS

- HOW RESPOND? Avoid: reciprocating, surrendering or quitting. Instead change the game.

Strategy #1: REFRAME by focusing on:

- Interests. Respond as if they are attempting to communicate their interest, and ask further questions
- Option. Treat their position as one among many possible options of meeting your interests
- Standard. Treat their position as suggesting standard of legitimacy and ask why that's the right one to use (or propose an alternative)

In each case be assertive in your push for a cooperative approach.

DEALING WITH DIFFICULT TACTICS

HOW RESPOND?

--Strategy #2: NAME THEIR GAME AND ITS CONSEQUENCES AND SUGGEST ANOTHER:

“You are essentially saying ‘take it or leave it’ but I can play that game too and we’ll spend all our time posturing. But perhaps there is another approach to figuring out how to work out a deal that works for both of us.”

This shows that you are not “naïve” or intimidated but are suggesting a different approach

--Strategy #3: CHANGE THE PLAYERS/STRUCTURE

--Strategy #4: PLAY THEIR GAME, BUT AS A DELIBERATE CHOICE

--Strategy #5: WALK AWAY

EMOTIONAL OBSTACLES

- Even if both sides strategically understand the benefits of cooperation, they may not get there due to REAL (not tactical) emotions.
- Often you will walk in to a negotiation having made the strategic decision to seek an integrative solution but get derailed by your emotions or your counterparty's emotions.

HOW DEAL WITH EMOTIONS: YOURS AND THEIRS?

- The “Don’t Get Emotional” Approach?
 - **Can’t avoid feelings** any more than thoughts
 - Even if cognitively distract yourself - emotions will show up:
 - In your **body** and behavior
 - Color your **thoughts** (negative thoughts, less creative)

EMOTIONS CAN BE POSITIVE OR NEGATIVE

NEGATIVE emotions: **Obstacles** to cooperation

- Divert attention from substance
- Damage relationship
- Make it hard to negotiate cooperatively

BUT **POSITIVE** EMOTIONS (feeling “in sync”) **Facilitate** cooperation:

- Share information
- Reduce fear/suspicion

THE SHAPIRO FRAMEWORK

- Emotions are **too complex to deal with directly**
 - Overwhelming to analyze: what you are feeling? what *they* are feeling? what do to about it?
- Focus on **core concerns** that typically matter to all negotiators.
 - These all relate to **how see self in relation** to others
- Core concerns are the most common **TRIGGERS** of emotions, negative or positive, focus on these to avoid negative and stimulate positive emotions

CORE CONCERNS

appreciation, autonomy, status,
affiliation,

LENS: To understand negative emotions

E.g., why upset? Why hostile response?

LEVER: To stimulate positive emotions

These are the **4 key variables** to the emotional tone of negotiations

CORE CONCERN #1: APPRECIATION

Understanding other's concern AND **acknowledging** where it's coming from (NOT mean "agree" or being "grateful")

Obstacle #1:

- **failure to understand** (cognitively) other's point of view. This Requires truly listening to see the world from their perspective:
 - Ask **open ended questions**
 - Concentrate on their answer and not your response or next question
 - Listen to **tone** as well as words
 - Look at **body language**

CORE CONCERN #1: APPRECIATION

Obstacle #2:

- failure to find some **merit** or the **underlying reasons** for their view
 - We only **listen for what's wrong** with other's view
 - Separate the need from the strategy for meeting it
 - Appreciating DOES NOT EQUAL agreeing. It acknowledges the reasons they see the world as they do.
 - Even an ex-spouse who wants “everything”?
 - Even a hostage taker?

CORE CONCERN #1: APPRECIATION

Obstacle #3:

- **failure to communicate** the real merit or underlying reasons we see
 - The “**love lab’s**” **primary predictor**: ratio of appreciation to critical remarks (need 5:1) replicated for organizations
 - **Not phony** “active listening” with constant nods or “employee appreciation day” but truly appreciating
 - Dilemma: It’s *hardest* to appreciate when its most *needed!*

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