

# REACHING AGREEMENTS: A FEW WAYS

When your objective is to achieve a result through another person's action, there are three possible options (plus a "trivial one", as a spare option).

## **First Option: Use of Strength.**

We will not consider physical strength, even if neither outdated nor confined to tribal groups.

The "legal" and allowed use of strength are, for example:

- **Hierarchy.** To be the boss helps in achieving modifications in other people's behavior, even if it does not help obtain your final objective. This is true no matter whether you have been named "boss" by a hierarchy or because you are accepted by your followers.
- **Knowledge.** If you display your competence or situation related know-how, the other people will give you the right to use this strength spontaneously.
- **Democracy.** Or the strength of numbers. In professional situations it could happen that someone asks "to count" how many agree. It is not one of the best criteria to decide in company life, but it is popular.
- **The strength of behavior.** This is also known as "charisma". In other words, people are led by your actions and the mystic around you. It could easily reach an excess state, so it is rarely usable within organizations.
- **Aggressiveness.** It is learned at an early stage of life, from parents. It takes form as a "mean face" or "loud voice". These applications are best left to the field of psychotherapy and are not useful here.

When you use strength you put yourself in an "up" position and the other person in a "down" position.

## *ADVANTAGES AND DISADVANTAGES OF THE USE OF STRENGTH*

When there is no time it can be the best solution, or when your mastery of the situation is so high that you can afford it. At other times it is requested, explicitly or implicitly, by the people you deal with.

There are three disadvantages:

1. If you try to use strength be sure you have enough of it.
2. Once you obtain your result, stop using strength. Beware of the overuse of strength.
3. With the strength you obtain the minimum

In our culture, when one verifies that his strength is effective, he feels pushed to use it more and more. This is particularly true when you use "vocal strength". When screaming pays you tend to raise your volume even more, and more often.

### **Second Option: Persuasion**

When you try to persuade a person you put yourself "down" and the other person "up".

Example: "Dear customer, your company is very successful and I would be delighted to serve you." or "My friend, I'm in trouble with this project. You are so clever, skilled and sensitive that you are the only person who could possibly help me".

Persuasion works, until it becomes manipulation. Once the manipulated person wakes up, you'll see a scene of "Rambo 2: the Revenge". Salesmen use persuasion in the initial phases of their job, the good ones stop at the right moment. Seduction works in the same way, with few applications in professional life.

The story teller is a good example of persuasion. When proposing a metaphor or an anecdote you have to work in the down-up position to be credible. In a non-sale situation, persuasion is used to influence people. Sometimes it is used to motivate reluctant individuals to take on responsibility. Do not trust too much in the cooperation obtained with persuasion or in the responsibility accepted by "persuaded people". It is not likely to last. Persuasion is often applied by people who tend to comply, fearing the chance of a relational conflict. They are very likely to play, as a result, a Bernian game (Pathologic Conflict).

### **Third Option: Negotiation**

Negotiation is a way to achieve results and behavior from others. It is not always the best, there are the other options to consider; sometimes it is fruitful but it also has disadvantages.

Here we will specify only the "up-down" diagram structure in negotiation interactions and communication:

Negotiation, in our model, is possible only when a POSITION of EQUALITY is established.

Any other up-down combination determines something different from negotiation, as it will be explained in appendix 1 (they are pseudo negotiations).

#### **A Fourth Possibility to achieve results: ESCAPE**

Some of you could consider this option trivial, or offensive, or lacking dignity in professional situations. Still there is a psychological relief in the escape, which, when the relationship is really unpleasant, could be a reason to consider it. But there is more than that.

Literature and novels are full of virtuous examples of escape as a way to communicate or to deal with problems. A famous book by Henry Laborit, "Eloge de la Fuite" and the Oscar prize-winning Italian movie "Mediterraneo" explain well what escape is: a safety valve for human beings. The prohibition to use this valve (generally self-forbidden) could be very dangerous, for the person who wishes to escape and for the others trying to stop his escape. Many unpleasant events in life (and even at work) could have been avoided if escape were an option.

If you have escape as a personal option you will be more powerful than if you don't. A salesman who must absolutely sell will let the customer fix the price.

Sometime escape is a means to postpone a communication: it is not always the right time for communication. Some communicators still feel a compulsion to communicate, not considering escape as a possible alternative. This of course weakens their ability to communicate their message.

## THE NEGOTIATION PROCESS

Negotiation is a possible option to obtain results. It is used when you need other people's contribution to achieve your results.

### WHAT IS NEGOTIATION?

Negotiation is a process performed **ACTIVELY** by two parties which are simultaneously achieving their objectives. Each party, to achieve its objectives, needs a mobilization and a contribution from the other party. The process is carried out in conditions of **EQUALITY**

When one of these conditions fails we are no longer dealing with negotiation but with pseudo negotiations. It is not only a matter of academic purity: pseudo negotiations (like persuasion etc.) proceed with a different kind of communication.

For example, you'll never negotiate if the other person has no interests. The job of the salesman, at the beginning, is to turn on and raise the customer's interest. Then he becomes a negotiator (he should become). You are not negotiating if you say "I'm the boss. This is the best solution for you, too".

### WHEN TO NEGOTIATE

The conditions explained in our definition are necessary. **THEY ARE NOT** sufficient.

Negotiating is the most expensive option among the four alternatives we presented, since the pay-back has to be high (cost-benefit analysis of negotiation).

The clues which suggest when to use negotiation are:

- a) The risk that the situation will collapse is high, both in terms of Relational problems and in terms of Content achievement.  
(For example, when you could lose an important supplier or the esteem of a person you like).
- b) You should negotiate when the upper limits of the possible obtainable benefit are unknown.  
(Maybe you can get something important that you didn't even imagine at the beginning which will appear during the process).
- c) You need an agreement that lasts as long as possible.  
(Imagine the case where you obtain a result forcing people with your hierarchical power. How long will it last?)
- d) You want some kind of involvement from the other party (For example, you need things to be done even when you are not there to supervise.)
- e) Last, when the other party wants to negotiate, as he has specific and strong interests to put in the negotiation process. If you use other strategies such as persuasion, your counterpart could refuse them as not being suitable for HIS interests.

## THE NEGOTIATION PROCESS

It has three basic phases:

The real negotiation process (face-to-face interactions) happens only in the middle phase.

**BEFORE NEGOTIATING:** You could need other peoples' help and it could last a long time.

It consists of:

- **Setting Objectives:** It is the result you want to get at the end, which will lead you in the real negotiations. It is trivial to say, but negotiators tend to easily forget the objective when a problem appears. "Keep your eye on the ball."

- **Preparation:** Some amount of information on the matter is necessary. Excessive information, despite what is sometimes taught, may impede good results. People who depend too much on getting information or on planning the event will reduce their flexibility.

- **"Psychological preparation".** Basically it consists of assuming a status of **EQUALITY** and/or a Quadrant 1 mental position in the "I'm OK-You're OK" model.

Until or without this mental status don't knock at the door of the negotiation room.

Stay home or send somebody else.

### AFTER NEGOTIATION

This "after the process" phase is performed without the counterpart.

This phase is composed of::

a) The evaluation of negotiation.

You will judge the result of your negotiation in terms of:

\* Content (what you really got for your interests)

\* Relationship (whether relations were improved, impaired or broken)

\* Any possible degeneration that happened in term of pseudo negotiation, should be remembered as it will be useful next time.

Content and relationship, as final results of a negotiation process, can be in any possible combination of "Bad-Good."

The most favorable in the negotiation process is Good content-"moderate relation". If you like enthusiastic relationships even in the professional world don't do negotiations.

This phase includes the whole face-to-face sequence of events, happening between the two parties (As a matter of simplicity we will consider the case of two negotiators or two group of negotiators. We will not consider here the case of three or more different negotiating parties.)

The negotiation process in our model has these steps:

#### *NEGOTIATION STEPS:*

##### a) AGENDA

The agenda contains the purpose and objectives of the two negotiating parties.

It has to be "spelled out" at the very beginning of negotiation (we will skip in this model the preliminary chatting and gossiping).

A few considerations:

- Don't assume that you already know the agenda and skip this phase (fatal error!)

Even if you called the night before something could have changed.

- The agenda you prepared for the negotiation meeting has to be incomplete: it will contain only your negotiation items. Even when you can guess the counterpart interests don't put them in the agenda.

The whole agenda has to be built there, in the negotiation room, with the other party. It has to contain all or some of his interests, proposed by him, not guessed by you. Otherwise, you'll start "your own negotiation" not "our negotiation".

Remember you are there to find a simultaneous solution to simultaneous interests, even if they do not coincide. Also remember the need for participation.

Often people disagree on the first version of the agenda. Don't worry: negotiate the agenda, before starting the negotiation.

##### b) INTERESTS

This is the most crucial step of negotiation.

The final result depends strongly on how you and the other party will work on interests.

Position Versus Interests

A typical position is: "Ten dollars, take it or leave it."

"Not a cent less than 5 dollars, or I quit."

and you know how it ends. These are POSITIONS.

In this negotiating model POSITIONS are forbidden, at least in this step, and they have very low value in the whole process.

Some negotiators manage to avoid taking positions and make good deals.

*The purpose of this step is to let both interests emerge*

Once the two interests are known it will be easier (not granted!) to satisfy those interests.

Behind positions there are always interests and they are much more important than positions:

For example: "We refuse your best price", which is a position, could hide this interest: "We need time to discuss with our management and we cannot decide now".

If you know the interest you can do something better than confronting a position with another position.

Invest time and energy to investigate each other's interests and to put them on the table. There are rarely good reasons to hide your interests, even when it seems this could harm you.

#### HOW INTEREST INVESTIGATION AND DISCLOSURE HELP NEGOTIATION

Remember that negotiators don't fight each other but operate to solve a problem.

To solve the problem you first have to know the main ingredients: Interests of the two parties.

Advantages in interest investigation are:

1) The interest search avoids position being taken too early. It is a way to postpone confrontations. Once you take a position it is difficult to go back, change etc. You'll have to save face.

2) You will know more about the whole situation (the problem to be attacked) and this will eventually help to construct a more suitable position statement, more likely to fulfill both interests.

3) You will put the other party in condition, if he wants, to suggest better ways to reach your interests. In many situations positions could be one against the other. Interests are generally different for the two parties, not conflicting: thus, a cross-collaboration it is not illogical or self-harming.

4) If you satisfy the interests rather than establish a compromise between positions, the agreement will last longer.

Interests are longer term drivers than immediate positions.

5) From a Relational perspective, interests decontaminate problems, while positions can worsen them. When *Contents* are unconsciously motivated by *Relationship* negotiations suffer.

For example: "I'll never give you permission to use my equipment."

"Really? I'll call the big boss!"

Decontaminated by interests:

"I need this equipment every morning to test my production."

"I also need equipment to train my people."

## HOW TO LET BOTH INTERESTS EMERGE:

- **QUESTIONING.** Assuming that you know your interests (not always true) you can explore the other person's interests, carefully avoiding conjectures.
- **START FIRST.** If you take the initiative of unveiling some of your genuine interests, this will facilitate the other person doing the same with you.
- **NEGOTIATING.** You can explicitly suggest that interests disclosure can help the follow up. You can negotiate mutual disclosure. If the other party will accept, you will automatically know his interest. The effort will be a further negotiation.

### c) ALTERNATIVES / OPTIONS

Assume you did a good job and both parties have put their ultimate interests on the table. Still resist taking a position, like: "So, the ABC model at \$3,000 is OK for me".

Before making any decisions on figures find some alternatives to satisfy the interests.

For example: If you found that you can share the cost of equipment with a customer, before taking any initiative verify whether other solutions are available: design new equipment together, hire it from an external source, etc.

This is the only moment where creativity pays in the negotiation process.

Maybe it is the moment to go home, to split, to meet again after new ideas have been conceived.

To hurry can be counterproductive in this phase. (Even though we like to finish before dinner.)  
The problem with generating alternatives is: once you have them, you have to DECIDE.

### d) DECISION MAKING

Once you have a reasonable set of alternatives to decide which one is more suitable to fulfill both interests, any decision making technique can be applied. There is no a decision strictly better than the others decisions, as any decision process works on criteria, not on absolute rationality. So we will not deal specifically with any models here.

A few considerations:

- As decision making works with criteria (the fastest solution, the cheapest solution, etc.) you can agree or NEGOTIATE with the other party which criterion will be used.

- If you fully investigated interests and the range of possibilities to satisfy them is broad, it will be relatively easy to decide.

- Should you make a decision, define with the other part some conditions to re-decide.

In theory, any decision is correct, being validated by a criterion.

Remember:

\* Be prepared to accept inevitable losses (implied in any decision, you get something, you lose something).



\* The decision is not for life and can be renegotiated (see condition to re-decide).

### **e) NEGOTIATION PROCESS CLOSURE**

This step is extremely important and often neglected, after the decision step.

Remember that a single negotiation process is NOT the whole negotiation. It can be done in several negotiation meetings.

At the end of every negotiation event (defined by the interval between a single face-to-face meeting) there is a CLOSURE, which consists of:

#### **1) BACKTRACKING**

Backtracking is a chronological study of the main facts that happened in the process, the decisions made and the issues still open: the "sum," of the negotiation.

Backtracking is important to avoid going home with conjectures:

"They will buy", or "they will refuse". Backtracking is a way to check whether the two parties understood the same things and agreed on the same decisions, which is often taken for granted.

For example, you could realize eventually that there was a misunderstanding, receiving goods you never ordered.

Backtracking is a way to avoid this.

The content of shared and agreed upon backtracking will communicate to both parties the results they obtained. In the report to the boss (whoever you are negotiating for) that you

prepare after a negotiation meeting, the only thing you absolutely must write is the backtracking.

(Another use of backtracking, during tough communication situations like chaotic meetings, is this: when confusion dominates it is pointless to raise your voice: try backtracking to regain the audience. For example: "Gentlemen, we have been here for three hours and what we decided is that the Secretary of the meeting is Mr. Smith". )

#### **2) NEXT TIME**

No matter how the negotiation ended, with champagne or insults, there is always a next time.

Decide now when you will see each other again and for what objectives. This is the negotiation of the next negotiation.

In an example of a negotiation which ended with very bad feelings one of the two parties said

"I don't want to see you any more". The other person was able, still accepting the request, to fix a rendez-vous a month later with a colleague.

## **WHEN NOT TO NEGOTIATE**

In these cases there are certainly safer and more productive methods than negotiation:

- a) To solve relational problems, when you deal with feelings (don't negotiate with wives, sons, etc.)
- b) Don't negotiate when you and the other party are not two people with two interests. In this case, try persuasion to raise an interest in the other party.
- c) Do not use it as a routine , it will tire the other party.
- d) Beware of endless negotiations: if they last too long or repeat too often, negotiations could be maneuvers to get something from you in an indirect and manipulatory way. Some false negotiators pretend to negotiate to get information, to weaken the other parties etc. Professional negotiators never accept maneuvers.