

# Negotiation

The essential characteristic that turns communication into negotiation is an *attempt to reach an agreement*. Because agreement between the parties involved is necessary to the success of almost any undertaking, negotiation is one of the commonest practical applications of communication skills. Negotiating skills are almost always needed at work, and they can also be needed in many family and social situations.

Because of its obvious importance, it should come as no surprise that a great deal has been written about negotiation. In these notes, I will just be having a quick look at what is a very large topic. For those who would like more information, there are many books and articles available. One example is Baden Eunson's book "Negotiation Skills".

## General Points

The need for negotiation is not always known in advance – in fact, it quite often strikes unexpectedly. Whether planned or not, my usual generalisation applies: everything you know, and everything you are, will probably be needed. However, in order to deploy those resources effectively, a clear and simple framework is essential – especially when, as is often the case, the negotiation process proves stressful. Various such frameworks exist, one of which is offered later in this chapter.

Negotiation is basically a matter of finding a path to an agreement which, while rarely perfect for any one party, is acceptable to most or all of the parties involved. The subject matter could be literally anything, from arranging a lunch (or perhaps a wedding) through buying a car (or perhaps an airline) to avoiding a brawl (or perhaps a nuclear war).

Importantly, negotiation is not always a win/lose process, in which each party attempts to obtain as much as possible of a scarce commodity, and the degree to which one party succeeds equals the degree to which another party fails. Especially when multiple issues are involved, differences in the desires of the various parties may make *win-win negotiation* possible. In other words, each party may be able get some, or even all, of its high-priority requirements, so that all parties benefit.

On the other hand, there is often plenty to *lose* in a negotiation. In many such cases, unfortunately, power is so unequally distributed between the parties involved, that one of them is almost certain to lose. This raises the question of whether the negotiation is worth engaging in at all. Sometimes, it may be better to defer it – or perhaps to negotiate on a different matter.

Quite often, there is an element of conflict between the parties involved in a negotiation, which extends beyond the matters ostensibly being negotiated. Such conflict might have its origins in disputed facts, differing values or incompatible policies. Alternatively, it could sometimes be a matter of saving face, as discussed previously under Assertiveness.

Indeed, many negotiations come to grief on the virtual reefs of the powerful emotions of the protagonists. However, as mentioned previously, my model for the understanding and healing of human emotions is contained in my earlier book, "Wanterfall", so I will not directly address the immensely important emotional aspects of negotiation in these notes.

## **A Framework for Assertiveness**

Unless emotional "unfinished business" is destabilising the situation, it should be possible to apply assertiveness skills to any negotiation, and achieve good results. The framework which follows is best conceptualised as a natural expression of the assertive mindset previously discussed in its own chapter.

There are four simple steps to success in negotiation, and I have noted a few points about each. I have called the four steps *Quietness*, *Questions*, *Suggestions* and *Statements*. I named them with a view to ease of recall (**QQSS**) but I did not invent the principles they stand for. Those are widely recommended, under various different names, in the literature of negotiation.

The four steps described below are only suggested as a very general guide to the various phases of negotiation. Importantly, the order in which they occur is *not* fixed, though a general trend in the order shown is usual. *Deciding in advance what you wish to achieve, what can be traded and what is non-negotiable is absolutely essential in each phase.*

The degree to which a negotiation process appears to fit the QQSS outline naturally depends on the actual process involved. Most of the steps listed might occur during complex and protracted business negotiations, and quite a few of them might occur when planning a holiday with a number of people.

Many decisions, however, are reached very simply. For example, when one person suggests an idea and the other(s) immediately agree to it, there is just one suggestion (the idea) and one statement (the agreement) involved in the whole process. An example of this would be "Let's have lunch at that place near the jetty" – "OK, let's do that". In practice, of course, different parts of the QQSS process are likely to be more important, according to the type of negotiation involved.

### **Quietness**

- Quietly remember what you aim to achieve
- Quietly remember what you can and can't trade
- Provide the information you consider appropriate
- Apart from that (and appropriate reflection) say little
- Absorb information – about feelings as well as facts
- Keep non-verbal output receptive and non-judgmental
- Pay very careful attention (to *all* inputs and outputs)
- Make notes when necessary, but be aware that this may cause some people to feel defensive
- Don't defend yourself, criticise others, or give opinions (yet)

## Questions

- Some questions are for clarification of what you have heard
- Some may be about subjects not previously mentioned at all
- Questions which clarify the true needs of the other party are very important, as a win-win proposal may then be possible
- Questions are easily felt as threatening, so tact is essential
- Example questions: Did I understand... correctly? The price includes...? Could you explain more about...? What about...? When would...? How do you feel about...? What would you suggest? Who could help us with this?

## Suggestions

- Suggest what you know (if anything)
- Suggest what you think (if anything)
- Suggest what you feel (if anything)
- Distinguish clearly between fact, opinion and emotion!
- Offer a possible solution (if you have one)
- Admit that you have no suggestions (if applicable)

## Statements

- State your agreement, if applicable. Otherwise...
- State your assessment of the situation
- State what you are willing to do (but see below)
- State what you are *not* willing to do (but see below)
- State what you actually *intend* to do (but see below)
- State when you are willing to review the matter
- State nothing at all, unless you choose to!

## Some Specific Tactics

Within or alongside the QQSS framework, there is room for the use of various specific tactics intended to increase the chance of gaining particular outcomes. Some of these are rather questionable, and you might not choose to use them. On the other hand, those with whom you are engaged in negotiations may have no such scruples. Here are some examples:

- Asking for more than you want
- Setting pre-conditions
- Planting true information
- Planting false information
- Declining to speak first
- Keeping the minutes
- Presenting demands
- Making last minute changes
- Insisting on deadlines
- Using good guy/bad guy tricks

- Using high-ball/low-ball tricks
- Presenting a fait accompli
- Using delaying tactics
- Engaging in strategic walk-outs
- Employing legal intimidation
- Employing illegal intimidation

The examples above are fairly self-explanatory, so I will not comment on them individually. They are basically ways of attempting to manipulate the end result of a negotiation. Readers who are interested in a detailed analysis of the tactics used by expert (and often unscrupulous) negotiators have a large body of political and military writings to choose from. Two which are often suggested (despite their antiquity) are Machiavelli's "The Prince" and Sun Tzu's "The Art of War"

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