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Lecture notes
15.6.77

DEALING WITH AN AGGRESSIVE COMPETITIVE
NEIGHBOUR

Reaching Deals
Dealing with aggressive
negotiators

Dealing with an Aggressive Competitive Negotiator— Especially if you are cooperative

Plan and Prepare:

Remember that thorough-going cooperatives may unthinkingly try to maintain relationships even at high cost. *Think through what you will and will not give up for the sake of "relationship."* If you know that the Other is aggressive and competitive, think through your interests and resolve not to give in on important tangible interests without allowing yourself some period of time to reflect. There are many tactics that will help you do this. Build in another person you will have to go back to for confirmation of any proposals. Resolve that you will monitor yourself for any inner voice that says "O is getting angry," and prepare to deal with your discomfort about O's anger. Mentally practice how to say, "I will have to get back to you later." Catch yourself if you imagine explaining or apologizing or backing off or complaining. Be prepared for O to be hostile or to make hostile statements. Look as well for the possibility that O might be very sweet just before making egregious demands.

You need to distinguish ACN's from just obnoxious ones. Remember that people who are "insufferably obnoxious" are almost always unprepared. *So — as always — you must prepare on the facts with great care. Do the standard analysis of interests, options, sources of power for each actor.* Prepare what you can imagine of O's probable strategy. If you are very well prepared and can detect an O who is possibly unprepared — and who is obnoxious and who is not negotiating in good faith — then do not try to negotiate. Just keep the lines of communication open until O is ready to deal.

As you prepare, try hard to think out ahead of time what principles you would like to negotiate first, on the basis of which you might resolve any outstanding disputes. Prepare to try, if you wish to, for an integrative or mixed motive strategy: discuss with O the type of negotiation the two of you prefer, brainstorm options, appeal to principle. But prepare emotionally to go through a ritual of testing and intimidation and of slow, penny-by-penny bargaining by O — *resist and move slowly all the way* — if that proves to be the only option that is available. Think through carefully how you will appear to O — for example if you make a unilateral concession you may just get typed as a wimp. Go in with your facts and points all written. Prepare to write down everything that O says — and prepare to maintain your doubts about O's facts until you have checked them. *Do not assume that O's demands are good faith demands.* Remind yourself carefully about the tactics that characterize distributive strategy, and look for them.

Prepare a good BATNA. *It is likely that no other source of power will mean as much to you.*

Be reasonably formal and respectful — not cold — but respectful.

Name O's interests as you understand them and acknowledge them.

If possible sit side by side, together addressing some representation of The Problem — on paper on the table in front of both of you — "How can we work together to find a solution to this problem?"

If possible start first by naming any obvious reasonable areas of joint gains.

Until the moment you stop negotiating, believe in the possibility of a good solution — many have been misled to think it is not possible in dealing with an ACN and therefore fall into fights or inefficient solutions.

Repeat O's statements back to O, to gain time to think and slow things down. If your mind goes blank, repeat what O just said—reflectively—pause—put up your hand in a gentle "stop" mode.

Refuse deadlines in any way that you can.

Demur—or say you may demur—"What you say could be correct, but some people might raise the following problem..."

Ask factual questions—and keep gently probing about what lies behind opinions (ask for facts) and positions (ask for underlying interests). If you are unconvinced about something keep asking "Why?" or "Why not?"

Maintain an attitude of very polite doubt. Write down any purported facts that O gives you and verify or disaffirm them—"Of course you would expect me to be checking this out carefully on my own."

Be absolutely straight and truthful about the facts. Be credible.

Say "I might be wrong, but...."then name the problems you have with O's point of view or facts.

Keep reasonable control of the air time — "Please let me finish." If necessary talk right through O's interrupting you. If necessary stand up.

Make sure that you interrupt any ascending demands made by O, especially if they assume a drum-beat quality. Go back to the first demand, temporarily ignoring later ones, and address the first one. If there is name-calling or rudeness, interrupt it. Spill a water glass. Drop your briefcase and bang the table loudly—once. If O becomes extraordinarily unprofessional refuse to negotiate until a later time. If you have to save face while doing this then adjourn "until we both have the facts we need."

If you need to threaten, use reverse threats or inverted threats: "We would not want this discussion to come to the point where I would have to break it off, but...."

If O makes a naked commitment, name it. Name it as a commitment—and explain the nature of the use of commitment and explain the substance of the commitment or threat, politely and reflectively.

If you have to undo a commitment that you have made or that O has made, make an appeal to new facts or new laws, or changing circumstances or a new higher authority who now must be consulted — *save face*.

Except when forcefully interrupting a tirade, you can try speaking very quietly and formally. Sit or stand in a quiet, peaceful, formal way.

Never meet hostility with hostility except in physical self-protection.

If O's behavior looks like a long detailed tirade, and you must keep on good terms with O at that moment, you could try saying absolutely nothing and take careful notes with an interested demeanor.

Talk about fairness. (Don't say "trust me...") And—even under great pressure—be fair and trustworthy yourself.