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Negotiating: Efforts towards Integrative Concepts

by

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The amount of available knowledge and recommendations concerning negotiating is confusing. Confusing, because there is no coherence. The available literature does not show a way out. Each new publication results in more correlations and clever recommendations. Synthesis of separate findings and observations proves difficult. In this article I wish to provide various organizing points of view; in addition I will present a few elements of the integrative model I have developed over the past fifteen years.

1. A set of tactics

An interesting perspective is to view negotiating as a whole of *tactics*. Tactics give a handle straight away and they provide immediate clues for improving negotiating abilities. Some tactics one recognizes immediately, others are somewhat more remarkable.

A few examples:

- aim high;
- use adjournments:
- be careful with 'slogans' such as: 'constructive', 'thought about this long and hard', 'extensive research', 'general interest';
- don't immediately present *the* solution;
- keep the whole package in mind all the time;
- proposals are better than arguments;
- deadlocks are part of negotiating;
- the relationship with your constituency is also a negotiating relationship.

Over the years an abundant number of dos and don'ts have been collected. Karras (1974) has summarized hundreds of them. But what can one do with hundreds of prescriptions? They are no universal laws and — even more annoying — they lack coherence. For the solution of this problem we see three alternatives:

1. Select the most important tactics

The Harvard Negotiating Approach is a good example of this alternative. This method is named the 'method of principled negotiating' (Fisher and Ury, 1981). This reflects the central prescription of this approach: Develop shared principles and objective standards. There are several other rules in the Harvard Approach: generate a variety of options, separate the people from the problem, avoid taking a position too quickly, focus on interests, not positions. This is one way to make negotiating manageable.

2. Organize the tactics

Karras tried to classify his tactics but did not succeed. He arranged his rules alphabetically, a very simple and not very scientific classification. There are other ways to organize them. Raiffa (1982) has formulated a number of so-called "organizing questions": are there more than two parties at the negotiating table; is there more than one issue which is being negotiated, is it a recurring or a once-only negotiation, is an agreement really necessary; is there time-pressure?

3. Understand the underlying processes

A common approach is to use a model of phases succeeding each other during the negotiation (Scott, 1981; Zartman, 1977). Scott provides a good example

with a five phase model: Exploration, bidding, bargaining, settling, ratifying. Many tactics fit in a particular phase. There are other concepts available to get grip on negotiating processes. The next section 'Concepts' will explore this matter.

In my opinion, a mature negotiating model must combine all three approaches. A sound model must contain tactics which give an immediate grip, it functions as a structuring framework and it provides an understanding of the underlying processes. In the ideal situation a clear understanding of negotiating would result in sound organizing concepts which would easily accommodate the innumerable dos and don'ts; also these concepts could guide and integrate our research-efforts.

2. Concepts

What is the state of affairs in the area of concept development? The following points of view are among the accepted ones:

1. Negotiating as a skill, based on managing several *dilemmas*. Many clues can be found spread throughout the literature (Morley and Stephenson, 1977).
2. Negotiating as a process which has a specific *structure in time* (Douglas, 1962; Scott, 1981).
3. Negotiating as a composition of *several types of activity* (Walton and McKersie, 1964).
4. A fourth perspective originates in *systems analysis and games theory*. This perspective inspired several hundreds of empirical studies.

The fourth perspective has shown limited relevance so far. According to Raiffa (1991): "Regrettably, a lot of profound theorizing by economists, mathematicians, philosophers and game theorists has had little or no impact on practice". Still, this approach has inspired a lot of empirical research. These studies provide a wide range of findings; often they conclude with a few practical hunches. An outstanding example is the work of Axelrod (1984). Social psychologists have added an impressive number of empirical studies to these findings. But here, again, we encounter the problem which also presented itself with the hundreds of tactical prescriptions: there is no coherence. Because of the proportions, the

mass of recorded correlations and recommendations is unmanageable. There are scientists who hope that at some point all findings will fit together like the pieces of a jig-saw puzzle. Admirable efforts in this direction are available in the works of Harsanyi (1977), Rubin and Brown (1975) and Stroebe, Kruglanski, Bar-Tal and Hewstone (1988). These works contain clever compilations of research-findings. However, there is no integration of the findings nor models for practical application.

The other three perspectives turn out to have more relevance for practice. I will address the first one, which can be related to the historical development of negotiating. I am referring to the idea that negotiating has to do with managing *dilemmas*; how open or closed, how friendly or hostile or how guarded, how tough or how lenient should one be? It is possible to relate these dilemmas to the central dilemma of coping with the tension between *cooperative behaviour* versus *fighting behaviour* (see figure 1).

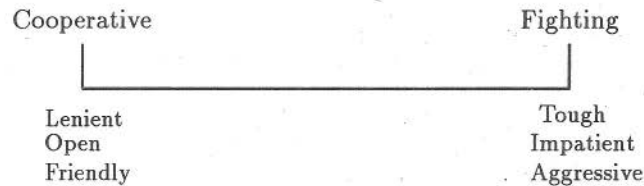


Figure 1. Toughness dilemma in negotiating

People often exhibit hesitation between the two in their conduct. Sometimes they feel they give in too much, sometimes they adopt an overly tough, fighting attitude. Problems occur when people have to function in the area in between. Fighting is clear: dominate, force issues, score. Cooperation is also clear: openness, trust. Developing behaviour to manage this dilemma with a certain degree of agility is one of the basic things negotiators have to learn.

Time and again the literature on negotiating provides clues how to fight cleverly (Calero, 1979; Ringer, 1973; Schoonmaker, 1989). What could be better than gaining dominance and using this to impose one's wishes? The message is: don't fight openly, it's too risky, but try to intimidate people in all sorts of smart ways.

Behave friendly, then use trickery and manipulation. Confound them by being self-confident. Push through issues in a casual way.

All of this is amusing, but very much one-sided. It applies more to the hit-and-run type of negotiating. Much more common nowadays are situations which are characterised by continuity in the relations. In these situations trickery can only become counter-productive.

Other authors advocate the 'win-win' approach. These authors address in particular the development of openness and trust. Power games are considered aberrations. Deadlocks should not occur, nor stubborn constituencies. This seems a little too harmonious and cooperative. An insipid business! In my opinion, every negotiation contains the possibility of parties testing each other's strength.

Apart from the central dilemma cooperative-fighting mentioned above, another major dimension in negotiating can be discerned: *exploring negotiating* versus *avoiding negotiating* (see figure 2).

'Exploring' aims at jointly enlarging the cake or making it more interesting. 'Avoiding' means passive or evasive. Sometimes it may appear very active. One creates a lot of commotion by turning an issue into a matter of principle, or by repeating one's arguments in many different ways. These are in fact avoiding negotiating tactics.

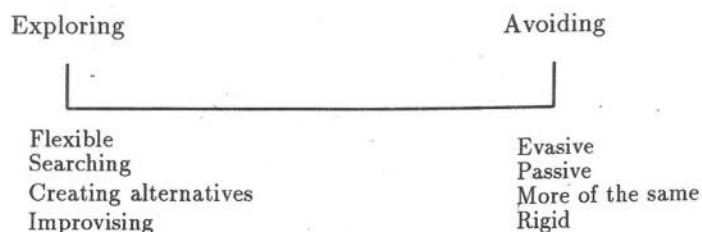


Figure 2. Flexibility dilemma in negotiating

The work of Pruitt (1991) on explorative behavior and some phase models of negotiating as a decision-making process (Scott, 1981; Zartman and Berinan, 1982) relate to this dilemma. These works provide a range of clues to increase the flexibility of negotiators.

3. Historical development of negotiating skills

My research led me to several authors from previous centuries, who in my opinion struggled with the same problems as described above. How much fighting behaviour can you exhibit? Does friendly and cooperative behaviour provide a good alternative? Is it better to avoid confrontation and keep quiet?

François de Callières was a civil servant, for more than thirty years heavily engaged in negotiating for his patron Louis XIV. In 1716 he wrote that one should not lie and cheat when negotiating. Apparently this was a problem in those days. Reading François de Callières one would almost think lying was a way of life. Also, whole pages are devoted to the message that one should not use violence. One should not lash out, go at one's opponent with weapons; in international affairs there is something called diplomatic immunity which may be of some importance. Fortunately this is matter-of-course in our day. It seems we have made some progress! Callières' work contains almost no references to exploring behaviour as we practise it in our time. But we do find references to the opposite: remaining distant, hiding your emotions, concealing interests. This becomes especially clear in the attention Callières specifically gives to handling emotions. The message is the same, time and again: repress, keep hidden, conceal, feign. I think in our time the message has changed. A later author on this subject is *Félice*, who wrote a treatise on negotiating in 1778. Here, too, we see extensive attention for emotions: one must control them and be aware of them. Still, comparing his work with Callières', we see a shift; apparently the problems of using violence and of lying and cheating are less prominent in Félice's day. Although the struggle with emotions is still strong, the behaviour he discusses in his treatise is already somewhat more 'civilized'. The message of both authors is that fighting impulses should be concealed by restraint. *Behave friendly and cooperative, but in the meantime try to subject the other and if it doesn't work: keep a poker-face — bite the bullet — and wait for better times.*

My conclusion is that these authors are dealing, just as we are now, with the tensions between cooperative and fighting behaviour and a third pole: avoiding behaviour (see figure 3).

In their own individual history people wrestle with these primary drives. They learn to overcome their spontaneous impulses (for example: how can I gain the upper hand quickly) by trial and error. They learn that these kinds of

behaviours do not work; it puts pressure on the relationship, and implies loss of flexibility. Negotiators gradually become more versatile in the triangle depicted in figure 3.

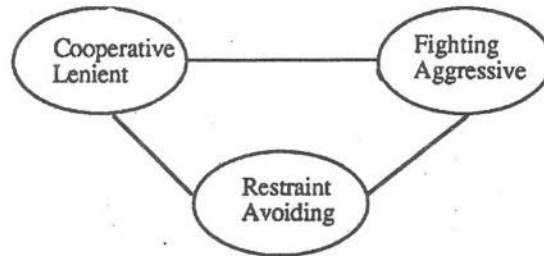


Figure 3. Forcefield of primary impulses

As people develop they become more adroit at dealing with emotional impulses. They succeed in developing numerous subtle variations on these basic styles, which replace the more crude manifestations one can easily recognize in their younger years. 1)

4. Recent recommendations

It is quite possible to order the multitude of tactics on the basis of these three impulses. As a matter of fact many approaches to conflict handling and negotiating are based on grids directly linked to these three basic styles (Pruitt, 1991; Thomas, 1976).

Recommendations building on this triangle of basic styles generally advocate a mixed and flexible style: Depending on the situation one should choose from the available repertoire. Furthermore, one should develop active problem-solving behavior. This is a method to escape from the triangle by developing the explorative mode of negotiating as opposed to the more avoiding and restrained style. Such recommendations in my view are a definite improvement compared to recommendations in favour of one of the poles. See for example the extensive literature on 'clever intimidation', skillful fighting and winning.

The frequently advocated "win-win" method also leans towards one pole, i.e. the pole of cooperative, open and friendly behaviour, while neglecting the extremely important role of power, deadlock and stubborn constituencies.

Still, I feel that the conclusion that good negotiating consists of a mix of these three impulses, although markedly better than a one-sided choice, is not satisfactory. What does such a mix look like? It proves difficult to answer this question. Apparently it is not easy to go beyond the clichés of 'win-lose' and 'win-win' negotiating. Walton and McKersie (1965), authors of one of the better books on negotiating, opt for either integrative or distributive negotiating. However, the empirical evidence forces them to acknowledge the existence of 'mixed bargaining'. They don't quite know what to do with this. In a later publication Walton even attempts to do away with 'mixed bargaining'! He recommends a strict separation of the integrative and distributive elements in the actual negotiations: Separate agendas, different times and places, different negotiators (Walton, 1972, p. 104). An impractical, alien recommendation because the pre-eminent characteristic of negotiating is its mixed nature. Lax and Sebenius (1986) begin to transcend the division between 'win-lose' and 'win-win'. Time and again they observe in the practice of negotiating the mixing and simultaneousness of 'claiming and creating value'. Claiming value may overrun the creation of value. But not letting that happen is exactly what good negotiating is all about. Lax and Sebenius struggle to conceptualize this mixing.

In my own work I have tried to capture the mixed nature of negotiating by developing a model which differentiates the cooperative-fighting dilemma in three types of activities:

1. Realizing one's interests.
2. Influencing the balance of power.
3. Promoting a constructive climate.

A fourth type of activities in good negotiating is focused on flexibility. Negotiating in phases is in keeping with this; also using explorative techniques. This type is related to the exploring-avoiding dilemma. A few phase-models contain highly applicable recommendations to deal with this dilemma (Scott, 1981; Zartman and Berman, 1982). Building on this work I have integrated a phase-model of negotiating into this fourth type of activities. This model of different phases is used as a procedural technique to increase flexibility. It provides a cohesive

ordering of the tactics available to deal with negotiating as a decision-making process.

These four activities and the corresponding tactics are described extensively elsewhere (Mastenbroek, 1989). To make the model operational the tactics have been placed on four scales. These scales are embedded in the tension between one's own interests and the mutual dependency experienced by negotiators. So the four scales in fact reflect relational aspects. They demonstrate the options people can develop to manage the tension balance between one's interests and interdependency.

A naive negotiator has not yet learned to differentiate his behaviour and emotions. His activities are clustered more around the basic impulses as described in figure 3. For instance: if he clings to his interests, he tends to behave in an irritated and wronged fashion. He wants to score, and tends to go on and on on the same track. His tough stance will come across as even harder than is strictly necessary. Figure 4 shows this profile.

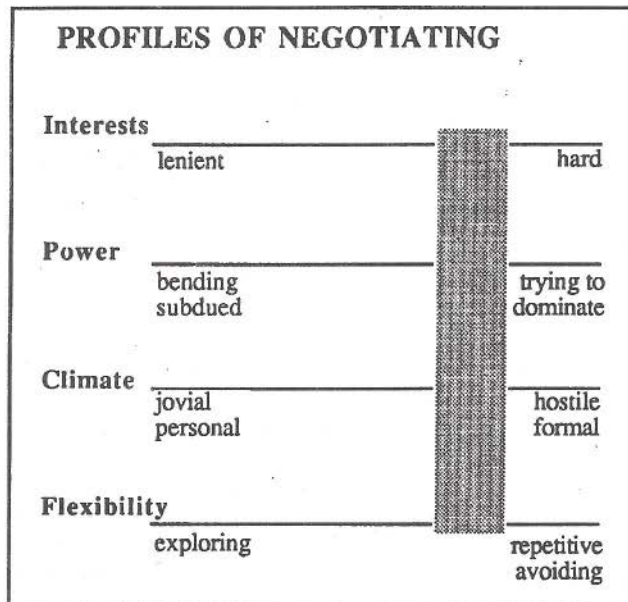


Figure 4. A competitive approach

This style results in escalation and promotes an ongoing struggle.

An alternative is to invest more in developing a climate of trust and credibility. This is easily combined with exploring behaviour. Power is no longer seen as an important issue. Again the more naive negotiator is inclined towards a certain 'contamination': He leans towards a more lenient and cooperative attitude in the area of interests as well. This profile is expressed in figure 5.

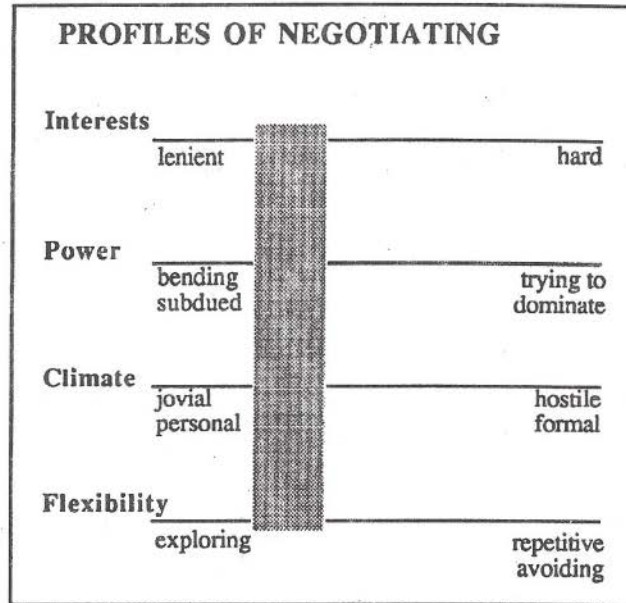


Figure 5. A cooperative approach

This style provokes exploitative behaviour. It is too easy for the other side to rake in concessions and to explain the cooperative behaviour of the other side as inevitable, given one's own well-documented, constructive claims and proposals.

To what approach does all of this lead us? Well: the negotiator who is able to differentiate the four types of activities focuses his tenacity on his substantial interests. He realizes that an atmosphere of irritation will not strengthen his position; on the contrary! Furthermore, the continuity of the relationship makes it in his own best interest to keep the relation positive and to develop trust. He also realizes that scoring points and driving others into a corner have nothing

to do with negotiating. He is aware that mutual dependence can perhaps spell advantages for all the parties involved, so he knows how to explore options and alternatives without giving in. Figure 6 expresses this mixed approach.

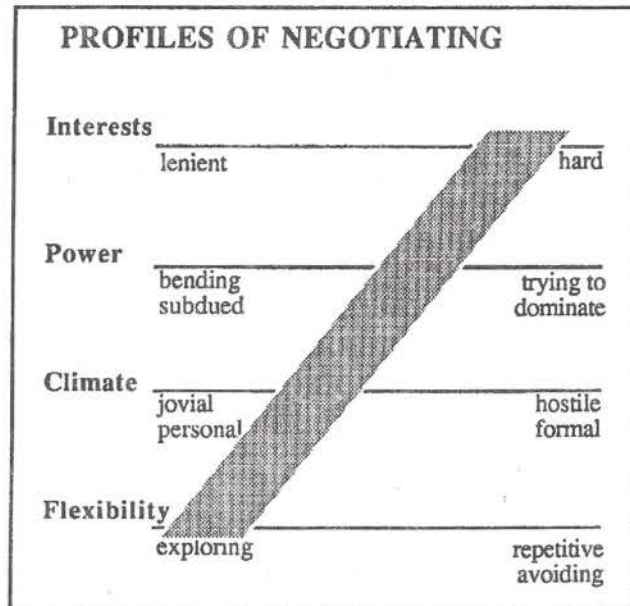


Figure 6. A mixed approach

This model is used to analyse all kinds of negotiations. It offers training recommendations and it provides clues for application in areas like preparation, mediation and influencing the power-balance (Mastenbroek, 1989). It is characterized by a specific unlinking of several relational aspects. Are there any tactics and dos and don'ts to express this unlinking? How about the following:

- Combine tenacity with tact.
- Do not confuse standing up for yourself with dominance and forcing through your views.
- Be flexible and tough.
- Separate the issue from the person.
- Building a good relation has nothing to do with subdued and yielding behaviour.
- Listening closely and listing possible solutions has nothing to do with giving in.

This mixed concept builds on the three poles as described in figure 3. By distinguishing between the interests at stake, the balance between people in terms of power and dependency, and the personal relations involved, we create leeway in our choice between aggression and cooperation. We also learn to escape from the triangle by developing explorative skills which are an alternative to avoidance and restraint. Developing this behavioural repertoire makes people more flexible. People are less driven to rigid and one-sided action. Behaviour also becomes more predictable because there is less need for sudden switches to other extremes. We are less cornered into a basic style. We have behavioural alternatives available, more differentiated and mixed. 2)

We are in fact talking about a historical development, which we repeat during our lifetime. Elias (1939) provides a penetrating description of the historical development of social standards and modes of conduct. Elsewhere I have analyzed in detail the historical development of negotiating skills (Mastenbroek, 1991).

5. Conclusion

The problem we confront is: How do we achieve a synthesis of the enormous amount of research results and practitioners tactics? To guide our research and to understand our findings we need conceptual frameworks. In our opinion these frameworks need to be of relevance to practitioners. In modern social sciences there is a tendency to use concepts beyond the wise scholarly maxim of Lewin (1945): 'Nothing is so practical as a good theory'.

Our search for promising concepts has been inspired by the development of negotiating in our history and in our individual life-time development. We therefore describe the development of negotiating skills as a growing ability to differentiate behavioural reactions and emotions. A more even and stricter curbing of affects goes hand in hand with an increasing variety in modes and nuances of conduct. Sudden switches diminish, control over emotions increases. At a certain stage this tighter control allows a loosening of restraints towards more flexible and direct interaction: a kind of 'controlled decontrolling'. The ability to differentiate into mixed patterns of actions and emotions is a powerful aid. This process is related to the historical development of increasingly dense networks in which more people become more mutually dependent on more others over longer periods of time.

Notes

1. In the social sciences the historical development perspective is not very well known. This is a serious drawback in understanding human behavior. The work of Norbert Elias, as mentioned in the references, is recommended to readers who are interested in this perspective.
2. More and more, people are forced to negotiate by changing power and dependency balances. We are compelled towards more differentiated and mixed patterns of actions and emotions (Mastenbroek, 1991; Wouters, 1990). So we see the development of this mixed style as related to the historical development of increasingly dense networks in which people experience stronger mutual dependencies. This brings us to an intriguing observation: Compared to more rigid and hostile behaviour, this style, which is more flexible, direct and informal, functions as a power resource. It provides an advantage over earlier, more formal ways of negotiating. And why shouldn't people use this if they can get away with it? In this sense, the flexible mixed style, while definitely not primarily focused on dominance and power, may become an extremely effective instrument in gaining the upper hand. Isn't this a strange paradox?

How can we deal with this? For instance, when confronted with cultural differences in negotiating styles within and between states, we need to be aware of the potentially adverse effects of a flexible mixed style. If it is not understood, people will resent the agile and suave behaviour that accompanies it. Because they are not able to counter it with equally flexible mixedness, they may feel clumsy and awkward, in some way even inferior. It may also become difficult for them to believe in the sincerity of the other side.

Another misunderstanding may arise because the mixed style appears to competitive negotiators too friendly, even weak and soft. In this way it encourages an exploitative and adversarial attitude. A brief, direct and firm reaction to the first signs of exploitative behavior is the right response.

It takes care and attention from both sides to anticipate and prevent these kinds of negative dynamics. This makes it all the more important to render our knowledge of negotiating transparent and understandable for practitioners. In this way it contributes to a better orientation and

prevents a gradual and unplanned polarization.

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