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light it for him? Yes. Why? Because the guard has done a fast cost-benefit analysis of the situation. Whatever your circumstances, chances are that you're in a better position than that prisoner tugging up his pants with his left hand. He wanted a Marlboro, and he got it. Within reason, you can get whatever you want if you're aware of your options, if you test your assumptions, if you take shrewdly calculated risks based on solid information, and if you believe you have power. The formula is almost laughably simple. Believe firmly that you have power, and you'll convey that self-confident perception to others. It is you who determine how they see, believe, and react to you. Succinctly stated, power is their perception that you can, and just might, bring about intended effects that they believe might help them or hurt them. Although power, like beauty, is strictly in the eye of the beholder... it begins with you! Speaking of power being in the eye of the beholder, remember the motion picture *The Wizard of OZ*. There's an individual who exercises a lot of power in that film: the Great, Mighty, Powerful Wizard. He has Dorothy and her friends spending much of their time doing very dangerous things as they attempt to steal the broomstick belonging to the Wicked Witch of the West. They obediently risk their lives in pursuit of this goal because they think the Wizard had power. At the end of the film, when Toto, the dog, yanks the curtain back, who does the Wizard turn out to be? Just a bumbling old codger with a smoke machine and a noisemaker. In reality the old geezer had no power, but he exercised a great deal of power because everyone was convinced he had it. Up to the unmasking, everyone else's perception was based on the Wizard's self-perception. Unlike the Wizard, you needn't prove your power; you're a seller—and so are you! The power of competition. Whenever you create competition for something that possesses, and you rush into my office and say, "Herd! I have a marvelous idea... a new concept that's really something!" If I then ask you, "Have you discussed it with anyone else?" and you reply, "Yes, a number of other supervisors," but they don't think it's worth very much," does that enhance the value of your idea in my eyes? No! Your idea is devalued because there's no competition for it. But in response to my question, you reply, "Yes... I talked it over with others at your level, and they said they'd like to hear more, because it sounds terrific!" my reaction will be: "Close the door, sit down, and tell me all about it!" because through creating competition, you've made your idea valuable and desirable. Coming in with the power of competition, is it easier to get a job when you already have one or when you don't? Of course, the answer is that it's easier to get a job when you already have one. Consider this scenario: You apply for a position. "For someone who you've been promoted for twelve years, I expect you to be a clear candidate for this position." And then you say, "What difference does it make? You could give me a dozen! I detect that you're being sarcastic here, because I lack options. I'm not sure if I have the time to consider this position, but I would like to know what you have to offer." You clearly asked this question because you're looking for alternatives. You're asking, "What difference does it make? You aren't going anywhere!" Crossfade to another scenario. You need a loan. You're concerned because, as an "average person" in today's economy, you know that you aren't the only one short of cash. Have banks pounded on your door, offering you their services? No. Finally, after much footdragging, you whip up enough courage to enter the local financial institution. Is it a good policy to hesitantly approach the bank's lending officer on bended knee and say, in effect, "Please help me. I've got to leave. Save my family from the horrors of bankruptcy. I have no collateral, and probably can't repay what you lend me, but you'll be rewarded in the next world for your generosity?" That is not an approach that works. Here's the approach to use. If you're a man, put on a gray, three-piece bank-loan suit. If you're a woman, put on a conservative-looking dress suit. Wear an expensive gold watch and a Phi Beta Kappa key if you can borrow one. Have three of your friends—your entourage—outfit themselves the same way. Walk through the bank, exuding vibrations that say, "Hi! There! I'm a top executive striding through the bank. Keep away from me with your lousy money..." I don't need it. I'm on my way to mail a letter!" Do that, and the lending officer will walk you out of the bank and breathlessly trail you halfway home. Incidentally, what I've just described is what I call *The Bert Lance Theory of Money Acquisition*. Remember Lance? He served as President Jimmy Carter's federal budget director. By using the "Keep away from me with your lousy money" ploy, he was granted \$313 loans by 41 banks; loans totaling more than twenty million dollars. Twenty million dollars! Why did banks compete with each other to lend huge sums of money to Lance? For three reasons: 1. Because other banks were lending him money, which for all practical purposes meant his credit was first-rate. 2. Because banks thought he didn't need the money. That was their perception, based on the fact that he acted blasé. He seemingly hadn't a care in the world. Lance's attitude was that he was doing banks a favor by giving them the opportunity to lend him money. 3. Most important, because he obviously had options—which he milked for all they were worth. His options were that he could borrow from any bank he wanted to, picking and choosing as he saw fit. This put banks in dog-eat-dog competition with each other to push money into his hands. When the same banks learned that Lance desperately needed these loans to pay back other loans, his sources dried up. My point is that Bert Lance perceived that he had options and capitalized on them. He cashed in on the competition he created. You should do the same whenever possible. Above all, never enter a negotiation without options. If you do, the other side will treat you lightly, as in the needing-a-job and the selling-an-idea examples I just gave you. 2. The power of legitimacy. Another source of power at your disposal is the power of legitimacy. In our society, people are conditioned to regard with awe anything printed. Printed words, documents, and signs carry authority. Most people tend not to question them. I'm telling you, flat out, that as you negotiate your way through life, legitimacy can be questioned and challenged. I'm also advising you, flat out, to use the power of legitimacy when it's advantageous and to challenge that power when it's disadvantageous for you to do so. What I've just said is so important, it's worth repeating. Legitimacy can be questioned and challenged. Use the power of legitimacy when it's advantageous for you to do so and challenge that power when it's disadvantageous for you to do so. Here's an instance of challenging the power of legitimacy: Three years ago, the Internal Revenue Service called me in to audit my tax return. During a review of my return an IRS auditor claimed, for the record, that the building should be depreciated over thirty years. I said, for the record, that it should be depreciated over twenty. Why did I take that position? Well, that's what I had on my income-tax return, and I thought it would be a good idea to be consistent during the audit. The auditor muttered, "Thirty-year depreciation?" I muttered, "Twenty-year depreciation?" With a scowl on his face, he reached into his bottom desk drawer, yanked out a book, then thumbed through its pages. "Look," he grunted, "the book says it right here: thirty years!" I stood up, walked to the rear of the desk, studied the page, and innocently asked, "Does that book mention my name? Does it indicate the location and address of my building?" He replied, "Of course not!" I countered, "Then I don't think it's my book." To emphasize my position, I pulled other books off a shelf behind him. He protested, "What are you doing?" I replied, "I'm looking for my book—the book with my name and my building in it." The auditor said, "Come on, put those back on the shelf. You can't argue with the book!" "Why not?" I asked. He made a face. "Because no one ever did it before!" I smiled. "Well... let me be the first!" Think about the book I successfully challenged. Was it a statute enacted by Congress? No. It was an IRS document, which was the product of a negotiation, drawn up by bureaucrats to interpret a regulation that was also the product of a negotiation. Since the book's position was the end result of a negotiation, the matter was negotiable. Here's an instance of using the power of legitimacy. Allen Funt's *Candid Camera* has been a popular TV show for decades. The show is based on the incredible effect legitimacy has on most people, regardless of sex, education, or background. In one episode, aired several years ago, Funt closed down the state of Delaware for an hour and a half. How? By positioning a large sign over a major expressway—a sign that simply stated: DELAWARE CLOSED. Lines of cars squealed to a halt. Vehicles pulled off the highway. Confused drivers stepped out and approached Funt, who stood beneath the sign as hidden movie cameras recorded the event. Scores blurred variations of "Hey! What's the story on Delaware?" Funt merely pointed overhead and replied, "Read the sign!" The drivers frowned, scratched their heads, then tugged their lower lips. One asked: "When do you think it'll reopen? I live there, and my family is in there." Obviously, legitimacy is extremely potent in our society. Tap in on its power. Use your head and tap in on the power of risk taking as well. 3. The power of risk taking. You must be willing to take risks while negotiating. Risk taking involves mixing courage with common sense. If you don't take calculated chances, the other side will manipulate you. As Flip Wilson said, "Before you can hit the jackpot, you have to put a coin in the machine." A man named Smith approached me during a break in one of my recent seminars and said, "Herb, I'm glad I came to this session. I have a problem. My family and I are in the process of moving, and we've found a house we're crazy about. We call it our dream house." I looked at him and said, "So?" He continued, "So... the seller wants \$150,000 and I'm only prepared to pay \$130,000. How can I get this house for \$130,000, though the seller wants \$20,000 more? Give me some negotiation tactics." I asked, "What would happen if you didn't get this dream house?" He replied, "Are you kidding? I think my wife would kill herself! I think my kids would leave home!" I then murmured, "H-m-m-m. Tell me... how do you feel about your wife and kids?" His answer was, "Come on, Herb... I love them very much! I'll do anything for them! We just have to bring the asking price down." Take a guess. Did Smith pay \$130,000 for the dream house or \$150,000? You're right, he paid \$150,000. With his attitude he's lucky he didn't pay \$160,000. That house means so much to him that he was unwilling to risk losing it. Because he cared too much (moral: Care, but never that much), he couldn't afford any uncertainty ("Maybe there's another house I could get interested in..."), uncertainty that might have caused the seller to adjust the asking price downward. He held on to the electric live wire, so to speak, and couldn't let go, because he had nothing else to grab. The result was that he paid through the nose. Remember: When you feel you have to have something, you always pay top dollar. You put yourself in a position where the other party can manipulate you with ease. Intelligent risk taking involves a knowledge of the "odds," plus a philosophical willingness to shrug your shoulders and absorb a manageable loss without whining ("That's the way the ball bounces"). Obviously, the chance of a setback is the price you must pay for any progress. When I say you should be willing to take risks, I'm not advocating that you take unfair chances that might tempt you to slash your wrists if the wheel of fortune stops at the wrong number. I am suggesting that you take moderate or incremental risks: risks you can afford without being uplifted about adverse consequences. Let me give you an example about calculating the odds, followed by a suggestion on how you can make your risks more manageable. At a particular point in one of my negotiating seminars, I stand before the group with an ordinary quarter in my hand and say, "I'm about to do the traditional coin flip. I'll flip this twenty-five cent piece just once. If you call heads or tails correctly, I'll give you a million dollars. If you call heads or tails incorrectly you have to give me a hundred thousand dollars. Assuming that this is a legitimate bet and that I'm not kidding around... how many of you in this room would take this bet?" Normally, no one raises a hand. I flip the coin, glance at it, and slide it back into my pocket. Then I comment, "Let me try to analyze what went through your minds when I made this proposition. You said to yourselves, 'This guy is giving me ten-to-one odds a fifty-fifty bet. He may know a lot about negotiation, but statistically, he isn't very bright!'" Most of the audience nods in agreement. I keep talking: "Were you thinking of winning? Were you trying to figure out what you'd do with a million dollars? Perhaps work out a tax shelter, then head for Tahiti? No. You were thinking of losing. You were thinking, 'How can I possibly scrupulously earn a hundred thousand bucks?' Right now I'm there cash lying around?" The audience is wise in not taking me up on that coin flip. The degree of risk to anyone, in such a monetary situation, is proportional to what that person already has in the way of assets. If anyone in the audience were a multimillionaire, he or she might challenge me on the gamble. J. Paul Getty or Howard Hughes wouldn't have given it a second thought. The old saying is still valid: "Money goes to money." Possession of wealth enables one to explore favorable opportunities, for the inherent risk is moderate. It's no more than bite-size. In case of loss, the wealthy person can shrug and exclaim, "How about that?" Supposing I quantitatively reduced the bet's equation? Suppose I switched from a million dollars versus a hundred thousand dollars to a more manageable hundred dollars versus ten? Would anyone in the audience take up the bet? Even if I didn't reduce the bet's equation, the risk would be the same, but the possibility of a crapshoot loss would be held at bay. Few can absorb the possible loss of a hundred thousand dollars without chewing the wallpaper. Even if I did not reduce the bet's equation, the audience can make the risk, the fifty-fifty possibility of a win or loss, a fairly uneventful, hurtless diversion. Crossfade to another scenario. You're a mom, and the other side is a crook. You spread a risk so that it's on others' shoulders as well as your own, you defend and diffuse that risk. In distributing or syndicating risks, you put yourself in the enviable position of being able to cash in on opportunities where the odds are in your favor. By getting others involved, you also expand your horizons and increase your "staying power." Whether playing poker or investing in the stock market, you're in a stronger power position if your capital is considerably larger than your opponents'. In encouraging you to take risks, I want you to take optimism or moderate risks. I don't want you to gamble or "shoot craps with destiny." Before changing anything, calculate the odds to determine whether the potential benefits are worth the possible cost of failure. Be rational, not impulsive. Never take a risk out of pride, impatience, or a desire to get it over with. 4. The power of commitment. As I've just shown, getting the commitment of a large number of people when I flip a coin enables you to spread your risk among the whole group. It lets you cash in on the favorable odds. By syndicating your risk you put yourself in a position to exploit the favorable opportunity because the risk is only moderate for you. This technique of involving others should be applied to all of life's substantial endeavors where the outcome is uncertain. For example, if you are about to embark upon a monumental, risky venture, you don't strike up to your boss, family, or associates and proclaim, "This is a big one! It's my idea! My proposal! If anything goes wrong I'll go down with it!" No. That's crazy. Rather, you walk around your office, shop, or home and remind everyone, "We're all in this together!" In short, don't crawl out alone on a limb that might be sawed off, to become either a hero today or a zero tomorrow. Persuade others to help, get them involved in the planning and decision making, and they will shoulder part of the burden. Remember, people support that which they help create. You can make the application of the power of commitment of others work for you in three ways: 1. By dispersing the overall risk, you can take advantage of propitious circumstances. 2. Since your associates share the total anxiety and lend their support, your stress level is reduced. 3. The shoulder-to-shoulder dedication of your group transmits awesome power vibrations to the other side. You see, your ability to gain the commitment of others magnifies the impact of your words and gives you power. Conversely, when the other side perceives that your team or group is "singing from different hymn books," your position is undermined as in the Sears refrigerator situation, when you, your spouse, and your offspring transmitted conflicting signals to the salesman. As a further illustration, let's assume that you and four others representing your company are about to negotiate with some people from another organization. As you approach the conference table, you assume that everyone on your side makes an unexpected concession that the other side agrees with. This generous or revealing comment from out of the blue undermines your negotiating position. Shocked, you halffively that the other side has planted a spy in your midst. You're so upset that at the first coffee break, you testily mutter to the offender, "Are you sure you're with our company? Let me see your ID, so I will know whom you work for!" What happened here was that you failed to negotiate for the commitment of every team member before entering the meeting. Moral: Always get the commitment of others in any undertaking. Have them take a piece of the action so it's their action as well as yours. Involvement begets commitment. Commitment begets power. On a broader scale, you know that when a community fails to support local police, law enforcement suffers. Banks fail if confidence in their stability wanes. Armies are useless unless soldiers believe in what they're fighting for. Vietnam was lost, not because the "best and brightest" realized their mistakes, but because commitment eroded in the jungles and at home, and national policy followed. In reality, President Richard Nixon's troop withdrawal ratified a decision that had already been made by the majority who were committed to ending the war. Returning to the fact that you need never fake your power capacity, because you have much more potential than you think; let me show you some additional sources. 5. The power of expertise. Have you ever noticed that when others perceive—or believe—that you have more technical knowledge, specialized skill, or experience than they have, they treat you with a consideration that ranges from respect to awe? I'll give you a real example and two hypothetical ones. The real example: During World War II, General George S. Patton commanded the first Allied invasion of north Africa. Patton was one of the most egotistical men of all time. He thought he knew everything about everything, from poetry to ballistics. Yet he humbly accepted every word of advice given by his flagship's navigator. Why? Because the navigator had expertise that Patton admittedly lacked. The first hypothetical example: You're redecorating your house, apartment, or condominium. You have certain wallpaper in mind, but you aren't sure it'll blend with your furniture. You hire an expensive interior decorator to dispense advice. Her work has appeared in an exclusive magazine. She tells you to use entirely different wallpaper because your selection is passe. You do so without hesitation. Why? Because for the sizeable fee she charges, you assume she has savvy and expert taste that you don't have. The second hypothetical example: You experience sharp pains in your abdomen. Your local physician refers you to a specialist in internal medicine. After giving your case history to a nurse you recall that these symptoms are similar to those you had when your gall bladder acted up three years ago. After the requisite tests and brief examination you are ushered into a room lined with certificates and diplomas (you counted fourteen while waiting). The internist arrives and issues the diagnosis: diverticulitis. A mimeographed sheet is given to you, and you are asked, "Do you have any questions?" You respond in the negative, and the next thing you realize, you're scheduling another appointment with the receptionist. Although you can't pronounce or spell your illness, you know "you got it." Why? Who could possibly question the diagnostic proclamation in view of the physical surroundings and professional credentials of the expert? Let me explain how you can use this attitude of acceptance, respect, and awe—which stems, in part, from the aura of mystery and magic that surrounded primitive witch doctors—in negotiating situations. You can tap in on the power of expertise because the same reverence for specialized knowledge is rampant today. You know, most of us rarely question the statements of tax accountants, physicians, auto mechanics, attorneys, computer specialists, stock brokers, research scientists, professors, Pentagon generals, or plumbers. Why don't we question them? Because we're somehow convinced they know more than we do about their specialties. Here's what to do if you want to present yourself as having expertise: Establish your background and credentials early in the confrontation. If you do, your statements may not even be challenged. In other words, cash in on the fact that in complicated negotiations, participants often lack specialized knowledge of certain aspects of the matter being discussed. Whenever possible, actually have the savvy others assume you have. Prepare yourself ahead of time. If the negotiation is important enough to you to win, it ought to be worth some of your time in bopping up. (Bop on subjects before you confer on them.) If you don't have the savvy, don't push your luck. Just make some incisive remarks, or drop a few choice words in the jargon of the experts, then keep your mouth shut. Above all, don't be pretentious. In today's world, where "knowledge keeps about as well as dead fish" (and even under refrigeration that's not long), it's impossible to be an expert in all areas. In general the only kind of expertise required for most negotiations is the ability to ask intelligent questions and know whether you are getting accurate responses. What if you feel you are in over your head because the other side has an expert who wrote two papers and a monograph on the subject being discussed? No problem. Use your resources (community, friends, organization, etc.) and bring in your own expert who wrote three papers, two monographs, and a book on the subject. Obviously, that will more than neutralize the other side. When you are confronted by "The Expert" on the other side of the desk or table, don't be overimpressed. Keep in mind that if they didn't need you or what you have to offer, they wouldn't be there. Train yourself to occasionally say, "I don't understand. You lost me three minutes ago." Or "Can you explain that in layman's language?" A dose of irreverence, plus a dash of innocence, when combined with polite persistence and the asking of questions, will often change the attitude and behavior of the so-called expert. 6. The power of the knowledge of "needs" in all negotiations. Suppose I quantitatively reduced the bet's equation? I switched from a million dollars versus a hundred thousand dollars to a more manageable hundred dollars versus ten? 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In encouraging you to take risks, I want you to take optimism or moderate risks. I don't want you to gamble or "shoot craps with destiny." Before changing anything, calculate the odds to determine whether the potential benefits are worth the

and-half-year lease. Do you think that this North Vietnamese attitude about time, later compounded by endless disputes over the shape of the bargaining table, had an impact on the outcome of the negotiations? Emphatically it did. In retrospect we can now understand why the Paris peace accords never successfully resolved the war—at least, to our satisfaction. In spite of their seeming devil-may-care attitude about time, the North Vietnamese did have a deadline. Take it from me, as an article of faith, that the other side—every “other side”—always has a deadline. If they didn’t have some pressure to negotiate, you would not be able to find them. But time and time again, the other side tries to act nonchalant—and the nonchalant posture is effective. It works because you feel the pressure of your own time constraints, which always appear greater than theirs. This is true in all negotiation encounters. Do you recall the Sears refrigerator salesman who returns periodically with a greeting of, “Hi, there—made up your mind?” Chances are that beneath his calm facade lies an anxiety-ridden human being whose boss told him that very morning, “If you don’t sell a refrigerator today, tomorrow you’ll be out in the elements pumping gas on an island.” Here’s another article of faith you can hang your hat on: Deadlines—your own and other people’s—are more flexible than you realize. Who gives you your deadlines? Who imposes them on you? Essentially, you yourself, in an activity called self-discipline or managing your time. Your boss, the government, a customer, or a family member may have something to do with it, but primarily your deadline is of your own making. Since this is the case, you never need blindly follow a deadline. I’m not saying you should ignore deadlines; they are invariably the products of a negotiation they might well be negotiable. Always say yourself, “What will happen if I go beyond the deadline? What is the certainty of the detriment or penalty? What is the extent of the punishment? In short, how great is the risk I’m taking?” For instance, we all know that the deadline for filing your income-tax return in the United States is April 15. What happens when you file late? Will someone pound on your door with a rifle if you drag you off for incarceration? Hardly. If you analyze this deadline, a yardstick for your behavior might be whether you owe the government money or whether the government owes you. If you are a substantial debtor who files relatively late, the Internal Revenue Service will penalize you, charging you interest and a penalty on the sum owed. However, if you compare the rate of return that the government is getting by allowing you to use their money at the rate that banks charge for a comparable loan, you’ll find that the government may be more favorable. The real question should be, “To whom do you want to give your business, the local bank at a high rate of return or the United States government at a reasonable rate?” Myself, I say, “Go with Uncle Sam!” What happens if the government owes you money and you file your return late? Although you may have to wait a little longer for the refund, there is no penalty. Why? The IRS is the one who aren’t charging them interest. Yet people who know that will have to refund coming knock themselves to get the postmark prior to April 15. Some will go up the complications of last-minute haste and end up getting to a settlement—a concession. Ask yourself, “Will I be more likely to succeed?” The answer is yes, since the more you wait, the more you will be inclined to succeed. Time may even affect a settlement arrival. A delayed arrival may be seen as evidence of confidence or hostility, whereas an early arrival may be viewed as anxiety or a lack of consideration for others. Time can favor either side, depending on the circumstances. Regardless of these interim interpretations which may affect the negotiation climate, some of the observations already made are worth repeating: 1. Since most concession behavior and settlements will occur at or even beyond the deadline, be patient. True strength often calls for the ability to sustain the tension without flight or fight. Learn to keep your automatic defense responses under control. Remain calm but keep alert for the favorable moment to act. As a general rule, patience pays. It may be that the thing to do, when you do not know what to do, is to do nothing. 2. In an adversary negotiation your best strategy is not to reveal your real deadline to the other side. Always keep in mind that since deadlines are the product of a negotiation they are more flexible than most people realize. Never blindly follow a deadline but evaluate the benefits and detriments that will ensue as you approach, or go beyond, the brink. 3. The “other side,” cool and serene as they may appear, always have a deadline. Most often, the tranquility they display outwardly masks a great deal of stress and pressure. 4. Precipitous action should be taken only when it’s guaranteed to be to your advantage. Generally speaking, you cannot achieve the best outcome quickly, you can achieve it only slowly and perseveringly. Very often as you approach the deadline a shift of power will occur, presenting a creative solution or even a turnaround by the other side. The people may not change, but with the passage of time, circumstances do. Having examined power and time, let’s move to the next ingredient: information... Some people feel the rain; others just get wet.—Roger Miller. 6. Information: Information is the heart of the matter. It can unlock the door to the vault called success. It affects our appraisal of reality and the decisions that we make. Why then do we fail to get adequate information? Because we tend to regard our negotiation encounters with people as a limited happening or an event. We seldom anticipate that we will need information until the occurrence of a crisis or a “focal event,” which creates a cascade of dysfunctional consequences. Only under emergency circumstances and a pressing deadline do we see ourselves as embarking upon a negotiation. Suddenly, we are in the boss’s office, or about to greet the Sears refrigerator salesman. Of course, obtaining information under these conditions presents enormous difficulties. In discussing time we saw how the end of a negotiation is more flexible than most people realize. Similarly, the actual starting point of a negotiation always precedes the face-to-face happening by weeks or even months. As you read this book, you are in the “process stage” of many negotiations that won’t take place for some time yet. Therefore, a negotiation—or any meaningful interaction—isn’t an event, it’s a process. If a psychiatrist declares that a patient is mentally ill on Friday, June 6, at 4:00 p.m., does that mean the patient becomes ill at that precise moment? Does it mean that the patient is perfectly normal at 3:59 p.m. and suddenly goes bananas sixty seconds later? Of course not. He or she has developed symptoms long before then. Mental illness is a process occurring over an extended period. During the actual negotiating event it is often common strategy for one or both sides to conceal their true interests, needs, and priorities. Their rationale is that information is power, particularly in situations where you cannot trust the other side fully. Old horse traders never let the seller know “which horse really interests them, because if they did the j price might go up. Of course, it would give you a big advantage if you could learn what the other side really wants, their limits, and their deadline. Your chances of getting this information from an experienced negotiator during the event in an adversary transaction are very remote. How do you gather this information? You start early, because the earlier you start, the easier it is to obtain information. You always get more information preceding an acknowledged, formal confrontation, because people willingly let their hair down before the red light glows on the TV camera, to use a figure of speech. Once the red light glows, their attitude becomes defensive. They say, “Come on... I can’t tell you anything now—it’s negotiation time!” During the information-gathering period prior to the negotiation event, you quietly and consistently probe. You do not come on like a grand inquisitor but rather as a humble human being—a regular Joe or Sally, complete with “pimples.” Some of us assume that the more intimidating or flawsless we appear to others, the more they will tell us. Actually, the opposite is true. The more confused and defenseless you seem, the more readily they will help you with information and advice. So leave your bank-loan suit home and forget the makeup: a visible pimple or two won’t hurt. With this approach you will find it easy to listen more than talk. You should prefer asking questions to giving answers. In fact you ask questions even when you think you know the answers, because by doing so, you test the credibility of the other side. From whom you glean and gather information? From anyone who works with or for the person you will meet with during the event or anyone who has dealt with them in the past. This includes secretaries, clerks, engineers, janitors, spouses, technicians, or past customers. They will willingly respond to you if you use a nonthreatening approach. In many years of negotiation, again and again people have told me rewarding things. One summer I had a job in sales, and I remember a foreman’s mentioning in an informal conversation, “Your product is the only one that passed our tests and meets our specifications,” and “Hey, Cohen! When do you think we’ll conclude next month’s negotiation? We’re running out of inventory!” Obviously I tucked all this information away and then remembered it when face to face during the actual negotiating with the purchasing manager. Realistically, it may not always be possible for you to make this direct contact with the other side’s associates. On these occasions you can make use of third parties, use the telephone, or speak with people who have negotiated with them in the past. Everyone has a track record, and you can learn from the experience of others. Another source of data is your adversary’s competitors, who may well be willing to talk to you about costs. If you, as a buyer, can gain access to the seller’s costs, you will have a tremendous bargaining advantage. This information is not as difficult to obtain as you might think, since many publications, both private (for example the automobile Blue Book) and governmental, furnish all sorts of data upon request. Remember, what you want to know going into the negotiation event is the real limits on the other side, that is, the extent beyond which they will not go. The more information you have about their financial situation, priorities, deadlines, costs, real needs, and organizational pressures, the better you can bargain. And the sooner you start to acquire these data, the easier they will be to obtain. In most instances, there’s more to gathering information than playing humbug and saying, “Help me.” Generally you have to give information in order to get some in return. You gradually give selective information for three reasons: 1. According to the Bible, it’s more blessed to give than to receive. 2. Perceptive people won’t communicate with you beyond the chit-chat level until reciprocal risks take place. They won’t share information with you until you share some commensurate information with them. To persuade someone to advance to another square, you have to advance to another square, seemingly on an even-Steven basis with their revelations. This is mutual risk-taking behavior—the deliberate building of two-way trust. 3. When you give carefully worded and controlled information during the “process stage,” you hope to lower the expectation level of the other side. This third point is especially important because if you spring something completely new during the event, the response you receive will be, “No way—I never heard of that.” If your surprise is close to the deadline you have a strong chance of deadlocking the negotiation. However, if you were to introduce the same new concept early during the “process stage,” then raise it several more times, at adroitly spaced intervals, the concept would become familiar to the other side. If this matter were now brought up during the event, the response might well be, “Oh, that’s been around for a while.” In essence it takes some time to get used to any new idea. Because it’s now familiar, it’s somehow acceptable. Don’t be surprised, therefore, when you receive the initial rejection to your new request prior to the event. “No” is a reaction, not a position. The people who react negatively to your proposal simply need time to evaluate it and adjust their thinking. With the passage of sufficient time and repeated efforts on your part, almost every “no” can be transformed into a “maybe” and eventually a “yes.” If you allow a sufficient period for acceptance time and can furnish them with the new information that they have not considered in formulating their initial “no,” you can win them over. An example of this was the American public’s initial reaction toward the impeachment of President Richard Nixon. When this idea was first raised, a survey was taken of sixteen hundred people, presumably a cross-section of the electorate. The reaction was 92 percent against, and the reasons given were: “I never heard of this before.” “Why, it would weaken the office of the presidency,” and “It would serve as a bad precedent for future generations.” Three months later another poll was taken of the same people, and those not in favor of the proposition dropped to 80 percent. After the passage of a few more months the same respondents were 68 percent against impeachment. When the final interviews were conducted, less than a year after these people were first contacted, 60 percent were for the impeachment of the president. How come all those people changed their minds? Obviously there were two reasons: 1. They had received additional information. 2. They had become used to what originally was a new idea. Remember that change and new ideas are acceptable only when presented slowly in bite-size fragments. Keep that in mind when trying to alter someone’s viewpoint, thinking, perceptions, and expectations. For most people, it’s easier and more comfortable to stay in the groove. The fact that the difference between a rut and a groove is just a matter of degree doesn’t seem to bother them. Only through perseverance can you hope to change them and implement your goals. When you finally arrive at the negotiating event, you must discipline yourself to practice effective listening techniques. If you are carefully concentrating on what’s going on, you can learn a great deal about the other side’s feelings, motivation, and real needs. Of course, attentive listening and observation mean not just hearing what is being said, but also understanding what is being omitted. People are reluctant to lie outright, but some are not hesitant to fudge, circumvent, or evade. When you begin to hear generalities, that’s your cue to start asking specific questions in order to clarify what is actually being said. The study and interpretation of cues has become very popular in recent years. A cue is a message sent indirectly through means that may be ambiguous and require interpretation. Essentially they fall into three basic categories: 1. Unintentional Cues, in which behavior or words transmit an inadvertent message (for example, the Freudian slip); 2. Verbal Cues, in which culture and language of the body as displayed in posture, facial expression, eye contact, and hand gestures, where a person sits at a conference table, who judges who or whom you should be talking to; 3. Behavioral Cues, which are the language of the body as displayed in posture, facial expression, eye contact, and hand gestures, where a person sits at a conference table, who judges who or whom you should be talking to. A husband has been away on a business trip for an extended period. He has lived elsewhere, where he has been staying with his wife, his wife has been staying with her mother. Walking back to his house, he sees his wife, who is carrying a tray with a tray of cookies. She asks him, “They’re not for me, are they?” He replies, “They’re not for me, are they?” She responds, “They’re not for me, are they?” The point is that we all live in a world where nonverbal signals are being transmitted and received. How does a wife tell a husband that tonight’s the night, when ordinarily it’s not the night? Does she write him a memo, “Re: Activities for the evening—please disregard prior schedule?” Conversely, how does a wife inform a husband that tonight’s not the night, when ordinarily it is? The latter is a more familiar occurrence for some of us. From the time we were infants, we all learned to communicate our needs, likes, and dislikes to others without resorting to words. This ability has remained with us, and it often appears in the form of a raised eyebrow, a smile, a touch, a scowl, a wink, or a reluctance to make eye contact during a conversation. These actions are all behavioral cues, or a form of body language. People have become fascinated with the art of sending and decoding nonverbal messages (reading behavioral cues), as evidenced by the growing number of published writings and lectures on the subject. Authorities have even given legitimacy to this field by labeling it the science of proxemics—the study of space and the movement of people within it. As for the value of this wordless language in negotiation, it is definitely limited. The interpretation of most body language is obvious; nevertheless, it may be misleading to ascribe some universal meaning to an isolated gesture, regardless of the circumstances. Here’s an example of a situation in which the interpretation is rather obvious. Because of an unexpected early-morning errand, you get a delayed start for work. Arriving out of breath, you notice that the boss is sitting at your desk. As you approach, he leans back in your chair, puts his hands behind his head, and spreads his elbows wide. With his eyes on the wall clock he casually remarks, “Do you know what time it is?” Assuming that the boss can tell time, you don’t have to be an expert to know what’s going on. As for trying to catalog and give meaning to each and every body gesture, the following example should suffice. Assume that you are trying to sell me a service and, in the middle of the sales pitch I begin to stroke my chin with my thumb and forefinger. What does that mean? Have I decided to buy or not? I don’t think anyone has any idea what it means. Freud wouldn’t have known what it meant. It may indicate that I have a pimple, that I’m trying to cover my double chin, or that I have a neuromuscular habit that I’m unaware of. Although I’m saying that trying to interpret one single cue in isolation is a waste of time, a sensitivity to what is really being communicated is important. If some people have become paranoid about picking up on nonverbal vibes, more people are completely literal. These are the audio-visual types who believe only what they can see and hear. Invariably they say things like, “Let’s put it in writing,” “Around here we go by the book,” and finally, “Why am I the last to know?” When literalists see the “handwriting on the wall,” they don’t even read the message but closely examine the penmanship. To paraphrase H. L. Mencken, a literalist is one who, upon observing that a rose smells better than a cabbage, concludes that it will also make better soup. As a negotiator, you must be sensitive to the nonverbal factors in any communication. Even Saint Paul advised, “The letter kills, but the spirit gives life.” So during the negotiation event, force yourself to step back so you can listen with your “third eye.” This detachment will enable you to hear the words in their proper nonverbal context and enable you to see the pattern. In negotiation, cues are meaningful if they are part of a cluster and indicate the direction of movement. To show the significance of cues if they are seen as a part of a pattern, I give you this case in point. Let’s say you are trying to sell an idea to your boss. As you start your explanation, you’re aware that the boss is staring out the window at a telephone pole. That’s a cue that, in and of itself, may mean nothing, like my rubbing my chin, you continue your discourse. Now the boss leans back in his chair, constructs a steeple with his fingers, and squints at you through the steeple. That’s another cue. But in conjunction with the first cue, it may be meaningful. Nevertheless, you continue to pitch away. The boss starts drumming his desk-top with his left index finger. That’s another cue, continuing to form a pattern with the preceding two. Does he mean “keep up the good work”? You’re doing fine! Hardly. A literalist would probably think, “Hey, my boss has got a Latin American beat!” Now the boss stands up, puts his arm around your shoulders, and begins to edge you toward the door. That’s still another cue. If you’re halfway perceptive, the cue pattern is glaringly observable. (A literalist would ask himself, “What’s the story? Why this sudden affection? What’s this person trying to pull? I thought he had a family!”) But it is to be hoped that you aren’t a literalist. By this time you’re at the door, the boss’s eyes are opaque, and he’s nodding goodbye. I’m obviously exaggerating here, but my point is that the big advantage in reading cues is that in a cluster they furnish feedback concerning how you are progressing toward your goal. If the pattern is not to your liking, you can use your lead time (before you get to the door) to make the necessary adjustments. How can we apply all this to a negotiating situation? The key piece of information that any negotiator would like to have about the other party is their real limits or just how much they will sacrifice to make this deal. In other words, what is the lowest price that the seller will sell for, or what is the absolute top figure that the buyer will pay? Very often this can be ascertained by observing the pattern of concession behavior on the part of the other side. Suppose that I’m negotiating with you to purchase some of your stereo equipment that contains advanced technology new in the marketplace. Let’s say for the sake of argument that all I have in my budget is \$1,500. Since your product is new, you would like to get as much as you can to test what the customer demand might be for this sophisticated technology. If my first offer to you is \$1,000, and my next offer is \$1,400, how much money will you have in my budget? If our relationship is that of adversaries with little trust, you may well anticipate that I actually have \$1,600, \$1,800, or even \$2,000 to spend. Why? Because the increment between \$1,000 and \$1,400 is so great that you probably will expect that I have more than \$1,500. And it happens to be true, you are not likely to believe me in a perceived competitive transaction. This is valid because we all tend to disregard the protestations of the other side. Our experience teaches us that the increments of concession behavior are the most accurate barometer of the true limits of authorization. Accordingly, if the environment for negotiations is competitive, you see me as an adversary, and in order to achieve a collaborative result, I will have to play the competitive game. In this climate here’s how I should let you know that \$1,500 is my ceiling. I make an initial offer of \$900, which you reject. My next tender is \$1,200. Then I extend myself to \$1,350. After some delay I go to \$1,425. The next advance is to a reluctant \$1,433.62. It is easier to get you to believe I have \$1,500 this way, because I have steadily decreased the increments instead of acting like a drunken sailor. Creeping upward as I just did is known as playing the “monetary-increment game.” Some of you reading this book who are disciples of Howard Cosell may say, “I don’t like to play games. Why can’t I just tell it like it is?” Certainly that’s your prerogative, but remember that in order to achieve a collaborative result in a competitive environment, you have to play the game. If you don’t want to do this, you have an alternative. You can change the climate of our relationship to build trust between us. To the extent that you are successful, you can minimize the gaming. My point is merely that you take your reality as it actually is and must always operate in accordance with reality. So to repeat: To achieve a collaborative result in an adversary environment, you have to play the competitive game. This brings to mind an amusing experience I had with someone who didn’t play the “monetary-increment game.” I have a neighbor who’s a medical doctor, a “professional person.” (The definition of a professional person is someone who likes to make money but not to talk about it.) When his home sustained storm damage, he rang my front-door bell and said, “Herb, do me a favor, will you? A claims adjuster is coming over to haggle about money. You deal with this sort of thing all the time. Would you mind talking to him for me?” I said, “Sure, I’d be glad to. How much would you like to get?” He replied, “See if the insurance company will pay \$300, okay?” I nodded, then asked, “Tell me, what did the storm cost you out of pocket?” He replied, “Lost more than \$300—that’s for sure!” I said, “All right, what if I can get you \$350?” He said, “Oh, \$350 would be fantastic!” What I had done was to get his commitment to an objective in order to avoid the possibility of Monday-morning quarterbacking on his part. A half hour later, the claims adjuster rang my doorbell. When I ushered him into my living room, he opened his attaché case and said, “Mr. Cohen, I know a person like you is accustomed to dealing with big numbers. I’m afraid I don’t have much for you here. How would you feel about a first offer of only \$100?” I was silent for a moment, but the blood drained from my face. You see, I’ve been programmed and conditioned to respond to all first offers by blushing the equivalent of, “Are you out of your cotton-picking mind? Are you crazy?” I can’t accept that! Besides, I learned in early puberty that a first offer always implies a second and maybe even a third. Moreover, when he uses the word “only,” it means that he himself is embarrassed in mentioning such a paltry sum, so how am I supposed to feel the recipient of such an offer? After I snorted my disbelief, the adjuster muttered, “All right, I’m sorry. Forget what I just said.” Besides, I’m not that type of negotiator. What does that mean? Herb wouldn’t have known what it meant. It may indicate that I have a pimple, that I’m trying to cover my double chin, or that I have a neuromuscular habit that I’m unaware of. Although I’m saying that trying to interpret one single cue in isolation is a waste of time, a sensitivity to what is really being communicated is important. If some people have become paranoid about picking up on nonverbal vibes, more people are completely literal. 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By this time you’re at the door, the boss’s eyes are opaque, and he’s nodding goodbye. I’m obviously exaggerating here, but my point is that the big advantage in reading cues is that in a cluster they furnish feedback concerning how you are progressing toward your goal. To the extent that you are successful, you can minimize the gaming. My point is merely that you take your reality as it actually is and must always operate in accordance with reality. So to repeat: To achieve a collaborative result in an adversary environment, you have to play the competitive game. This brings to mind an amusing experience I had with someone who didn’t play the “monetary-increment game.” I have a neighbor who’s a medical doctor, a “professional person.” (The definition of a professional person is someone who likes to make money but not to talk about it.) When his home sustained storm damage, he rang my front-door bell and said, “Herb, do me a favor, will you? A claims adjuster is coming over to haggle about money. You deal with this sort of thing all the time. Would you mind talking to him for me?” I said, “Sure, I’d be glad to. How much would you like to get?” He replied, “See if the insurance company will pay \$300, okay?” I nodded,



selling price, and we'll consider it." The mine owner remained adamant at \$26 million. In the ensuing months the buyer offered \$18 million, \$20 million, \$21 million, and \$21V2 million, but the seller refused to budge. Stalemated, neither side moved. The situation? A \$21V2 million offer against a \$26 million demand. As I stated before, it is almost impossible to creatively negotiate only conclusions. Since you have no information about needs, it is difficult to restructure or reshape the package. Perplexed as to why the owner wouldn't accept what appeared to be a fair offer, I had dinner with him evening after evening. Each time we ate, I explained how reasonable the company was in making their current offer. The seller was usually taciturn or changed the subject. One night in responding to my regular pitch, he commented, "You know, my brother got \$25V2 million and some extras for his mine." "Aha!" I thought. "That's the reason he's locked in on that particular number. He's got other needs that we are apparently neglecting." With that insight, I huddled with the corporate executives involved and said, "Let's find out exactly what his brother received. Then we can reshape and repack our proposal. Apparently, we are dealing with important personal needs that have little to do with pure market value." The corporate officials concurred, and we proceeded along those lines. Shortly thereafter, the negotiation was concluded. The final price fell well within the corporate budget, but the payments and extras were such that the owner felt he had done much better than his brother. B. Visceral opponents We have observed that idea opponents can be addressed on an intellectual level with factual and descriptive comments. In this climate, despite the difference in initial viewpoints of the parties, creative problem solving takes place. A visceral this is not a fruitful environmental adversary who not only disagrees with you as a human being, may even attribute sinister or nefarious motives to the position you take. In this climate, there is inordinate stress, judgments are formed, and scorekeeping takes place. Those who disagree with you as a human being, they tend to stay with you for a long time, for they are difficult to convert. All the logic, ideas, and evidence you marshal will not be enough. So try not to bring them into the first place. Avoid producing a visceral opponent the way you would a contagious disease. The next obvious question is how you make (or transform) someone into a visceral opponent. Attacking "face" is what causes someone to become an emotional enemy. Face sense is who I want others to think I am. It's how a person wants to be seen publicly. When I am concerned with my saving face after a difficult negotiation, I want to make sure that the stature I have always projected in terms of prestige, worth, dignity, and respect will not be diminished. Self-image, on the other hand, is concerned with how a person sees himself in the privacy of his own head. It is who you think you are. The concept is that you alone have control of yourself, your abilities, your value, and your role. The two concepts overlap, but only slightly. Briefly, those that can be distinguished if we refer to one's public self-image. For the sake of further clarification, let's say I'm a professional designer who is currently performing poorly at your firm, and I quit. This is a negative self-image associated with my work. Now let's assume that due to a public meeting or in one of your meetings, I make a major blunder and callously drop a pencil, a chair, and a lamp. Although your self-image would reflect my changes as totally unsatisfactory, you will sustain loss of face and wounded pride. At this point you probably will start keeping score, saying to yourself, "That's one, two, or three I owe that creep." Supposing I were to visit you the next day, begging your forgiveness for my temporary derangement? Chances are that my apology would not be accepted. Not only does wounded pride produce a tenacious enemy, but the onslaught was made in public, and I'm trying to make amends in private. People will go to extreme lengths to avoid loss of face. We all display a remarkable ability to protect ourselves in such situations, from distortion and rationalization to blocking out the episode entirely. In the words of a song that was popular some time ago, "What is too painful to remember, we simply choose to forget." Ten years ago, I was acquainted with an executive who was unexpectedly fired by his organization after many years of faithful service. He never informed his family or friends of his discharge. Every morning at the usual time, carrying his briefcase, he boarded the train at his suburban station and was transported into Manhattan. Thereafter, he spent endless days in the motion picture houses in Times Square or at the public library, waiting until it was time to catch his regular train home. It was almost two months before the male heloise world he concocted came apart, when his uniformed wife made an unforeseen phone call to the office. The story is tragic, but it points out the incredible illusions that we are all capable of putting in place to protect our stature in the eyes of the people we care about. In reading the plays of Eugene O'Neill and Tennessee Williams, you will find that this is a recurring theme—the maintenance of make-believe and pipe dreams to protect "face" sense. Keeping in mind the desperate and irrational behavior that individuals may employ to save face, we must avoid any possible public embarrassment to the people with whom we deal. You must train yourself to speak honestly to idea opponents without offending face sense. You must be able to make your point and present your case without making a visceral enemy. You must always keep in mind the physical law that "for every action there is a reaction." The gist of this was verbalized by Bernard Baruch when he said, "Two things are bad for the heart—running up stairs and running down people." Emphasizing the consequences and risks involved in making a visceral opponent, two instances come to mind: The first involves a supervisor named Kate, a competent employee of a large corporation that has an "open-door policy." This doctrine means that if employees believe they have a grievance that is not being rectified by the boss, they have the right of appeal. In effect, they can go over their boss's head and even to the president if necessary. Kate had just cause to believe she was being mistreated by her boss, and after pursuing the matter locally and getting nowhere, she decided to exercise her rights. She wrote a letter to the president and was flown to the corporate office at the company's expense. There, she met with the division vice-president, who was two levels above her boss in the hierarchy. When the facts of the case were laid out, Kate's immediate boss looked bad. One week after her return, Kate was summoned to see her boss and his boss. In this session, her boss admitted the error of his ways, promised to rectify her complaint, and asked forgiveness. Thereafter, the matter was resolved to her satisfaction, but the relationship with her superior was never the same. For starters, he began to point out her mistakes publicly. He kept a written record of her arrival and departure times. In the months that followed, there were minor slights at staff meetings and informational memos that were not received in time for her to make plans and take action. Although she obtained a raise, it was somewhat less than she expected. Ten months after the "open door" episode, Kate got the message and left "captivity" for a new position that she described to me as "all milk and honey." The second incident concerns Vince, a social-science teacher and a longtime baseball coach at a metropolitan high school. Because of changing demographics and a minor tax revolt in their district, the principal called a meeting of the entire faculty to discuss where the budget cuts would have to be made. She had an elaborate slide presentation in which her conclusions flowed naturally from the comprehensive data presented. At the conclusion, as she gathered the slides and placed them in her briefcase, she asked the rhetorical question, "Do any of you have any comments?" At this point, Vince took the unintended bait and pointed out several errors in logic that had been made in selecting the statistics shown. Elaborating further, he made a convincing argument that the principal's conclusions and action plan could not be supported by the evidence she presented. These statements were particularly telling to this principal, who had an advanced degree in mathematics and who always quoted Michelangelo's "trifles make perfection, but perfection itself is no trifles." Nothing was ever said to him about this brief interlude in his long professional career. However, the next semester Vince was asked to coach soccer instead of baseball, and one year later he was transferred to another high school a greater distance from his home. As far as I know, Vince is still making the long commute to work. Regarding his career, you might say it's currently stalled. On the road to success, he's parked on the shoulder. These two cases point out the chances you are taking when you expose someone to ridicule in front of others. Even when you are right, shun all opportunities to humiliate people—at least in public. Remember this, not only for them, but for yourself as well. Ultimately, the avoidance of visceral opposition is the avoidance of mutual dissatisfaction. How can you ensure that you do not make visceral opponents? My two rules are stated in terse negative terms: 1. Never forget the power of your attitude. You will recall that I said earlier that negotiation, whether at work or at home, is a game—"Care, but don't care that much." Even if you have just cause to retaliate, restrain yourself. Remember, the provocative act by itself rarely upsets you; rather, it's the view that you take of it that rankles. No one and nothing can irritate you without your consent. Thomas Jefferson was alluding to this demeanor when he said, "Nothing gives a person so much advantage over another as to remain always cool and unruffled under all circumstances." Keep saying to yourself over and over, "It's a game. It's the world of illusion. A tactic perceived is no tactic. I care, but not that much." 2. Never judge the actions and motives of others. Since you cannot look into someone's heart or mind, it would seem absurd to believe that you might know what impels or propels them. Many times even they don't know. Furthermore, should you evaluate the information given to you too soon, the speaker may either wind down or clam up. For example, a child arrives home one evening and casually remarks to his parents, "Hey Mom, Dad, you know what? I've just been offered a marijuana cigarette!" "You what?" The parents shout in unison, startling their child with the vehemence of their response. Unconsciously, the child lurches backward, and a pregnant pause ensues. Now I ask you, how candid and open will this discussion be? Forget this particular confrontation, what about the future? Will this offspring come back to these parents with more information of this type in the months and years ahead? I doubt it. Why? Because children are sufficiently bright to know that there's no percentage in approaching parents with one problem and leaving with two problems. Should you operate this way in your home or at work, you dry up your sources of information, and your ability to negotiate the commitment of others becomes greatly impaired. Perhaps this type of parental outburst is extreme; yet the same kind of negative judgment is often rendered in more familiar ways by the language we use and the cues that accompany it. To illustrate: Example 1 A parent walks into their child's room and says, "This place looks like a pig sty—oink—oink." Example 2 A spouse comments to their mate, "You don't give a damn about me! Can't you learn how to scrape the food off your plate before you dump it in the sink?" Example 3 An exasperated parent shouts to their child, "That zoo music you're blasting on the stereo is so loud, it's polluting the entire neighborhood." Example 4 A negotiator turns to an opponent across the table and remarks, "Your analysis of these data and the way you are figuring the costs are all wrong." It should be evident that in all four of these examples the speaker is acting out the role of judge. In each instance, an evaluation is being made of another's life values, consideration, integrity, and compassion. By no means am I suggesting that you can transform a member of your family into a visceral opponent with a commonplace harangue. What I am saying is that such public utterances can offend and do affect face sense. Moreover, these speech habits are hard to break, and they can carry over to other dealings where trust has not yet been established and the sensitivity is greater. The elimination of this potential problem is very simple. All that has to be done is the substitution of the word "I" instead of "you" in all these messages. By making use of "I" or "me" you can express your personal feelings, reactions, and needs without sitting in judgment. Here's the how the four examples would read with the incorporation of this simple change: Example 1 "When this room is not tidy I feel depressed, frustrated, and upset." Example 2 "I find that when the food is scraped from the plates it takes me half the time to clean up after a meal. This is important to me, since I hate washing dishes." Example 3 "I am bothered by loud music. I am tired and upright, and that music is making me irritable." Example 4 "I must look at date differently than you. I feel that... . We have been saying that some opposition is essential because it results in growth and progress. All progress is derived from opponents—those who are dissatisfied with the status quo. It is these people with their different ideas and ways who generate the required tension that leads to creative solutions and new possibilities—the very foundation of progress. So, cherish your idea opponents as potential allies. Give them your views with sincerity and persistence, without letting your self-esteem ride on the outcome. Though some tension will of course exist, it should be drained of emotional content so that idea opponents are never transformed into visceral opponents. As you have come to share the concepts and ideas presented in this chapter you can see that I am not talking about a come-on or con game. In a collaborative negotiation, there's no need for conniving, intimidating, fast talking, manipulating, huffing, or wheeling and dealing. On the contrary, I am suggesting a strategy that is oriented toward building and maintaining a continuing relationship. The trusting parties are equals who direct their energies toward solving problems for their mutual benefit. They create a climate of confidence, where the needs of both sides can be fully satisfied and their positions enhanced. The compromise solution Unfortunately, many negotiators think that compromise is synonymous with collaboration. It is not. By its very definition, compromise results in an agreement in which each side gives up something it really wanted. It is an outcome where no one fully meets his or her needs. The strategy of compromise rests on the faulty premise that your needs and mine are always in opposition. And so it is never possible for mutual satisfaction to be achieved. Acting upon this assumption, each of us starts out making an outlandish demand, so that the pressure builds on both of us to lay aside our differences for the sake of society as a whole, we compromise at a midpoint between our extreme positions. This solution is accepted to avoid a deadlock, but neither of us is really satisfied. Our needs frustrated, we find some solace in reciting old bromides and clichés. "Half a loaf is better than none," or "Give a little, get a little," or "A good negotiation outcome is one where both sides are somewhat dissatisfied." Needless to say, neither of us feels much obligation to support this arrangement, which has not given either side what it really wanted. If we were to apply the compromise formula literally to some of the negotiations dilemmas the solutions would be ridiculous. Let me show you what I mean with the following simple anecdotes: Vignette 1 Two graduate students from Seattle, Washington, decide to spend their winter vacation together. He wants to go to Las Vegas, and her preference is Taos, New Mexico. All we know is that each of them has independently arrived at their conclusion. Let's assume that we can use only the two geographic extremes of Las Vegas and Taos as the starting point for a compromise. If we were to apply the compromise formula in a collaborative manner, a location could be selected that would result in a mutually satisfying trip. For those of you who are skeptics, if his needs are genuinely bigamous, entertainment, and hers needs are downhill skiing and fresh air, options such as Lake Tahoe and Steamboat Valley for both of them to get exactly what they want. Vignette 2 Recently, I ran across an interesting story dealing with compromise. It was told to me by a friend, who is affectionately known as Big Buddha, "the enlightened ones." He goes by this moniker because he once left his wife and infant son to devote himself wholeheartedly to the search for truth. In his case, the noble quest lasted twenty-two hours, but the nickname remained. Big Buddha recounted a dispute that his two teenage sons had at the conclusion of a Sunday family dinner. The object of their conflict was a leftover baked Idaho potato—not a very big issue in the scheme of things. Each son contended that his claim was superior, and the disagreement intensified. Playing the role of patriarch, but without getting any information, my friend made the decision for them. In the Buddhist tradition of "middle way," he cut the potato in half and divided it between the sibling rivals. Satisfied with his solution, he adjourned to the living room for serenity of soul—or nirvana via TV. Later that evening, Big Buddha was advised that his "perfect compromise" had to be renegotiated. It seemed that one son wanted only the skin, whereas his brother desired merely the soft inside of the potato. Obviously, their needs were not in opposition, and the best solution was not a symmetrical compromise. Vignette 3 As a youngster I shared a bedroom with my older sister. Although the age difference was slight, in intellect and maturity, she viewed me from across the great divide. Her serious academic and cultural pursuits contrasted sharply with my activities of closely monitoring the radio adventures of Jack Armstrong and The Shadow. Because of these dissimilar interests and the limited resource of one bedroom between us, we frequently had conflict over what constituted disturbing and inconsiderate behavior. For months, there were attempts to compromise by "splitting the difference" in our divergent viewpoints or practicing "share and share alike." Even with written schedules and agreements plus parental mediation, the controversy persisted. Ultimately the matter was resolved when both came to recognize that considerable time and energy were being wasted as we maneuvered and positioned ourselves for the next mathematical compromise. With recognition of a common interest in solving the problem for our mutual benefit, we were able to think beyond the obvious physical resources of space, hours, and materials. The satisfying solution that met both of our needs was the purchase of earphones for the radio. Thereafter, I was able to use the radio whenever I chose without disturbing my sister. Chief among the benefits of this solution was that I was listening at the very moment that Kellogg's announced "a once-in-a-lifetime opportunity to send for a Junior G-man Card." In retrospect, this may have been a crucial turning point in my life. As these examples show, the use of a "statistical compromise formula" will not necessarily result in the successful resolution of conflict. If such an approach is employed "across the board," it causes an increase in game playing, accompanied by now familiar tactical maneuvers, ultimatums, and self-centered adversary behavior. Therefore, you must recognize that once in a while, to be truly effective, you will have to compromise, accommodate, persuade, compete, and even be prepared to walk away. However, where your relationship with the other side is continuing, you should strive at the outset for a solution that is not just acceptable, but is mutually satisfying. Should circumstances warrant, you may need to alter the course of your initial collaboration to display more accommodation or even competition. Much like a great chess master, a winning negotiator needs to know every possible strategy from the opening gambit to the end-game play. Then he can enter the event with confidence that he is prepared for every possible eventuality that might occur. Nonetheless, he strives for the best outcome that can give everyone what he wants. And he knows that compromise may be acceptable, but it's not mutually satisfying. It's a back-up, a concluding strategy that he may ultimately have to use to avoid the consequence of a deadlock. Throughout this chapter, the point has been made that your winning in negotiations does not require someone to lose. Winning means managing the outcome by seeing your reality clear and being able to react with the appropriate strategy. Winning means fulfilling your needs while being consistent with your beliefs and values. Winning means finding out what the other side really wants and showing them a way to get it while you get what you want. And it's possible for both sides to get what they want, because no two people are identical in terms of likes or dislikes. Each of us is trying to satisfy our needs, but those needs, like our fingerprints, are different. Ironically as I try to get what I want, only a part of my satisfaction will be derived from acquiring the product, service, right, or thing—the what that I am bargaining for. To a much greater extent, my satisfaction will result from the process itself—the how of the bargaining encounter. Remember the couple that purchased an antique clock and the way I secured a newspaper in the Miracle on 54th Street? In these episodes, the nature of the process was that it was fulfilled needs and determined satisfaction. It is this individual and the meeting of needs through the process itself that causes us all to do silly things. Have you ever observed people returning from a tropical winter vacation? Away for just two weeks, they stand in a customs line at a northern airport. They are wearing Hawaiian shirts and muumuu, holding huge sombreros, or carrying stuffed alligators. Whenever I see them, I start to smile. But then, I recall that I myself am the owner of a Mexican serape! Do you know what a serape is? It's a shawl, a poncho, a bright-colored woolen blanket that Mexicans wear slung over their shoulders. More than that, most serapes are sold for exorbitant prices to gringos who come down from the north. Before I tell you about the circumstances of my purchase, let me furnish you with some insight into my background and needs. From the time I was a little boy, I can honestly say I never wanted a serape. I never coveted, craved, or desired a serape. In my wildest fantasy, I never saw myself with a serape. I could have lived my entire life without a serape and looked back and said, "You know, it was a good life." That being the case, how did this need—a need that I never had—I develop and get satisfied? Seven years ago, my wife and I went to Mexico City. We were walking about, when she suddenly tugged my elbow and said, "Hark! You'd see lights!" (She speaks that way, you know.) I grunted, "Oh no—I'm not going over there. That's the crass commercial section for tourists. I didn't come all the way for that. I came here to pick up the flavor of a different culture... to experience the unexpected... to get in touch with unspoiled humanity... to experience the authentic... to move through the streets with the ebb and flow. If you want to wallow in commercialism, go ahead. I'll meet you at the hotel." 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That's the crass commercial section for tourists. I didn't come all the way for that. I came here to pick up the flavor of a different culture... to experience the unexpected... to get in touch with unspoiled humanity... to experience the authentic... to move through the streets with the ebb and flow. If you want to wallow in commercialism, go ahead. I'll meet you at the hotel." My wife, unconvinced and independent, she viewed me from across the great divide. Her serious academic and cultural pursuits contrasted sharply with my activities of closely monitoring the radio adventures of Jack Armstrong and The Shadow. Because of these dissimilar interests and the limited resource of one bedroom between us, we frequently had conflict over what constituted disturbing and inconsiderate behavior. For months, there were attempts to compromise by "splitting the difference" in our divergent viewpoints or practicing "share and share alike." Even with written schedules and agreements plus parental mediation, the controversy persisted. Ultimately the matter was resolved when both came to recognize that considerable time and energy were being wasted as we maneuvered and positioned ourselves for the next mathematical compromise. With recognition of a common interest in solving the problem for our mutual benefit, we were able to think beyond the obvious physical resources of space, hours, and materials. The satisfying solution that met both of our needs was the purchase of earphones for the radio. Thereafter, I was able to use the radio whenever I chose without disturbing my sister. Chief among the benefits of this solution was that I was listening at the very moment that Kellogg's announced "a once-in-a-lifetime opportunity to send for a Junior G-man Card." In retrospect, this may have been a crucial turning point in my life. As these examples show, the use of a "statistical compromise formula" will not necessarily result in the successful resolution of conflict. If such an approach is employed "across the board," it causes an increase in game playing, accompanied by now familiar tactical maneuvers, ultimatums, and self-centered adversary behavior. Therefore, you must recognize that once in a while, to be truly effective, you will have to compromise, accommodate, persuade, compete, and even be prepared to walk away. However, where your relationship with the other side is continuing, you should strive at the outset for a solution that is not just acceptable, but is mutually satisfying. Should circumstances warrant, you may need to alter the course of your initial collaboration to display more accommodation or even competition. Much like a great chess master, a winning negotiator needs to know every possible strategy from the opening gambit to the end-game play. Then he can enter the event with confidence that he is prepared for every possible eventuality that might occur. Nonetheless, he strives for the best outcome that can give everyone what he wants. And he knows that compromise may be acceptable, but it's not mutually satisfying. It's a back-up, a concluding strategy that he may ultimately have

dollars!" you exclaim. "That's unbelievable! I'll have to write out a check." "Sorry," says the clerk. "This store doesn't accept checks." Let's freeze the frame. Why doesn't this hardware store accept checks? At one time it did, but it was burned. Three percent of the checks it received bounced. Universalizing from that three percent, the proprietor adopted a new store policy. Frowning like Scrooge, he proclaimed to those at the cash registers, "Don't accept checks, ever!" That's why the clerks at the cash registers unthinkingly obey this iron-clad rule, making no exceptions. And then you show up. "You have to accept my check," you state. "Otherwise, I won't be able to move into the cottage I've rented." "Sorry," repeats the clerk. "I have my orders." "Who gave you those orders?" you ask. "The owner," he replies. "I want to speak to him," you say. The proprietor appears. "What's the story?" he asks. "I need these tools and parts," you answer, "and your clerk won't accept a check." He stares at the shopping cart. "How much does all that come to?" "Eighty-four dollars," you reply. "You don't have the cash?" he asks. "No, but my credit's first-rate. I bank at the State National in Middletown." Let's stop the action again. Are you in a good bargaining position, despite store policy? Yes. The best time to negotiate for acceptance of a check is after you've used a store's services. The proprietor is staring at the eighty-four dollars' worth of parts and tools in your shopping cart. He's thinking, "Oh, my God, if this meatball says, 'Forget it!' and walks out the front door in a huff, I have to take all these items, one by one, and put them back on the shelves. That'll take forever!" Will he accept your check? Yes, if you show him proper identification, then give him your bank's phone number, as well as the phone number of the outfit you work for. Remember: In most instances, an order-enforcing subordinate is simply a mouthpiece, acting in a robotlike manner. Sidestep 1 robots. Negate any policy that's detrimental to your interests by taking a step upward. The person who gives the policy, can also take it away. Afford law givers a chance to amend their policy in light of your particular situation. Often, they are grateful for this opportunity. Here's the fifth "moving up" example. Your youngest son, who's in seventh grade, is having a terrible time with mathematics. It isn't that he's not bright: He's a crackerjack at English. But he can't seem to grasp anything quantifiable. Why? His mathematics teacher humiliated him in front of classmates because he failed to show up for special help after school when ordered to do so. Now he has a mental block regarding numbers. That's bad enough. What's worse is that if this teacher doesn't give him a begrudging nod, your son won't advance into eighth grade. The boy's hypersensitive. It would wipe out his psyche. How do you negotiate your kid into eighth grade? Obviously, I am assuming that this outcome is just and beneficial to all parties concerned. It's crucial that you confront the math teacher before he actually gives and records the flunking grade. for the year. Once a grade is on the school's records, it's almost set in concrete, so to speak. This presupposes that your child confides in you regarding his predicament. You must have a good relationship with your offspring—a relationship of mutual trust, based on acceptance of each other's shortcomings. It's also crucial that you see the math teacher in person. Don't negotiate with him on the phone. Saying no on the phone is easy. Being unreasonable on the phone is easy. Saying no and being unreasonable face to face is something else again. When you huddle with the teacher, personalize like mad. Make sure he favorably perceives you, and your needs, with every one of his nerve endings. If that doesn't work, immediately appeal to the next level in the school system's hierarchy. Keep climbing the ladder, if need be, till you closet yourself with the superintendent of schools. Normally, the superintendent of schools will be much more understanding of the stalemate than will the math teacher. Why? Because the superintendent is intensely political. He or she perceives you, not only as a complaining, concerned parent, but as a taxpayer—a taxpayer who can address the school board at its next meeting, along with fellow disgruntled parents, and initiate a mass movement to reduce school taxes. That remote possibility, and the possibility of concurrent negative publicity, makes the superintendent shudder. Will your son pass into eighth grade? Yes—if you move fast. The higher you go in any administrative pyramid, the better off you are. Those in the rarefied air of the higher altitudes are more flexible and pragmatic than those at the bottom of the pyramid. They're more willing to flex so-called unbendable rules. A final word about moving up. In





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