

How to stop negotiation 'tricksters'



Negotiation strategies

■ Raphael E. Lapin

You are negotiating and doing everything right, listening well, communicating effectively and asking all the right questions. You are attempting to collaborate and search for a mutually satisfying solution. Yet an uncomfortable feeling seizes you as agreement seems tantalizingly out of reach. Suddenly you realize that you are face-to-face with a "negotiation trickster."

While your approach to negotiation is authentic and genuine, his is based on tactics and tricks. In this month's column, I will share some techniques for neutralizing the "negotiation trickster" while moving the negotiations forward and achieving your goals.

Here are some common tactics and ways to respond to them:

Phony facts

Your opponent is overwhelming you with facts or figures which you suspect are inaccurate. He is pressuring you to base your decision on his information and you are feeling manipulated.

First and foremost, do not accuse him of dishonesty and manipulation. This will put him on the defensive and bring the negotiations to a screeching halt. Instead, say "When decisions need to be based on information, it is important to us that the information can be independently validated. What ideas can you suggest about ways that we might independently validate this information?"

Without accusing him of dishonesty, you have politely let him know that you will not be manipulated with phony facts. Furthermore, when your opponent learns that you always insist on independently validated information, he will resist using this tactic against you in the future.

Ambiguous authority

Then there is the case where you have been led to believe that you are negotiating with the decision-maker. You finally make a commitment to what you think is an agreement when your opponent unexpectedly says, "Well, that sounds promising. I will discuss this with my manager and let you know." The intent is to return and demand another concession from you.

Restrain yourself from becoming defensive or putting her on the defensive by accusing her of misleading you. This will turn the negotiations into an unproductive cycle of reaction and counter-reaction. It is far more effective to remove her incentive to change the terms to which you have already committed. To achieve this, calmly say, "That is perfectly OK, but you may want to mention to your manager that we have committed to this 'as is'. If anything changes, everything is open for renegotiation."

With this elegant technique you have neutralized her tactic while allowing negotiations to move forward.

Psychological warfare

In another tactic, your opponent attempts to unnerve you by making you feel uncomfortable, causing you to lose your mental balance. You may find yourself in a room that is too hot or too cold. You may be seated in a chair that is too hard or too low. Your opponent might attack you personally.

To eliminate the effect of this tactic, it is important to raise it explicitly and negotiate the process,

while resisting the urge to counterattack and blame. You might say "I am sure that there is no intent in this but I noticed that this room is extremely warm" or "You mentioned how tired and stressed I looked. Before we go any further in the negotiations, I would like to discuss the process we ought to use. Would tricks and tactics be most effective towards reaching a mutually beneficial solution or would our time be better spent in understanding each other's needs and exploring options for mutual gain? How would you like to proceed?"

By exposing this tactic, it becomes powerless and reduces the chances of them trying it on you again.

The ultimatum

"This is our last offer, take it or leave it!" is another common tactic the "negotiation trickster" uses. This is designed to present a fading opportunity that you feel compelled to accept.

When faced with this ultimatum, stop all substantive discussions and negotiate the process. You might say, "This offer may be an option, but before committing to anything, we would like to be sure that we have explored more options that could optimize gains for both you and us. What would be your concern about spending a little more time on generating a broader range of options before deciding?" Then encourage some dialogue about their concerns and about an effective process that you can both agree on, before returning to the substance of the negotiation.

A skilled negotiator will defuse and neutralize tactics rather than confront them.

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