



***NEGOTIATING LIFE:
WHAT YOU CAN AND CANNOT CONTROL***

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NEGOTIATING LIFE: What You Can and Cannot Control

When you read the newspaper or turn on the television these days, you see people, organizations and systems out of control. You see politicians and pundits pontificating about who is out of control and why. They seem to enjoy shaming others for being out of control as if they themselves are paragons of control and virtue.

Actually, there is nothing new about this phenomenon. The only thing new about it is its prominence in the public consciousness over the past few weeks.

What does this have to do with negotiation? Control is a central aspect of negotiation. Great negotiators demonstrate control time after time, particularly when the going gets tough.

What are we talking about?

I have participated in some high stakes negotiations recently during which the negotiators' ability to exercise control meant the difference between success and failure, between a good outcome and a dismal outcome. Not surprisingly, the people involved in these high stakes negotiations grew frustrated at various points. They felt that their needs might not be met. They felt they were beginning to lose control, that others were hijacking the negotiations.

What did these frustrated negotiators do?

Some of them gave up. Even though they really cared about the outcome of the negotiations, they checked out of the negotiation process. They threw up their hands and said, in effect, "Let's just see what happens! There's nothing we can do!"

Talk about a big mistake. At the moment they most needed to exert control in order to get what they needed, they did the opposite.

Why would people do that?

In a word, frustration. When we cannot get what we want, we often become frustrated. We blame others. We check out. We imagine the worst and begin to accept that fate.

My experience in negotiations tells me that control is one of the most important and least understood aspects of negotiation.

What kind of control are we talking about? Are we talking about controlling *other people*?

No, we are not.

Are we talking about controlling negotiation *outcomes*?

No, we are not.

Why?

Because you cannot control other people, much as you might like to do that.

And you cannot control negotiation outcomes. (If you could, you would not be “negotiating” – you would be *dictating*, and I suspect you would not be reading this.)

So if you cannot control other people or negotiation outcomes, what is left to control in a negotiation?

There are two key things you can control in negotiations:

- 1. You can control yourself; and**
- 2. You can control the negotiation process.**

Okay, so the first one may not be a surprise. We have all heard over and over again from the time we were children about the importance of *self-control*. Self-control is important a) because it is difficult, and b) because others often seek to cause us to lose our self-control so that they can get us into a reactive mode and take advantage of us.

So maintain self-control in negotiations by staying strategic and not reacting to provocations. This means you should stay calm and thoughtful as you focus on finding ways to satisfy your interests.

But what about controlling the negotiation process? Can you really do that?

Yes, you can. And you should.

Most people do not pay much attention to the negotiation process, much less try to control it. They simply take actions designed to satisfy their own interests or react to the positions, statements and actions of others. Most negotiators engage in some form of “act-react” behavior without regard to process.

So why should you try to control the negotiation process?

Because the most effective way to influence negotiation *outcomes* is to control the negotiation process.

Let’s see how it works.

How You Can Control the Negotiation Process

The concept of controlling the negotiation process requires that we first understand the negotiation process.

For example, let’s say you are engaged in a “high-low” game in which each side takes a position and then responds to the concessions of the other side with a series of countervailing concessions. This is a common negotiation process. It is also a process that tends to damage relationships and result in compromises that leave participants wondering what they “left on the table” and whether they “won or lost” the negotiation. Accordingly, the “high-low” game is generally a suboptimal negotiation process.

If you find yourself sucked into the “high-low” game, resist!

Get control of the negotiation process by refusing to play that game. Instead of merely stating your own counter-offer in response to an unreasonable position taken by your negotiation counterpart, ask your counterpart why her initial (unreasonable) position makes sense. Invite your counterpart to discuss the underlying rationale for her position and share data, if appropriate. Most often, the negotiator who is accustomed to the “high-low” game will be unable to come up with a persuasive defense of her intentionally unreasonable initial position. Instead, she will invite you to make a counter-offer. “This is not my final offer,” she may say. “Give me something to work with.”

Again, resist the urge to fall into the “high-low” game. Explain that you would like to do a deal without the excessive haggling and back and forth that wastes everyone’s time and leaves everyone feeling sour about the process. Explain that you want to see if there are options that can satisfy each side’s interests. Express an openness to consider any ideas that may make sense.

Then make a good faith offer in the neighborhood of where you think the negotiation should end up. As you make the offer, emphasize first all aspects of your offer that will satisfy the interests of your counterpart. Also, acknowledge toward the end of your presentation the aspects of your offer that may harm the interests of your counterpart.

When you have finished presenting your offer, if your negotiation counterpart objects to any aspect of your proposal, listen carefully to the objections, explore whether there are other options for satisfying your counterpart’s legitimate interests without unduly harming your own interests, and finally consider whether it may be helpful and/or necessary to share with your counterpart the harm to her interests if you cannot come to agreement.

Communicate flexibility and a focus on satisfying each side’s interests. At the same time, clarify that you are offering a package and that you will be firm about this offer. This does not mean that you are unwilling to consider changes to the package, but that if you change any one aspect of the package, such as price, you will have to re-

evaluate and consider changing all other aspects of the package. In other words, there is no agreement on *anything* until you have agreement on everything.

Finally, evaluate whether you are better off taking the deal on the table or not by analyzing how the proposed deal affects your critical interests compared with not doing the deal.

What I have just described is *controlling the negotiation process*. When you do this, you maximize your chances of satisfying your own interests (even as you find ways to satisfy the interests of your counterparts). You also remove the game playing and adversarial context that can make so many negotiations difficult and can damage relationships.

So the next time you are tempted to respond to a difficult situation or person by giving in or allowing others to control the negotiation process, resist that urge and exercise control – over yourself and over the negotiation process. When you do so, you will generally find that you are better able to satisfy your interests.

I look forward to hearing your perspectives on what you can and cannot control in negotiations. You can reach me at jshulman@alignor.com.