



Dealing With Bullies:

How To Negotiate For What You Want

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We have all been there. They torment you. They refuse to be reasonable. They treat every discussion as a battle of wills. They yell, they shame, they just say “No!” They take pleasure in depriving you of what you need. You know they type: they are *difficult negotiators who use tactics to get you off track*.

So what can you do? When confronted with a difficult negotiator, what should you do? Is it possible to negotiate with that unreasonable person? Can you really expect to negotiate for what you want?

The answer to these questions is yes you can negotiate successfully even with a difficult negotiator if you remain **strategic**. What do I mean by strategic?

- **Always ask yourself the following question: *For what purpose?***

Okay, what does that mean? I’ll explain. There is a simple three step approach that can help you stay strategic and get what you want, even when you are dealing with a particularly difficult negotiator.

Step 1: Stay Strategic by Focusing on Interests

The first step in being a strategic, effective negotiator is:

- Know your interests, or needs.

This step is critical but easily overlooked, particularly when you are in the heat of battle with a difficult negotiator. When that antagonist attacks you, refuses to negotiate, belittles you, ignores you, or engages in any number of similar tactics designed to prevent you from being strategic, you must step back, take a deep breath, and ask yourself as you ponder your next action, **“For what purpose?”** In other words, how will a contemplated response during the negotiation satisfy your substantive interests or needs? While this sounds easy, it is not.

Obstreperous negotiators know intuitively that the vast majority of people will be unable to remain strategic when attacked.

- In fact, when attacked, most people don’t think—they simply react!

Most negotiators either fight back reflexively—driven by their emotional need to defend themselves—or retreat and capitulate. The difficult negotiator attacks in order to force an adversary into one of those two ineffective responses. In this manner, the attacker controls the negotiation and controls you. There is a better way.

- **When you are attacked, it is essential NOT merely to react.**

This does not mean you are scared or unable to fight back; it means that you will impose consequences for bad behavior in a strategic manner that is calculated either to satisfy your own

interests or to harm your adversary's interests. You must be calm, composed and firm. You should not tolerate unprofessional behavior from others since you have an important interest in being treated with respect—just as you will treat others with respect. You should communicate that expectation clearly and firmly.

- Once you have established ground rules of professional, respectful behavior, it is time to proceed with a negotiation that focuses on satisfying interests.

You want to satisfy your own interests and, to the extent you can, even satisfy the legitimate interests of the difficult negotiator. This is an important point. Unless you are able to satisfy the legitimate interests of even a difficult negotiator, you should not expect that person to be willing to satisfy your interests through a mutually agreeable resolution.

Step 2: Propose Options for Satisfying Interests

Once you have a clear understanding of your own interests and the legitimate interests of the difficult negotiator, explore options for satisfying those interests. If your negotiating counterpart refuses to participate in collaborative problem-solving, do the following exercise on your own:

Exercise: Make a list of your interests. **Circle those interests of yours that are critical to you.** Next, make a list of the difficult negotiator's interests, including illegitimate interests like *intimidating you*. **Circle only the legitimate interests of your adversary.** Finally, think of every possible action you or the difficult negotiator could take as part of a negotiated agreement that could satisfy either your interests, your adversary's legitimate interests, or both of your interests.

Now you have a list of possible actions you could propose as part of a negotiated resolution. But you must not decide yet which actions to propose. You have more work to do. Before you can know what is the optimal package of actions to propose, you should look at "fighting alternatives." What are "fighting alternatives?"

- "Fighting alternatives" are the things you and your adversary may do to satisfy your own interests unilaterally, and to harm each other's interests if you are unable to come to a negotiated agreement.

Once you have an understanding as to what may happen if you and your adversary do not come to agreement, the next step is to go back to your list of possible actions and refine that list.

Start by grouping possible actions into the following three categories:

1. Actions you would like to do or discuss as part of a negotiated agreement;
2. Actions you are willing to consider as part of a negotiated agreement; and
3. Actions you are NOT willing to consider under any circumstances.

As you consider which actions to place in each category, think about the possible "fighting alternatives" that may occur. In other words, calibrate your expectations as to what is reasonable to offer and expect in return by the leverage you have and the leverage your adversary will have

if you do not come to agreement. For example, **if you do not negotiate an agreement, will you be able to satisfy your critical interests unilaterally or harm your adversary's critical interests?** Or will the reverse be true? You need to consider a variety of possible outcomes in order to calculate the optimal package of actions to include as part of a negotiated agreement.

When you have decided on your package of actions, put the actions into a proposal letter or talking points that can be communicated to your adversary. A format that is particularly persuasive is to:

- **Identify the interests of your adversary that will be satisfied by your proposal and then express flexibility as to how those interests might be satisfied more effectively by modifying your proposal.**

Be prepared to discuss both the elements of your proposal and why you believe it will satisfy your counterpart's interests. A difficult negotiator will often test your assumptions about how those interests will be satisfied (and the adversary may not care whether your interests will be satisfied).

Step 3: Impose Consequences on the Difficult Negotiator, if Necessary

While you hope to avoid this step by doing a good job coming up with attractive proposals in step 2 above, you may have to communicate or even impose consequences in order to keep negotiations on track. **A difficult negotiator will often refuse to be reasonable as a tactic to see if you will cave in and concede more.** That's right; even if you are creative and fair, and you propose wonderful solutions that will satisfy your adversary's legitimate interests, that adversary may—out of habit or spite—test you to see if you are weak, foolish or holding back additional value that might be extracted through pressure tactics.

So how do you communicate or impose consequences in the face of such pressure, such ingratitude for all your efforts to find solutions that satisfy your adversary's interests? You do so in much the same manner you have communicated information about the actions in your proposal for a negotiated agreement. The most effective way to curb bad behavior or counterproductive tactics is to:

- **Explain (in a respectful manner) the harm to your adversary's interests that will occur if you do not come to agreement and are forced to impose "fighting alternatives."**

Even as you communicate what may sound like threats, emphasize how you would prefer to get back to discussion of negotiation proposals that could satisfy your own interests and the interests of your counterpart. You hold in one hand a package of carrots (your negotiation proposal) and in your other hand, the sticks ("fighting alternatives").

Most times this approach will maximize your chances of coming to a negotiated agreement. Sometimes, it will result in your coming to the conclusion that you are better off pursuing "fighting alternatives," such as walking away from a deal. Most important, however, is that you have a process for managing the difficult negotiator in a strategic manner. **You always want to ask that critical question, "For what purpose?"** This enables you to resist the trap of knee-jerk reactions that a difficult negotiator often uses to keep you from being strategic. In the end, when you are strategic you maximize your chances of satisfying your critical interests. And that is that is the best outcome you can hope for in any negotiation.