

“It’s All Their Fault We Were Fair And Reasonable!”

How many times have you heard those words, or something like it, from a frustrated negotiator emerging from a meeting that ran over time or otherwise failed to go according to plan?

In this feature, Paul Hazell, Director of PITHON and one of our team of faculty on the Negotiating Effectively and Further Negotiating Skills programmes, examines some of the reasons why the other person so often appears to be unfair and unreasonable

Most negotiators never deliberately set out to jeopardise the potential for a successful outcome to a meeting they attend. They usually enter meetings with the best of intentions, hoping to secure a deal that is good for their company. Ask most of them what they want for the counter-party and they will tell you that if the deal is to stand the test of time, then it must be good for the other party also. That is fair and reasonable.

How is it then, that the people on the other side of the table are so often lacking in these important qualities?

Fairness and reasonableness are qualities we all believe we have. We often use “fair” and “reasonable” to describe the approach taken by one’s own side in a negotiation. How is it then that so many of us so often have the misfortune to find that the people on the other side of the table are clearly lacking in these all too important qualities? After all, if you are being fair and reasonable and the other party disagrees with you, what does that tell you about them? Clearly, they are being unfair and unreasonable...aren’t they?

Unfair and unreasonable is how negotiators often perceive the stance taken by the other party at a negotiation. When the other party fails to appreciate our attempts to build bridges, or to make proposals, we become frustrated with them because it appears to us that they are being selfish or stubborn at best and greedy or deliberately provocative at worst.

So why would someone who has scheduled time to meet you - perhaps travelled and gone to expense and inconvenience to be at the meeting – deliberately behave in a way that makes the chances of reaching agreement remote? After all, their business stands to gain from coming to an agreement with you or you would not be at the table together in the first place.

Well, like so many things in this world, the situation is likely not to be quite as simple as it seems. If you could read the thoughts of the other party you would probably discover that they are wondering why you are so stubbornly refusing to understand their point of view, when to them it is so obviously right! Have you ever considered that, to them, it is you who is being unfair and unreasonable? Next time you metaphorically point the finger at someone else, beware – there may be three metaphoric fingers pointing back at you!!

Negotiators who have been trained, learn to recognise such situations and master techniques that enable them to defuse the tension and explore ways to reach

agreement. Then, after training, when those techniques are applied, options often become apparent that had not previously been identified.

No, not me...surely?

However, because people don't deliberately misunderstand one another, they have first to experience how easy it is to be in such a situation and not immediately recognise it. And there lies a major difficulty. We are for the most part "reasonable" in our intentions and therefore it must be the other person that causes the misunderstanding. This is the "no, not me ...surely?" factor. Because we can't imagine how such a reasonable person as we are can create a misunderstanding, it can take years to learn these things through intuition. It is therefore much more cost effective to learn it in a structured way through training.

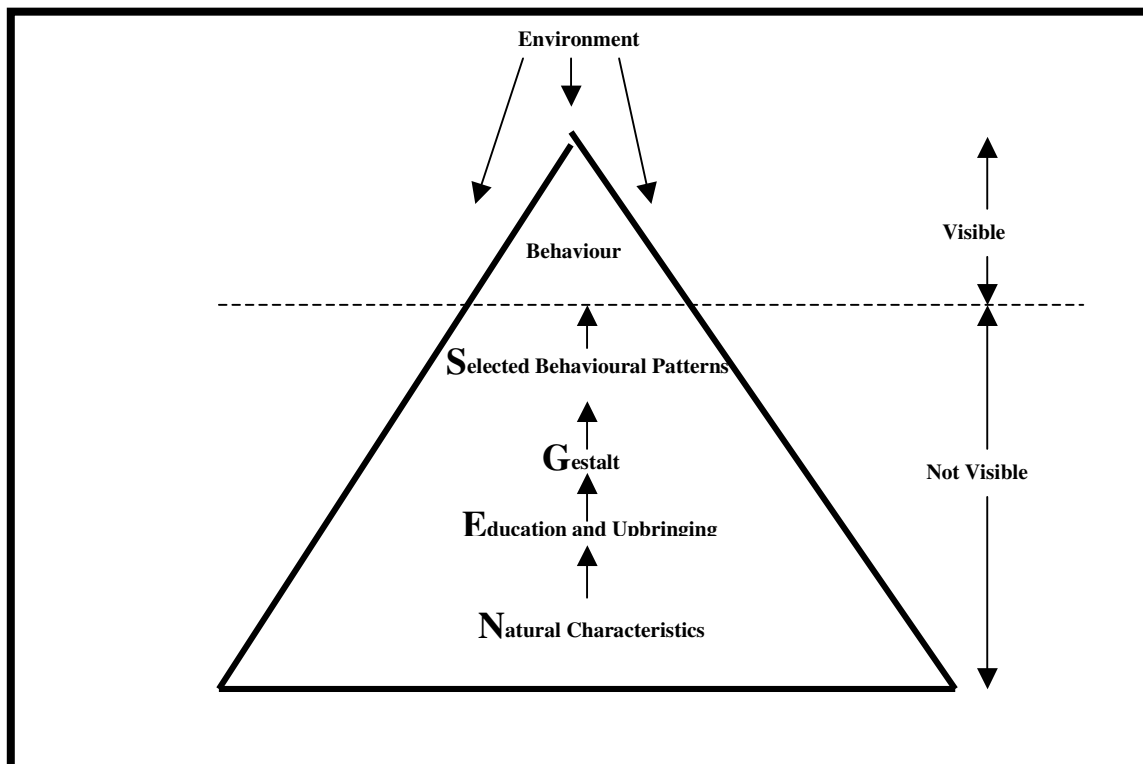
In our Effective Negotiating Skills and Further Negotiating Skills programmes we use simulated business situations that maximise reality so that natural behaviours come out. We also employ debriefing techniques that help participants realise the impressions – favourable or unfavourable – that their behaviour at the table created. When people realise the impressions they create, it is often a surprise to them.

These realisations are not only a surprise to the learner, they can go to the fundamental roots of their approaches to negotiation. Realising the risks of misunderstanding opens our minds to learning how misunderstandings occur.

The NEGS Formula

There are four key categories of reasons why negotiators unwittingly create the impression of being unfair and unreasonable, even when their intentions are entirely honourable. These four types of reasons are encompassed in the acronym "NEGS".

Fig.1



NEGS is an easy way to remember four contributing factors; “Natural Characteristics”, “Education and Upbringing”, “Gestalt” and “Selected Behavioural Patterns” – see Fig.1 above – that influence our behaviour from within ourselves. In the following paragraphs, each of these four is explained in a little more detail.

Natural Characteristics

Before we become shaped and honed by the experiences of life, we are born to be different. We can all see differences in personal features, complexion, skin colour, height, weight, girth, etc. What are often not so obvious are the differences that are not immediately visible. The way we make sense of the world around us, for instance.

Some of us interpret things literally; we deal with the here and now and relate everything to the way things are today. However, not everyone is like that. Many people see in the here and now, the potential for what could be or what may be in the future. Imagine a painted country scene with a gravel pathway, an old barn and a few chickens. That is exactly what some of us will see in the picture. However, others may imagine pixies and fairies hiding in the barn or wonder who the owners of the farm are, or imagine that barn renovated as a bustling farm shop. Such people may though not notice imperfections in the way the artist painted the picture.

Thus, the picture takes on a totally different character for them than it does for the first group. The first group might feel frustrated with the second group because they don't notice the obvious shortcomings, whereas the second group can't understand why the first group is so limited in their willingness to use their imagination to consider possibilities.

Then some of us like to tie up issues quickly and tidily; make decisions and move on to something new. Others though would feel uncomfortable being pressed to make decisions until they have satisfied themselves that they are fully informed and that their decision will take into account all available facts. They prefer to deal with several issues at any one time, keeping them all open in case new facts become available. Here the former group perceive the latter group to be disorganised and untidy in their thinking, whereas the latter group are frustrated by the way the former group make decisions – apparently in unnecessary haste. The potential here for stress and frustration in a negotiation if these people meet is enormous!

Then there is the way we prefer to learn. Some of us love to learn by experimentation; making mistakes is all part of the excitement of discovering new things. “Roll up your sleeves and get your hands dirty” is their motto. After all, they will tell you, you won't learn anything new if you don't try! Others of us however, prefer to read about it, plan it and perhaps watch others before trying something new. Making mistakes is the result of “more haste, less speed”. Prepare well and you are more likely to succeed! How often do issues like time frames, urgency and targets cause frustration in negotiations?

So, how well do you understand how your own personal preferences differ from those of the person across the table, or those with whom you work? What seems a perfectly logical approach to you may seem unduly risky, uncomfortable or cumbersome to someone else. How sensitive are you perceived to be by those who negotiate with you? Trained negotiators learn to identify and deal with these differences.

Education & Upbringing

From the time we are born, we commence learning. Our very first learning is physical in nature – how to breath, how to cry, how to feed, etc. However it is not long before we begin to learn what is right and what is wrong. The foundations for this are laid by our families, particularly our parents and, in some cases by establishments like churches, clubs and schools. From an early age we learn frames of reference by which we judge people, ideas, events and behaviour. These dimensions of interpretation are known as constructs. Our constructs become so ingrained in our thinking that it becomes indisputable to us how things should be.

Examples of how powerful this can be occur in everyday lives. Is it good or bad to borrow money? Is it difficult or easy to learn to use a computer? Is it better to hand-write or type a letter? Should Sunday be a day of rest? Each of these questions has been the subject of heated debate in many an organisation, many a family. Age, religion and culture all contribute to the stance that individuals take. Thus sometimes, in other cultures or other organisations, something that is clearly unacceptable to one group might be the norm to another.

The norms and values of different cultures can vary fundamentally but can also vary subtly. Thus when an Englishman, a Frenchman or a German travels to Japan, China or a Middle-Eastern country, they expect the culture to be different. They know that dress, language, customs, religion, laws and etiquette are different and therefore perhaps go to greater lengths to avoid making embarrassing mistakes or unintentionally offending local people.

It might be different though when they travel to the USA, Belgium or perhaps Canada. There the differences are less obvious. However, that doesn't make them less important or unsettling. For example, in a negotiation, the need to defer to the elders of a business family might be great in some apparently similar cultures, not at all pressing in others.

Another negotiating example lies in the relative importance afforded to contracts. The preoccupation with contracts in some cultures, for instance, can be bewildering to those from cultures where personal respect, trust and rapport are a more important indicator of likely success than any form of legal documentation. Yet when contract-focussed people do business with people from more social cultures, the differences in perception continue to cause frustration and perceived insensitivity.

These kinds of differences – and many more - can arise through country culture, religion, or company values so that, in a negotiation, someone from one company may find perfectly acceptable something perceived with discomfort and maybe distaste by someone from another company.

So how sensitive are you perceived to be to the values and beliefs of those with whom you negotiate? How often have you been frustrated and your suspicions aroused by another party when their actions – founded innocently upon what they believe to be right and proper – clashed with your dearly held principles and your perception of what is right? Have you been trained to understand the dimensions of cultural difference and other forms of diversity?

Gestalt

“The whole is greater than the sum of the parts”. One of the reasons why this statement rings true to so many of us is that it applies to the way in which we categorize and remember information.

The brain looks for recognisable patterns in the data it receives and then categorizes that data alongside the previously stored patterns. Thus we recognise two dots and a curved line laid out in a certain way as a “smilie” even though, in literal terms, they are three marks that bear little resemblance to a human face! This ability to “fill in the gaps” in order to make sense of disjointed data is very useful, but at the negotiating table it can and often does cause difficulties.

The difficulties arise when two parties have considered what they believe to be the same information and come up with two “obvious” but totally different interpretations. When each party knows that the other sees the same set of circumstances differently, they can at least discuss the reasons for those differences. However, all too frequently, our personal interpretations are born of such strong “gap filling” – assumptions – that it seems like fact and we then assume that everyone else’s interpretation is the same as ours! They will almost certainly not be!

Trained negotiators use techniques that enable them to recognise and clarify differences in perception. On the other hand, negotiators who have to rely on intuition and experience alone, are far more likely to become uncomfortable or defensive – feeling that the other person is not to be trusted. When the other person senses the non-verbal signals the first person sends out, then their resultant defensiveness serves as a self-fulfilling prophecy and the first person believes they were right to distrust the counter-party in the first place! Have you been trained to be aware of the non-verbal signals that you send out? How well do you control your natural reaction to the non-verbal signals of others?

It is not surprising then, that over a period of time, our experiences collaborate to make us pre-disposed to react in certain ways when we think we are recognising familiar sets of circumstances! Then we are likely to move into selected behavioural patterns to deal with the situations we assume ourselves to be in!

Selected Behavioural Patterns

Not surprisingly, the combination of factors discussed so far, coupled with the unique set of circumstances that a person at the table finds themselves in, can generate an inclination to react in a certain way based on their previous experiences. A predisposition like this to behave in a certain way to a perceived set of circumstances is an attitude. An attitude is the way we are inclined to behave unless the environment or our own conscious reasoning somehow prevents us from doing so.

Thus, the person who has once been bitten by a stray dog may well instinctively react at the sight of another stray dog, by crossing the road to avoid the animal, in the belief that it too may attack if afforded the opportunity. However, if accompanied by a group of friends they may resist the temptation to do so for fear of looking foolish or cowardly in front of the group.

Similarly, the negotiator who has once experienced what they perceive to be unfair treatment by a supplier or client, may well treat that company's representative with suspicion the next time they meet, no matter how keen the latter person is to be seen to be fair. The behaviour of the first person is likely to be precipitated by the circumstances they perceive themselves to be in, although it may well be tempered or adapted by the environment in which the encounter takes place. For instance, a person with a deep distrust of consultants may be naturally inclined to be sceptical or hostile towards them. However, if that person's boss recommends a certain consultant and then attends the meeting, then the person may well temper their natural reactions.

In negotiations, we may unwittingly trigger behaviours in those with whom we negotiate, because those people believe they recognise sets of circumstances from past experience and are already pre-disposed to react in set ways to those circumstances. That may seem unfair or inappropriate to us – to them it is the way experience has prepared them to behave.

We may never discover what led them to react in the way they did. If the reaction was unfavourable, it may be frustrating to endure, but if we can defuse it in some face-saving way, then a solution may not be far away. Likewise, we are inclined to do similarly frustrating things in response to the actions and words of the other party and they too could be surprised, hurt or offended.

Negotiators who have been trained are able to deal with such apparently irrational behaviour by using techniques designed to build trust and rapport. Those who rely upon intuition are likely to experience frustration and confusion and may well leave the meeting blaming the other party who, in turn, feels their concerns have been justified by our reaction!

Conclusion

In PITHON's Effective Negotiating and Further Negotiating Skills programmes, we explore the kinds of reasons why negotiations sometimes prove to be so difficult to resolve, even when the issues on the table at first seem straightforward.

By applying the NEGS formula, we can adopt an emotionally intelligent approach based on the principle "I will not allow any behaviour to distract me from reaching a sound agreement with you" rather than accepting failure by exhorting bitterly, "It was all their fault – we were fair and reasonable"