

# Negotiator's choice of style essay

[Business](#), [Decision Making](#)



Negotiator's Choice of Style Abstract Negotiation is an effective means of settling disputes because it allows two parties to critically interact and express their ideas, demands, and arguments. This paper identifies the different negotiation styles.

Understanding the underpinning concepts of negotiation allows negotiators to choose the best style they could apply in a particular situation. Skills in effective communication are crucial in negotiation. It is also important to consider creative ways and ethical practices in negotiations to attain the objectives in negotiation. Introduction People engage in negotiation when they are caught in a situation in which they have to agree on something or with someone on a basis of a condition or conditions desired. Since negotiation is a social phenomenon which involves communication, it is not surprising that it is studied in different academic fields such as business and marketing, economics, sociology, psychology, political science, law, criminology, and language.

Negotiation is part of people's life. It can be seen in different contexts and it requires people to demonstrate intelligence and interpersonal and communication skills to be able to resolve conflicts, make wise decisions and judgments, and achieve claims or needs. Negotiation occurs when two individuals agree on things that on the basis of conditions that have favorable outcomes. Negotiation Defined Negotiation is generally referred as dispute resolution between two parties (Nagel, 1992). McLaughlin et al. (1980) define negotiation " exchange strategies in which the target proposes to engage in an alternative behavior to that proposed by the agent and/or

empathetic understanding strategies in which the target solicits discussion conducive to mutual accommodation” (p. 16).

Negotiation, under alternative dispute resolution (ADR), is considered a practical means in avoiding costly litigation when arranging agreements and reconciling with the different opinions, requirements or demands of the two parties. Advocates of ADR contend that in order to effectively persuade in an agreement, negotiators should be persistent, cordial, and straight-forward (Brams, 2003). Negotiation involves decision making based on a series of alternatives. Thus, creative thinking is needed to help a person choose the best alternatives that would satisfy individuals with the negotiated outcomes (Kurtzberg, 1998).

In addition, creativity is also needed in motivating the other party to agree with the offer or make concessions easier. One should critically evaluate the other party's situation, needs, desires, purposes and reasons for his arguments in order to easily identify the best motivation to be given. If the other party needs to be motivated to easily persuade and agree, an individual also needs appropriate motivation when engaging in negotiations in order to be determined and consistent with his claims and arguments.

Styles of Negotiation Negotiation styles differ in people's objectives, situations or conditions. The result of negotiation is affected by their experiences, communication skills, beliefs, cultural background, and personality. ChangingMinds.org identifies the different styles of negotiation in three perspectives: belief-based style, professional style, and contextual style. The belief-based style of negotiation suggests that negotiators attitude

depends on their perception about the other negotiator. It includes negotiation spectrum (from concession to competition), collaborative negotiation (win-win), competitive negotiation (win-lose), and balanced negotiation (involving both collaborative and competitive negotiations). The professional style of negotiation is usually done for specific purpose in which negotiators play specific roles.

It includes industrial relations (confrontational bargaining), managing board (together and competing), international (diplomatic dancing), political (scheming horse-trading), selling and buying (professional sellers and buyers), and hostage (emotional big-stakes exchanges). The contextual style of negotiation is used in the civil contexts which is often informal. It includes domestic, everyday, and hierarchical negotiations. Negotiation styles depend on the degree to which negotiators think about themselves and others.

Therefore, he may choose cohesion, collaboration or competition.

Collaborative or balanced negotiation ensures that both parties win. They often share information under fair rules, tactics and agreement.

Competitive negotiation results to a win or lose situation. Its basic assumption of “ zero sum game” states that what one person gains is the loss of the other party. The common concepts under professional negotiation styles include the following: Industrial relations negotiation is like a trade union negotiation in which a trade union team demands better work conditions and salary from the reluctant employer. Managing board negotiations occur when managers of different private or public institutions

negotiate for the limited resources or other matters involved in their position.

International negotiation involves two countries, individuals or companies from different cross-borders. Trade is common in international negotiations in which two parties settle disputes or agree about various economic and business activities. Cultural differences affect the outcomes of negotiations. Thus, both parties need to understand cultural backgrounds in order to help them choose the strategies to use during negotiations. Language can be a barrier when two parties do not speak the same language.

However, interpreters may help them overcome this problem provided that they are honest and efficient in translations. Political negotiation in national or local level can have a devastating outcome when they attack on the personal perspective and use tricky strategies to attain political gains.

Selling and buying negotiations involve business-to-business and business-to-consumer deals. Business firms offer products or services that are expected to produce profit. Business negotiations often focus on how they would benefit before doing other activities like signing contracts or investing capital. The consumers or retailers and dealers only agree or accept their offer when they are sure about the quality, quantity, and guaranty. Critical assessment and evaluation is crucial in making decisions that involves risks and uncertainties. Hostage negotiation is a situation in which criminals use civilians or helpless people to bargain with the things they actually need like freedom, money, and other materials.

This happens when criminals are trapped in circumstances wherein they find it difficult to escape from the police authority. In the movie, *The Negotiator* (1998), Danny Roman (Samuel L. Jackson), a hostage negotiator, is falsely accused of theft and murder. He takes the Chicago Internal Affairs Bureau staff as hostage to be able to find the real culprits and prove his innocence with the help of Chris Sabian (Kevin Spacey) through a negotiation. They both have a strong conviction in finding the truth and are determined to act against their colleagues who are sabotaging their negotiation efforts (Leong, 1998).

Domestic negotiation is an exchange between two family members or neighbors. Everyday negotiation happens daily between two people in any place, time or situation. It may not be as serious as other types of negotiations because they only talk about simple matters that can easily be resolved.

Finally, hierarchical negotiation identifies who is the superior and the inferior and it starts at home with a conflict between the parent and the child.

Regardless of the type of negotiation a person is engaged with, critical thinking, creativity, motivation, communication, and interpersonal skills are essential in attaining success. Hard versus Soft Negotiator According to Fisher and Ury (1981), the hard or “tough” negotiator generally wants to win. At the end of the negotiation, he produces a hard response that usually exhausts him and his resources. As a result, his relationship with the other party becomes bitter and impossible to reconcile. The hard negotiator considers any situation as competition. He believes that the side that has

more extreme positions and does is determined not to give up is more likely to win the game. He is also rigid to his objectives, goals or desired outcomes.

He almost does not give in because he is reluctant to grant or favor the demands of the other side. Self-assessment helps the negotiator what he really needs or wants to obtain from negotiation. The more he is concerned about his wants, the more he is likely to ignore about the other party's wants. Thus, excessive care and motivation for oneself makes a person become a hard negotiator because he tends to do things that are most favorable to him. The soft negotiator, on the other hand, prefers to make concessions as fast and easy as possible in order to end an agreement in a shorter period of time. He usually wants amicable resolution and avoids personal conflict. However, he resents and feels exploited after the negotiation has ended. Fisher and Ury (1981) describe the hard and soft negotiators as two extreme variants of positional bargaining.

They argue that it is difficult to make rigid demands because it limits negotiators' options and it often leads to win-lose power struggle. In positional bargaining, the negotiator does not pay close attention and he usually fails to comprehend the position or needs of the other side because he already has set a predetermined goal and is firm on his decision to attain this (Margolis, 1998). To use positional bargaining is to try hard to persuade the other party to be able to win the negotiation no matter how long the time duration is and even if other issues arise. If the needs of the predetermined needs of the negotiation is not achieved, he ends up unsatisfied. A

systematic problem-solving strategy can help negotiators think of alternative solutions in positional bargaining while having their needs met.

Since either to be soft or hard negotiator is disadvantageous, Fisher and Ury (1981) suggest the concept of principled or 'problem-solving' negotiation which holds the idea that the negotiator may choose moderation by being hard on the merits and soft on the people. This approach is easier and more effective to use because it does not apply tricks or posturing. It also allows the two parties to avoid the negative implications of the hard and soft approaches of negotiation. Principled negotiating allows both parties to decide the outcomes they want. They discuss and argue about these outcomes until they are able to reach sufficient compromise and then agree on the things they could give. Although in the principles negotiation can lessen pressure and great loss, the problem is that both parties are likely to become more and more focused and preoccupied with their claims as they argue. They might fail to come up and recognize alternatives and fail to be consistent with their core interest for the agreement. Whereas the hard negotiator in this principled bargaining becomes more approachable and tends to loosen up, the soft negotiator also becomes more trusting, makes offers that favors the other party and easily gives concessions.

In a negotiating strategy that falls between hard and soft does not guarantee that the relationship between two parties could be improved even if each negotiator attempt to resolve and reconcile in getting what they want while trying to get along with the other party (Mackie, 1991, p. 83). In answer to the mentioned criticisms of the problem-solving approach, Fisher and Ury



(1981) recommends the following principles of “ What if their negotiator is more powerful?”, “ What if they won’t play?” and ““ What if they use dirty tricks?”. Fisher and Ury point out the importance of working on the early stage of the Best Alternative To a Negotiated Agreement (BATNA). The BATNA is the possible outcome which a negotiator could estimate if the negotiation is not pursued. A resolution in a situation in which the outcome of dispute mainly favors one party cannot be considered as negotiation (Burkardt, Lamb, & Taylor, 1997). Fisher and Ury (1981) suggest that a negotiator has to work on something even if there is no agreement reached because it allows the negotiator to determine possible outcomes, it increases self-confidence, and it provides a more efficient strategy in winning the negotiation. In Fisher’s (1983) term, the BATNA is the power of a good alternative.

The primary aim of both parties is to obtain the most favorable outcome of the process of negotiation but if they fail to reach an agreement, each party can obtain through BATNA solutions to their own problem (Rabow, 1990). Once a BATNA has been identified, the negotiator may start planning and thinking about strengthening his position (Evans, 1998). If the other party refuses to use principled negotiation and insists positional bargaining discussion, Fisher and Ury recommend three strategies: (1) persist with principled negotiating as they may be won over; (2) use a technique called ‘ negotiating jujitsu’ which states that “ Do not push back when they attack, but sidestep the attack and deflect it against the problem rather than resisting it; recast attacks on you as attacks on the problem rather than become defensive”; and (3) try a third party trained in the techniques of

principled negotiating. The 'one-text' mediation procedure can be used to easily separate the people from the problem and the talk of interests and options. This procedure allows both parties to make a list of their claims, which will be shown to them in order to exchange criticisms and suggestions for improvement.

Drafts will be made as responses until both parties are able to write the best agreement they could produce before they can finally say yes or no or decide to say yes provided that the other party says yes. The different manipulative tactics used by negotiators are considered illegitimate if one party fails the reciprocity test (Fisher & Ury 1982, p. 135). Tricky bargaining tactics are countered in three stages: recognizing them, making them explicit, and "if necessary using principled negotiating tactics to negotiate over procedure just as one would over substantive issues emphasizing the intention to negotiate on the merits, looking for objective criteria such as fairness to determine tactics, and in the last resort opting for one's BATNA but leaving them the opportunity to offer a better deal" (Mackie, 1991, p. 85). In essence, the principled negotiation may be better used since the pressure and conflict are reduced compared to positional bargaining in which either of the parties may fail to reach his claims while the other overexploits and take advantage over the weakness or mistakes in the other negotiator's decisions. Ethics in Negotiation Negotiation is a discursive practice that involves social interaction and communication about particular issues.

As a social event, every discourse is not simply a commentary or expression of idea but it involves an act of power – to affect other people's ideas,

opinions, decisions, etc. A speaker's power can be achieved if he is able to produce right speech at the right situation, place or time but it is undermined if he produces the wrong speech or is unable to deliver his speech effectively to the audience. Another important aspect of discourse is that it is organized, controlled, and distributed in the society. Discourse is also affected by (1) exclusion because the level of understanding and communication skills differ from one person to another, (2) prohibition because there are certain topics that can only be used in certain contexts, and (3) decorum, whereby certain speech behaviors are thought improper (for example rude personal remarks at almost any formal occasion (Mulholland, 1991, 14).

The control of discourse is not absolute or recognized as such unless there is an exception and it is treated as inappropriate or out of context. For instance, if a speaker utters derogatory remarks that are unexpected, out of place, inappropriate or offensive, he will be considered as an ineffective communicator because he does not conform to the socially accepted behavior and practices. As a result, his future career will be negatively affected.

Ethical standards in negotiation depend on the nature of the process of this discourse. Therefore, one needs to understand the rules, limitations and scope of negotiation strategies to be used. Lewicki and Stark (1996), Robinson, Lewicki, and Donohue (1997) attempted to evaluate the perceived permissibility of bargaining tactics with their aim to construct a general guideline for ethical practices in negotiating. Ethical guidelines define

negotiation rules and permissible strategies to be used. Individuals' perceptions in the application of ethics on certain situations usually depend on the rules that favor themselves (Kronzon & Darley, 1999).

The interpretation of ethical standards is influenced by people's motivations and interests (Bazerman et al 2000). However, despite the different factors affecting the perception of negotiators on ethical permissibility of strategies and behavior, Griffin et al (1990) found that people underestimate differences in interpreting the meaning of things and, therefore, develops overconfidence in predicting their own and other people's behavior.

Negotiation is sometimes considered immoral when sacred values are taken into consideration in talking about issues, when something is compromised or when disputes becomes too difficult to resolve. In other words, a party who believes that he is being tricked or deceived may accuse the other side to be immoral because he finds it difficult to settle the conflict. Insincere claims of sacredness in negotiation could leave a feeling of dissatisfaction, doubt or regret. If one party is not willing to accept sacred values, the negotiators may end up in a win-lose aim because claims of sacredness could reduce the value and fail the outcomes of negotiation (Thompson & Gonzalez, 1997).

In the business environment, policies and ethical guidelines are also important since negotiation is too complex to deal with. It involves contrasting interests, multiple stakeholders, and different cultures and values of negotiators. The issue of morality also arises in times of uncertain and ambiguous conditions. When ethics is not clearly determined in

negotiator's communication or actions, pressures may force parties to disengage in a negotiation (Kronzon & Darley, 1999). Negotiation is, therefore, not only affected by people's interpretations of other party's actions and predictions of negotiated outcomes but also their moral and ethical values.

To be ethical in negotiations would mean that negotiators should follow the socially accepted practices while avoiding personal criticisms. Sacred values should not be used as strategies to persuade one's claims to be true. It actually fails negotiations because if sacred claims are not accepted, disputes may be worsened and may take longer to be solved.

Conclusion Negotiation is a social discourse that requires power or the ability to deliver and argue one's ideas or claims in a non-violent manner.

Negotiation may happen in any situation when two parties argue about certain things with clear motivation, interest, and understanding of the importance of identifying what to fight or ask for. The different negotiation styles are categorized according to spectrum or degree of hardness or softness of the negotiator, profession, and context. People usually engage into a negotiation unexpectedly and they discussing about different alternatives or options.

Neither hard nor soft negotiating style guarantees success because negotiators need to be dynamic, flexible, and critical in doing their actions or expressing their ideas. Principled negotiation can be better enhanced though best alternative to a negotiated agreement (BATNA), which lets a negotiator determine better deals, increase confidence, and save time because he can

estimate the outcome of the negotiation. Creativity in decision-making and motivating other party can produce successful outcomes. It helps the negotiator to effectively deal with the complex nature of dyadic disputes. Ethical issues cannot be ignored in negotiations because it involves not only the intelligence of a person but also emotional, psychological, personal, and social aspects. Ethical guidelines are necessary for negotiators to comply in order to define, regulate, and control which strategies may be used in bargaining. Negotiators usually make decisions out of ethical guidelines but which they favor themselves.

Both parties may fail negotiation outcomes if they claim the sacredness of certain things that are not actually sacred. References Bazerman, M. H., Curhan, Jared R., Moore, Don A., & Valley, Kathleen L.

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