

# You Can Negotiate Anything!!!

The 7 Primary Ways of Handling Conflict, Resolving Disputes and/or Getting What You Want						
Avoidance	Negotiation	Mediation	Arbitration	Litigation	Self-help	Request Help
unilateral action(s) designed to end your involvement in the dispute by walking away	a conversation with the goal of resolving an issue via bargaining and/or compromise	a guided dialog in 5 stages: Convening, Opening, Communicating, Negotiating and Closing	a third party judgment rendered by a mutually agreed upon neutral party	a state-financed court system that determines the government's resolution of the dispute	unilateral action(s), which are sometimes illegal, designed to force the other party to submit	appeal to a higher authority or power who has the ability to deliver the desired results

The 7 Secret Weapons of Influence – You Should Learn How to Use Them and Defend Against Them						
Perceptual Contrast	Reciprocation	Commitment & Consistency	Social Proof	Liking	Authority	Scarcity
we notice and decide by the difference between two things, not absolute measures	we feel obligated to return favors performed for us in whatever way we are asked to	we want to act consistently with our commitments and values	we look to what others do to guide our behavior	the more we like people, the more we want to say yes to them	we look to experts to show us the way	the less available the resource, the more we want it

The Buyer and Seller's Negotiating Range of Positions during the Dance of Distributive Bargaining								
Buyer's Bargaining Range		Buyer and Seller's Shared Bargaining Range					Seller's Bargaining Range	
Insult Zone ← ...	Buyer's Credible Zone	Buyer's Reasonable Zone	Seller's Bottom Line #	Buyer and Seller's Zone of Possible Agreement (ZOPA) ← ..... →	Buyer's Top Line #	Seller's Reasonable Zone	Seller's Credible Zone	Insult Zone ... →

## What We've Learned So Far

- You Can Choose How to Get What You Want** – negotiation is a very effective and inexpensive method
- Behaviors Based on Shortcuts Can Either Benefit or Harm Us** – navigating life is faster when we can react without thinking but these “click, whirr” shortcuts can also be exploited to gain our unwitting compliance
- Awareness of Principles of Persuasion is Key** – our negotiating ability improves if we learn how to persuade others using these weapons of influence and to recognize the principles when they are being used against us
- Avoid the BUT and Focus on the AND** – active listening and empathy are improved by saying AND vs. BUT
- Perceptual Contrast says that the Order in which Options are Presented Matters** – use this to shape the conversation towards an outcome that you find desirable by anchoring the other side to your number
- Distributive Bargaining is a Predictable Zero-Sum Game of Claiming Value** – the person who starts the Negotiation Dance with a credible offer can shift the **Zone of Possible Agreement (ZOPA)** in their favor
- WATNA, BATNA, LATNA** – it helps to know both the other party's and your own **Worst, Best and Likeliest Alternatives To a Negotiated Agreement** because this knowledge can help close the remaining gap in a deal
- The Rule of Reciprocation says that we should try to repay, in kind, what another person has provided us.** As a weapon of influence, reciprocation is so powerful that it can cause you to say yes to a perfect stranger just to relieve your feeling of indebtedness or obligation to someone who has done something for us.

9. **In Integrative Bargaining the parties go beyond the zero-sum exchange** by seeking ways in which both sides can achieve their goals at little or no cost to the other party. The goal is to expand the pie by focusing on the **“below the line” interests** of the parties (which are often open-ended and not a source of conflict) versus the **“above the line” issues and positions** (which are often fairly fixed and constrained).
10. **The Principle of Consistency and Commitment says that we want to act in a manner that we view as consistent with what we think, say and do, and we will change to ensure this is so.** As a weapon of influence, this principle can be manipulated to build on a small step that we might be persuaded to take in favor of something and turn it into a much more significant series of actions that are supported by our need to stay consistent with our former commitments.
11. **The Prisoners’ Dilemma demonstrates the challenges related to determining if our partners will play either a Y Card (i.e., a friendly move indicating that we can trust them) or an X Card (i.e., an unfriendly move indicating that they have betrayed us).** In a negotiation (especially with a party that you will encounter again), the best strategy for developing a pattern of mutual cooperation is to: (1) Begin cooperatively. (2) Respond in kind to show you won’t be exploited but that you wish to cooperate. (3) Forgive if the other side becomes cooperative. (4) Be clear and consistent in the approach. (5) Be flexible.
12. **The Principle of Social Proof says that we look to what others do to guide our behavior.** As a weapon of influence, social proof has been used to help Facebook build a social network of members that started with 3 roommates in 2004 and have half a billion users connected with one another by 2010. In addition to Facebook’s \$100 billion value, Social Proof is used countless times by other companies to market their products and by individuals in negotiations to help convince reluctant parties to do a deal based on others who have done a similar deal before.
13. **The Principle of Liking says that we prefer to say yes to people that we know and like.** As a weapon of influence, liking is the social glue that allows us to act without fear. We trust our friends and the people we bond with because they are similar to us, are physically attractive, compliment us, smile, speak confidently and cooperate with us in some way (especially protecting us from harm or appearing to do so).
14. **The Mediator’s Roles** are to be a convener, keeper of the agenda, power balancer, reality tester, alternative generator, scapegoat / lightning rod, resource expander, gainer of closure, secretary and agreement implementer. While wearing all of these different hats, a mediator should keep in mind a series of Do’s and Don’ts that are designed to keep the process moving forward towards a successful outcome for both parties.

## References

*Influence: Science and Practice*, © 2009, 2001 by Robert B. Cialdini and Pearson Education, Inc.

*Mediation: The Art of Facilitating Settlement, An Interactive Training Program*, ©1993-2009 by the Straus Institute for Dispute Resolution at the Pepperdine University School of Law.

*You Can Negotiate Anything*, © 1980 by Herb Cohen.

*Changing Minds.org*, by © Syque 2002-2010 David Straker

## Secret Weapon #5: The Principle of Authority

Here is an overview on the Principle of Liking from Robert Cialdini, in *Influence: Science and Practice* and from <http://changingminds.org/principles/authority.htm>:

**Principle** – We look to experts to show us the way. If you use your authority, others will obey. The double bind of authority is that not only are we compelled to obey it, but we are not even permitted to challenge it. This makes it a very powerful persuasion principle.

**Example** – If a policeman came up to you in the street and told you to move out of the street as there was a parade starting, would you go? What if the policeman said you fitted the description of someone who was wanted for burglary, and that you should go with them to clear this up, would you go? In fact most people would obey unquestioningly, which is a fact well known by confidence tricksters. We see the uniform and never dream to question the possibility that the policeman may not, in fact, be a policeman.

**Hierarchies of control** – The process of deferring to authority is something that is learned as we are socialized in the world. Without authority and appropriate deference to it, we would have anarchy. So, society imposes a certain hierarchy of control to help us efficiently manage our life.

**Basic conditioning** – From a very young age, we are trained to obey. First our parents (and by default all adults), then teachers, policemen, managers and so on. Eventually it defaults to anyone who seems to be our superior. We thus divide the world into those who are superior to us (and who are thus to be obeyed) and those who are inferior (and who should obey us). We then make the critical error of equating superiority with authority.

**Control and trust** – The basic pact between parents and children, policemen and citizens, managers and employees is one of trust and control. We all have a need for a sense of control, which can be gained in two ways: We can either control things ourselves or we can trust someone else to provide the control for us. One implicit message of authority is thus 'Don't worry--everything is under control'.

**The reciprocal agreement** – There is a tacit reciprocal agreement in situations of ceded authority that happens in two ways. In a coercive sense, a suppressed threat to use force leads us to give control. In the nurturing sense, we promise the rewards of love. Either way, obedience is gained through a promise of future action.

**Indicators of authority** – How do we know when someone else is in a position of authority? Other than known people like parents and managers, here are some deliberate cues set up to remind us of who is in charge.

**Uniforms** – Uniforms are very overt symbols of authority. They show membership of and allegiance to specific groups. Mostly, we associate uniforms with police and military forces. We also stretch the authority-acceptance to water inspectors, security guards, postmen and more. What the uniform covertly says is, 'I belong to a big and well-organized group. If you don't do as I say, I have a right to tell you what to do. Obey or face the consequences.'

**Wealth** – We assume that if someone is wealthy, then they are successful, and if they are more successful than us, then they must somehow be superior to us. We hurry to help and obey those who seem richer than us, perhaps also in the hope that some of their wealth will fall our way.

**Power** – Symbols of power are used to attract people (join my gang and I'll protect you) or bully people (join my gang or I'll hurt you). Symbols can include weapons, wealth and the trappings of a recognized position. Leaders and senior members of organizations all use symbols to remind other people of their positional power, from stripes on a sergeant's arm to the size of an executive office.

**Physical attributes** – A taller, stronger person could hurt us, and our evolutionary programming tells us to generally play it safe. We will thus tend to yield to such people, even though our social rules protect us from physical harm in most situations. It is a fact that more top jobs in companies are taken by taller people. Taller men and taller women are seen by most of us as being more authoritative. There is also a reciprocal effect: we will perceive people in authority to be taller than they really are. Thus we talk about someone who is 'Walking tall'.

**Attitude** – If you act like you're in charge, many people will not challenge you. You will be protected by the double bind whereby they feel unable to challenge you, just in case you are in charge.

**Reactance** – Being told to do something by someone in authority strips a person of control. This creates a reaction that seeks to gain back control, which can create a stubborn fight-back against authority. Teenagers famously do this in their struggle towards independence. Others will do it also, particularly if they consider the use of authority to be unfair. This reaction can also have a longer-term effect, particularly if the person feels unable to assert themselves in the short term, with the aggrieved person perhaps taking revenge in subtle (and even self-destructive) ways.

**So what?** – Borrow the symbols of authority that already exist. Dress smartly. Drive an executive car. Talk like you are in charge. You can also leverage vested authority, for example pointing out how those in authority have given you their blessing. The reverse of this is to gain time by pointing out that you do not have authority to decide now and need to consult your superiors or other the members of your team. A double reverse is to build up the sense of authority of the other person so they have no excuse not to decide here and now.

## **Milgram Obedience Study**

The classic research effort in the area of authority was the Milgram Obedience Study. Volunteers playing the part of teachers were directed by a researcher wearing a lab coat and holding a clipboard to administer shocks to another, supposed volunteer, playing the part of the student. For each wrong answer, the student received an ever-increasing shock (no actual shock was given, the student was in on the experiment and faked sounds of increasing pain). Despite the impassioned protests, as long as the authority said, "the test must go on," the teacher would continue to shock the student. Even when the student begged to stop and claimed that the next shock might kill him, almost 100% of teachers (most with lots of discomfort) continued to administer shocks.

Milgram proved that obedience to authority is so strong that most human beings can be made to act like sadists and murderers as long as the proper perceived authorities are in place and accepted. Like many of the other principles of influence, what is normally a good idea (obeying parents, teachers, policemen, or your commanding officer) can, in some cases, lead to abuse and an incredibly wrong conclusion.