



# Communication

## Objectives

1. Explore what is communicated in a negotiation and how people communicate.
  2. Consider the ways that communication might be improved in negotiation.
  3. Gain practical tools for how to improve communication processes in any negotiation.
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Reduced to its essence, negotiation is a form of interpersonal communication. Communication processes, both verbal and nonverbal, are critical to achieving negotiation goals and to resolving conflicts. In this chapter, we examine the process by which negotiators communicate their own interests, positions, and goals—and in turn make sense of those of the other party and of the negotiation as a whole. The chapter opens with a discussion of the basic mechanisms through which messages are encoded, sent, received, and decoded. We then consider in some depth *what* is communicated in a negotiation, followed by an exploration of *how* people communicate in negotiation. The chapter concludes with discussions of how to improve communication in negotiation and of special communication considerations at the close of negotiations.

## What Is Communicated during Negotiation?

One of the fundamental questions that researchers in communication and negotiation have examined is, What is communicated during negotiation? This work has taken several different forms but generally involves audio taping or videotaping negotiation role-plays and analyzing the patterns of communication that occur in them. In one study, researchers videotaped executives who participated in a 60-minute, three-person negotiation involving two oil companies.<sup>1</sup> More than 70 percent of the verbal tactics that buyers and sellers used during the negotiation were integrative. In addition, buyers and sellers tended to behave reciprocally—when one party used an integrative tactic, the other tended to respond with an integrative tactic.

Most of the communication during negotiation is not about negotiator preferences.<sup>2</sup> Although the blend of integrative versus distributive content varies as a function of the issues being discussed and of the expectation parties have for their future relationship, it is also clear that the content of communication is only partly responsible for negotiation outcomes.<sup>3</sup> For example, one party may choose not to communicate certain things (e.g., the reason she chose a different supplier), so her counterpart (e.g., the supplier not chosen)

**TABLE 7.1** | What Is Communicated during Negotiation?

Category of Communication	Why It Is Important
Offers and counteroffers	Conveys the negotiator's motives and preferences, which in turn influence actions of the other party.
Information about alternatives	Strong alternatives confer a strategic advantage, but only if the other party is aware of those alternatives.
Information about outcomes	Negotiators' evaluations of their own outcomes will vary depending on what they know about the how the other party did.
Social accounts/explanations	The negative effects of relatively poor outcomes can be alleviated when the other party offers social accounts.
Communication about process	When conflict intensifies, risking progress, conversation about process may interrupt a conflict spiral and restore a constructive tone or approach.

may be unaware why some outcomes occur. In the following sections, we discuss five categories of communication that take place during negotiations (summarized in Table 7.1). We then consider the question of whether more communication is always better than less communication.

### 1. Offers, Counteroffers, and Motives

The most important communication during negotiation involves messages that convey the parties' offers and counteroffers and signal their preferences.<sup>4</sup> A negotiator's preferences reflect in good measure his or her underlying motivations and priorities, which are also communicated during a negotiation, and they can have a powerful influence on the actions of the other party and on negotiation outcomes. A communication framework for negotiation is based on the assumptions that (1) the communication of offers is a dynamic process (offers change or shift over time), (2) the offer process is interactive (bargainers influence each other), and (3) various internal and external factors (e.g., time limitations, reciprocity norms, alternatives, constituency pressures) drive the interaction and motivate negotiators to make adjustments to their offers.<sup>5</sup> In other words, the offer-counteroffer process is dynamic and interactive, and subject to situational and environmental constraints. This process constantly revises the parameters of the negotiation, eventually narrowing the bargaining range and guiding the discussion toward a settlement point.

### 2. Information about Alternatives

Communication in negotiation is not limited to the exchange of offers and counteroffers, however. Another important aspect that has been studied is how sharing information with the other party influences the negotiation process. For instance, is simply *having* a best alternative to a negotiated agreement (BATNA) sufficient to give a negotiator an advantage

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over the other party? Should one's BATNA be communicated to the other person? Research suggests that the existence of a BATNA changes several things in a negotiation: (1) Compared to negotiators without attractive BATNAs, negotiators with attractive BATNAs set higher reservation prices for themselves than their counterparts do; (2) negotiators whose counterparts have attractive BATNAs set lower reservation points for themselves; and (3) when both parties are aware of the attractive BATNA that one of the negotiators has, that negotiator receives a more positive negotiation outcome.<sup>6</sup> Thus, negotiators with an attractive BATNA should tell the other party about it if they expect to receive its full benefits. We hasten to add that the style and tone used to convey information about an attractive BATNA matters. Politely (even subtly) making the other party aware of one's good alternative can provide leverage without alienating the other party. On the other hand, waving a good BATNA in the other party's face in an imposing or condescending manner may be construed as aggressive and threatening.

### 3. Information about Outcomes

Researcher Leigh Thompson and her colleagues examined the effects of sharing information, on negotiators' evaluations of their own success.<sup>7</sup> The study focused on how winners and losers evaluated their negotiation outcomes (winners were defined as negotiators who received more points in the negotiation simulation). Thompson and her colleagues found that winners and losers evaluated their own outcomes equally when they did not know how well the other party had done, but if they found out that the other negotiator had done better, or was simply pleased with his or her outcome, then negotiators felt less positive about their own outcome. Another study suggests that even when negotiators learn that the other party did relatively poorly, they are less satisfied with the outcome than when they have no comparison information.<sup>8</sup> Taken together, these findings suggest that negotiators should be cautious about sharing their outcomes or even their positive reactions to outcomes with the other party, especially if they are going to negotiate with that party again in the future.

### 4. Social Accounts

At times, communication during negotiation consists of "social accounts," which are explanations made to the other party, especially when negotiators need to justify bad news.<sup>9</sup> Three types of explanations are important: (1) explanations of *mitigating circumstances*, where negotiators suggest that they had no choice in taking the positions they did; (2) explanations of *exonerating circumstances*, where negotiators explain their positions from a broader perspective, suggesting that while their current position may appear negative, it derives from positive motives (e.g., an honest mistake); and (3) *reframing* explanations, where outcomes can be explained by changing the context (e.g., short-term pain for long-term gain).<sup>10</sup> Negotiators who use multiple explanations are more likely to have better outcomes and that the negative effects of poor outcomes can be alleviated by communicating explanations for them.

### 5. Communication about Process

Lastly, some communication is about the negotiation process itself—how well it is going or what procedures might be adopted to improve the situation. Some of this

communication takes the form of seemingly trivial “small talk” that breaks the ice or builds rapport between negotiators. Clearly, though, some communication about process is not just helpful, but critical, as when conflict intensifies and negotiators run the risk of letting hostilities overtake progress. One strategy involves calling attention to the other party’s contentious actions and explicitly labeling the process as counterproductive.<sup>11</sup> More generally, Negotiators seeking to break out of a conflict spiral should resist the natural urge to reciprocate contentious communication from the other party. Negotiators, like other busy humans, may be tempted to forge ahead with offers and counteroffers in pursuit of an outcome rather than pause and “waste” time to discuss a process gone sour. Sometimes that break in the substantive conversation and attention to process is precisely what’s needed.

We conclude this section on *what* is communication in negotiation with three key questions.

### **Are Negotiators Consistent or Adaptive?**

Effective negotiators are able to adapt their strategy and style to particular bargaining situations. But while this may be good advice, research indicates that when it comes to communication patterns, negotiators are more likely to be consistent in their strategies than to vary their approach. Negotiators react to only a small proportion of the available cues communicated by their partner and use only a small proportion of possible responses. Moreover, this proportion becomes smaller as the negotiation proceeds, meaning the longer a negotiation goes on, the less variety in forms of communication we see.<sup>12</sup> It appears that when it comes to making choices about communication, many negotiators prefer sticking with the familiar rather than venturing into improvisation.

### **Does It Matter What Is Said Early in the Negotiation?**

A relatively small amount of communication in a negotiation encounter can have large effects on the outcomes that result. Researchers find that “thin slices” of negotiation—communication patterns during the first five minutes—have a large effect on the negotiated agreements that the parties eventually reach.<sup>13</sup> The tone of the conversation during those first few minutes matters: the more negotiators speak with emphasis, varying vocal pitch and volume, the worse they do and the better the other party does.<sup>14</sup> In other words, controlling “the floor” early in the negotiation helps, but it’s also important to avoid dominating the early conversation with emotional or hyperbolic communication.

Controlling the exchange early on may help an individual negotiator do better, but does it help the pair achieve integrative outcomes? There is evidence that joint gains are influenced by what happens early on. One study found greater joint gains when negotiators move beyond posturing to exchanging information about issues and priorities before the negotiation is too far along.<sup>15</sup>

### **Is More Information Always Better?**

Some research has suggested that receiving too much information during negotiation may actually be detrimental to negotiators; this is sometimes called the information-is-weakness

effect.<sup>16</sup> Negotiators who know the complete preferences of both parties may have more difficulty determining fair outcomes than negotiators who do not have this information.

Having more information does not automatically translate into better negotiation outcomes. One study found that the amount of information exchanged did not improve the overall accuracy of the parties' perceptions of each other's preferences.<sup>17</sup> More recently, Another found that having information about an opponent that is not relevant to the task at hand impairs dealmaking because it interferes with the exchange of useful information.<sup>18</sup> Thus, the influence of the exchange of information on negotiation outcomes is not as direct as people might expect—that is, simply exchanging information does not automatically lead to better understanding of the other party's preferences or to better negotiation outcomes.

## How People Communicate in Negotiation

While it may seem obvious that how negotiators communicate is as important as what they have to say, research has examined different aspects of how people communicate in negotiation. We address three aspects related to the “how” of communication: the characteristics of language that communicators use, the use of nonverbal communication in negotiation, and the selection of a communication channel for sending and receiving messages.

### Characteristics of Language

In negotiation, language operates at two levels: the *logical* level (for proposals or offers) and the *pragmatic* level (semantics, syntax, and style). The meaning conveyed by a proposition or statement is a combination of one logical surface message and several pragmatic (i.e., hinted or inferred) messages. In other words, it is not only what is said and how it is said that matters but also what additional, veiled, or subsurface information is intended, conveyed, or perceived in reception. By way of illustration, consider threats. We often react not only to the substance of a threatening statement but also (and frequently more strongly) to its unspoken messages that might imply something about the likelihood that the threat will be carried out or about our relationship or our prospects for working together in the future. Box 7.1 illustrates how threats, which on the surface seem straightforward enough as negotiation gambits intended to compel the other party to make a concession, are actually complex and nuanced when analyzed in terms of the specific elements of language used within them.

Whether the intent is to command and compel, sell, persuade, or gain commitment, how parties communicate in negotiation would seem to depend on the ability of the speaker to encode thoughts properly, as well as on the ability of the listener to understand and decode the intended message(s). In addition, negotiators' use of idioms or colloquialisms is often problematic, especially in cross-cultural negotiations. The meaning conveyed might be clear to the speaker but confusing to the listener (e.g., “I'm willing to stay until the last dog is hung”—a statement of positive commitment on the part of some regional Americans, but confusing at best to those with different cultural backgrounds, even within the United States). Even if the meaning is clear, the choice of a word or metaphor may convey a lack of sensitivity or create a sense of exclusion, as is often done when men relate strategic business concerns by using sports metaphors (“Well, it's fourth down and goal to go; this is no time to drop the ball”). Because people generally aren't aware of the potential for such miscommunication

Is a threat simply a statement about bad things that will happen to the others if they resist? Or is there more to it? Gibbons, Bradac, and Busch (1992) identify five linguistic dimensions of making threats:

1. The use of *polarized language*, in which negotiators use positive words when speaking of their own positions (e.g., generous, reasonable, or even-handed) and negative words when referring to the other party's position (e.g., tight-fisted, unreasonable, or heavy-handed).
2. The conveyance of *verbal immediacy* (a measure of intended immediacy, urgency, or relative psychological distance), either high and intended to engage or compel the other party ("OK, here is the deal" or "I take great care to . . .") or low and intended to create a sense of distance or aloofness ("Well, there it is" or "One should take great care to . . .").
3. The degree of *language intensity*, whereby high intensity conveys strong feelings to the recipient (as with statements of affirmation or the frequent use of profanity) and low intensity conveys weak feelings.
4. The degree of *lexical diversity* (i.e., the command of a broad, rich vocabulary), where high levels of lexical diversity denote comfort and competence with language and low levels denote discomfort, anxiety, or inexperience.
5. The extent of a *high-power language style*, with low power denoted by the use of verbal hedges, hesitations, or politeness to the point of deference and subordination and high power denoted by verbal dominance, clarity and firmness of expression, and self-assurance.

According to Gibbons, Bradac, and Busch, threats are more credible and more compelling if they incorporate negatively polarized descriptions of the other party and his or her position, high immediacy, high intensity, high lexical diversity, and a distinctively high-power style.

Source: Adapted from Pamela Gibbons, James J. Bradac, and Jon D. Busch. "The Role of Language in Negotiations: Threats and Promises," in Linda L. Putnam and Michael E. Roloff (Eds.), *Communication and Negotiation* (Newbury Park, CA: Sage Publications, 1992), pp. 156–75.

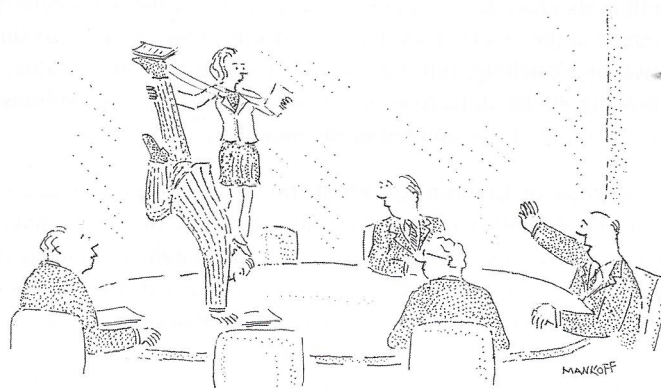
with someone from their own culture, they are less well prepared to deal with such miscommunication than they would be if the person were from a different culture.

Finally, a negotiator's choice of words may not only signal a position but also shape and predict the conversation that ensues. Researcher Tony Simons examined linguistic patterns of communication in negotiation; two of his findings are relevant here:<sup>19</sup>

1. Parties whose statements communicated interests in both the substance of the negotiation (things) and the relationship with the other party achieved better, more integrative solutions than parties whose statements were concerned solely with either substance or relationship.
2. Linguistic patterns early in the negotiation help define issues in ways that may help the parties discover integrative possibilities later on.

### Use of Nonverbal Communication

Much of what people communicate to one another is transmitted with nonverbal communication. Examples include facial expressions, body language, head movements, and tone of



"O.K., O.K., we get the point."

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voice, to name just a few. Some nonverbal acts, called *attending behaviors*, are particularly important in connecting with another person during a coordinated interaction like negotiation; they let the other know that you are listening and prepare the other party to receive your message. We discuss three important attending behaviors: eye contact, body position, and encouraging.

**Make Eye Contact** Dishonest people and cowards are not supposed to be able to look people in the eye. Poets claim that the eye is the lens that permits us to look into a person's soul. These and other bits of conventional wisdom illustrate how important people believe eye contact to be. In general, making eye contact is one way to show others you are paying attention and listening and that you consider them important. Of course, it is possible to listen very well even when not looking at the other person; in fact, it may be easier to look away because you can focus on the spoken words and not be confused by visual information. But the point is that by not making eye contact, you are not providing the other person with an important cue that you are engaged and listening.

When persuading someone, it is important to make eye contact when delivering the most important part of the message.<sup>20</sup> Having the verbal and nonverbal systems in parallel at this point emphasizes the importance of the message that is being sent. Also, one should maintain eye contact not only when speaking but when receiving communication as well.<sup>21</sup> It is important to recognize, however, that the patterns described here are characteristic of Western society. In other parts of the world, different patterns prevail. In some Asian societies, for example, keeping one's eyes down while the other is speaking is a sign of respect.<sup>22</sup>

**Adjust Body Position** Parents frequently advise their children about how to stand and sit, particularly when they are in formal settings such as school, church, or dinner parties. The command "Sit up!" is often accompanied by "And pay attention!" Here the parent is teaching the child another widely held belief—one's body position indicates whether or not one is paying attention to the other party. To ensure that others know you are attentive

to them, hold your body erect, lean slightly forward, and face the other person directly.<sup>23</sup> If you accept and endorse the others' message, care needs to be taken not to show disrespect with body position by slouching, turning away, or placing feet on the table.<sup>24</sup> In contrast, crossing arms, bowing the head, frowning the brow, and squeezing eyebrows together all can signal strong rejection or disapproval of the message.<sup>25</sup>

**Nonverbally Encourage or Discourage What the Other Says** One can indicate attention and interest in what another is saying through a variety of simple behaviors. A head nod, a simple hand gesture to go on, or a murmured "unh huhh" to indicate understanding all tell the other person to continue, that you are listening. In fact, you can encourage someone to continue to speak about many subjects by simply nodding your head as he or she is speaking. Brief eye contact or a smile and a nod of the head will both provide encouraging cues. Similarly, a frown, a scowl, a shake of the head, or a grab of one's chest in mock pain will signal disapproval of the other's message.

Nonverbal communication—done well—may help negotiators achieve better outcomes through mutual coordination. One study compared the development of rapport between negotiators who did or did not have visual access to each other while negotiating. The researchers defined rapport as "a state of mutual positivity and interest that arises through the convergence of nonverbal expressive behavior in an interaction."<sup>26</sup> They found that face-to-face interaction stimulated rapport through nonverbal communication, which in turn enhanced coordination and led to higher joint gains. Of course, these benefits will presumably arise only to the extent that parties are able to interpret nonverbal communication accurately.

### Selection of a Communication Channel

Communication is experienced differently when it occurs through different channels. We may think of negotiation as typically occurring face-to-face—an assumption reinforced by the common metaphor of the "negotiation table." But the reality is that people negotiate through a variety of communication media: over the telephone, in writing, and increasingly through electronic channels such as e-mail, teleconferencing, and text messaging. The use of network-mediated information technologies in negotiation is sometimes referred to as *virtual negotiation* (also at times "e-negotiation"). The use of a particular channel shapes both perceptions of the communication task at hand and norms regarding appropriate behavior; accordingly, channel variations have potentially important effects on negotiation processes and outcomes.<sup>27</sup>

The key variation that distinguishes one communication channel from another is *social bandwidth*—the ability of a channel to carry and convey subtle social and relational cues from sender to receiver that go beyond the literal text of the message itself.<sup>28</sup> For example, as an alternative to face-to-face interaction, the telephone preserves one's ability to transmit social cues through inflection or tone of voice but forfeits the ability to communicate through facial expressions or physical gestures. In written communication, there are only the words and symbols on paper, although one's choice of words and the way they are arranged can certainly convey tone, (in)formality, and emotion.

E-mail, as a ubiquitous mode of personal and organizational communication, can be viewed as simply another form of written communication that happens to involve electronic

transmission. There are, however, important distinctions between e-mail and other forms of written communication. Many people, treating e-mail as a highly informal medium, are comfortable sending messages that are stylistically or grammatically unpolished—in situations (such as on the job) where they would never send a carelessly written communication on paper. Some people incorporate text-based *emoticons* to convey emotional social cues in their messages (the notorious smiley face [:-]) is the best known emoticon). Early research on interpersonal and small-group communication through computers indicated that the lack of social cues lowers communicator inhibition and leads to more aggressive communication behavior.<sup>29</sup> However, much of that early research into computer-mediated communication focused on anonymous interaction. It is not clear that reduced social cues have the same effect in a communication context, such as negotiation, where the parties are known to each other, and in fact may know each other quite well.<sup>30</sup>

Researchers have been examining the effects of channels in general, and e-mail in particular, on negotiation processes and outcomes for several years. Unfortunately, there are few consistent findings that point to clear effects. We do know that interacting parties can more easily develop personal rapport in face-to-face communication compared with other channels,<sup>31</sup> and that face-to-face negotiators are more inclined to disclose information truthfully, increasing their ability to attain mutual gain.<sup>32</sup> Research has found that negotiation through written channels is more likely to end in impasse than negotiation that occurs face to face or by phone.<sup>33</sup>

Developing rapport and sharing information truthfully are aspects of face-to-face communication that promote cooperation, but face-to-face interaction may also enhance toughness in negotiation. One research team studying distributive negotiation looked at how the advantage of hard bargaining over soft concession-oriented bargaining is affected by whether or not negotiators have face-to-face access.<sup>34</sup> They found that when negotiators can see each other (as opposed to when there is no visual contact), competitive approaches become even more effective, yielding additional gains for the hard bargainer who makes extreme offers and few concessions. With face-to-face access, the hard bargainer can communicate his or her “tough” message unambiguously, which in turn limits the other party’s aspirations and thereby triggers concessions.

Using e-mail communication instead of face-to-face interaction can have the effect of masking or reducing power differences between negotiators. One study found that e-mail negotiators reach agreements that are more equal (a balanced division of resources) than face-to-face negotiators.<sup>35</sup> This may occur to the extent that electronic communication ‘levels the playing field’ between strong and weak negotiators. By giving the individual a chance to ponder at length the other party’s message, and to review and revise one’s own communication, e-mail may indeed help less interpersonally skilled parties improve their performance, especially when the alternative is negotiating spontaneously (face-to-face or by phone) with a more accomplished other party.

Negotiators using e-mail need to work harder at building personal rapport with the other party if they are to overcome limitations of the channel that would otherwise inhibit optimal agreements or fuel impasse. What e-mail negotiations lack is *schmoozing*—off-task or relationship-focused conversations that are often present in face-to-face negotiations.<sup>36</sup> Schmoozing is an important avenue for building rapport and establishing trust in the negotiation relationship. In one study, negotiators who schmoozed on the phone prior

to e-mail negotiations reached more negotiated agreements, achieved better outcomes, and perceived greater trust and optimism regarding future working relationships with the other party.<sup>37</sup> Another way to enhance interpersonal ties in an online negotiation: engage in “linguistic mimicry” by imitating the other party’s use of language, metaphors, jargon, and even emoticons. Negotiators in a study exploring this possibility who actively mimicked the other party’s language enhanced trust, which in turn resulted in better outcomes for the negotiator doing the mimicking.<sup>38</sup>

With so much attention to e-mail, it is important to keep in mind that other online channels for virtual negotiations are available. One study compared negotiations over e-mail with those conducted via instant messaging (IM). A key difference between these two channels is speed of turn-taking: E-mail is a “slow-tempo” medium, while IM is “fast-tempo” medium that more closely approximates oral communication. In a simulated buyer–seller negotiation, some sellers were provided with intricate arguments to use in support of their position; others relied on simple arguments. Sellers did better with complex arguments in the “quick” medium (IM) but not in the “slow” medium (e-mail).<sup>39</sup> This occurred, their results suggest, because sellers armed with intricate arguments were more able to dominate the conversation in the rapid turn-taking environment of IM, and in so doing extract concessions from the other party.

In summary, negotiations via e-mail and other network-mediated technologies create opportunities but also pose crucial challenges that negotiators would do well to understand before selecting a particular medium for an important occasion. See Box 7.2 for a list of additional ways to maximize effectiveness when negotiations occur in virtual environments.

## How to Improve Communication in Negotiation

Given the many ways that communication can be disrupted and distorted, we can only marvel at the extent to which negotiators can actually understand each other. Failures and distortions in perception, cognition, and communication are the paramount contributors to breakdowns and failures in negotiation. Research consistently demonstrates that even those parties whose goals are compatible or integrative may fail to reach agreement or reach suboptimal agreements because of the misperceptions of the other party or because of breakdowns in the communication process. Just as we can evaluate the quality of a deal that results from negotiation, we can evaluate the quality of communication—its efficiency and effectiveness—that occurs in the interaction leading to a given deal.<sup>40</sup>

Three main techniques are available for improving communication in negotiation: the use of questions, listening, and role reversal.

### The Use of Questions

Questions are essential elements in negotiations for securing information; asking good questions enables negotiators to secure a great deal of information about the other party’s position, supporting arguments, and needs. Questions can be divided into two basic categories: those that are manageable and those that are unmanageable and cause difficulty (see Table 7.2).<sup>41</sup> Manageable questions cause attention or prepare the other person’s thinking for further questions (“May I ask you a question?”), get information (“How much will this cost?”), and generate thoughts (“Do you have any suggestions for improving this?”).

1. Take steps to create a face-to-face relationship before negotiation, or early on, so that there is a face or voice behind the e-mail.
2. Be explicit about the normative process to be followed during the negotiation.
3. If others are present in a virtual negotiation (on either your side or theirs), make sure everyone knows who is there and why.
4. Pick the channel (face-to-face, videoconference, voice, e-mail, etc.) that is most effective at getting all the information and detail on the table so that it can be fully considered by both sides.
5. Avoid "flaming"; when you must express emotion, label the emotion explicitly so the other knows what it is and what's behind it.
6. Formal turn-taking is not strictly necessary, but try to synchronize offers and counter-offers. Speak up if it is not clear "whose turn it is."
7. Check out assumptions you are making about the other's interests, offers, proposals, or conduct. Less face-to-face contact means less information about the other party and a greater chance that inferences will get you in trouble, so ask questions.
8. In many virtual negotiations (e.g., e-mail), everything is communicated in writing, so be careful not to make unwise commitments that can be used against you. Neither should you take undue advantage of the other party in this way; discuss and clarify until all agree.
9. It may be easier to use unethical tactics in virtual negotiation because facts are harder to verify. But resist the temptation: the consequences are just as severe, and perhaps more so, given the incriminating evidence available when virtual negotiations are automatically archived.
10. Not all styles work equally well in all settings. Work to develop a personal negotiation style (collaboration, competition, etc.) that is a good fit with the communication channel you are using.

*Source:* Adapted from Roy J. Lewicki and Brian R. Dineen, "Negotiation in Virtual Organizations," in Robert L. Heneman and David B. Greenberger (Eds.), *Human Resource Management in Virtual Organizations* (New York: John Wiley & Sons, 2002).

Unmanageable questions cause difficulty, give information ("Didn't you know that we couldn't afford this?"), and bring the discussion to a false conclusion ("Don't you think we've talked about this enough?"). Unmanageable questions are more likely to elicit defensiveness and anger from the other party. Although these questions may yield information, they may also make the other party feel uncomfortable and less willing to provide information in the future.

Negotiators can also use questions to manage difficult or stalled negotiations. Aside from their typical uses for collecting and diagnosing information or assisting the other party in addressing and expressing needs and interests, questions can also be used tactically to pry or lever a negotiation out of a breakdown or an apparent dead end. Several examples of tough situations and possible specific questions that can be used to deal with them are listed in Table 7.3. The value of such questions seems to be in their power to assist or force the other party to confront the effects or consequences of his or her behavior, intended and anticipated or not.

**TABLE 7.2** | Questions in Negotiation

Manageable Questions	Examples
Open-ended questions—ones that cannot be answered with a simple yes or no. <i>Who, what, when, where, and why</i> questions.	“Why do you take that position in these deliberations?”
Open questions—invite the other’s thinking.	“What do you think of our proposal?”
Leading questions—point toward an answer.	Don’t you think our proposal is a fair and reasonable offer?”
Cool questions—low emotionality.	“What is the additional rate that we will have to pay if you make the improvements on the property?”
Planned questions—part of an overall logical sequence of questions developed in advance.	“After you make the improvements to the property, when can we expect to take occupancy?”
Treat questions—flatter the opponent at the same time as you ask for information.	“Can you provide us with some of your excellent insight on this problem?”
Window questions—aid in looking into the other person’s mind.	“Can you tell us how you came to that conclusion?”
Directive questions—focus on a specific point.	“How much is the rental rate per square foot with these improvements?”
Gauging questions—ascertain how the other person feels.	“How do you feel our proposal?”
Unmanageable Questions	Examples
Close-out questions—force the other party into seeing things your way.	“You wouldn’t try to take advantage of us here, would you?”
Loaded questions—put the other party on the spot, regardless of the answer.	“Do you mean to tell me that these are the only terms that you will accept?”
Heated questions—high emotionality, trigger emotional responses.	“Don’t you think we’ve spent enough time discussing this ridiculous proposal of yours?”
Impulse questions—occur “on the spur of the moment,” without planning, and tend to get conversation off the track.	“As long as we’re discussing this, what do you think we ought to tell other groups who have made similar demands on us?”
Trick questions—appear to require a frank answer, but really are “loaded” in their meaning.	“What are you going to do—give in to our demands, or take this to arbitration?”
Reflective trick questions—reflects the other into agreeing with your point of view.	“Here’s how I see the situation—don’t you agree?”

Source: Adapted from Gerard Nierenberg, *Fundamentals of Negotiating* (New York: Hawthorn Books, 1973), pp. 125–26.

**Listening**

“Active listening” and “reflecting” are terms commonly used in the helping professions such as counseling and therapy. Counselors recognize that communications are frequently loaded with multiple meanings and that the counselor must try to identify these different

**TABLE 7.3** |

The Situation
“Take it or leave it”
Pressure to be unreasonable
Highball or lowball
An impassioned argument
Indecision and rejection
A question that offers the same as
Attempt to manipulate

Source: Adapted from powerful questions

TABLE 7.3 | Questions for Tough Situation

The Situation	Possible Questions
"Take it or leave it" ultimatums	<p>"If we can come up with a more attractive alternative than that, would you still want me to 'take or leave' your offer?"</p> <p>"Do I have to decide now, or do I have some time to think about it?"</p> <p>"Are you feeling pressure to bring the negotiation to a close?"</p>
Pressure to respond to an unreasonable deadline	<p>"Why can't we negotiate about this deadline?"</p> <p>"If you're under pressure to meet this deadline, what can I do to help remove some of that pressure?"</p> <p>"What's magical about this afternoon? What about first thing in the morning?"</p>
Highball or lowball tactics	<p>"What's your reasoning behind this position?"</p> <p>"What would you think I see as a fair offer?"</p> <p>"What standards do you think the final resolution should meet?"</p>
An impasse	<p>"What else can either of us do to close the gap between our positions?"</p> <p>"Specifically what concession do you need from me to bring this to a close right now?"</p> <p>"If it were already six weeks from now and we were looking back at this negotiation, what might we wish we had brought to the table?"</p>
Indecision between accepting and rejecting a proposal	<p>"What's your best alternative to accepting my offer right now?"</p> <p>"If you reject this offer, what will take its place that's better than what you know you'll receive from me?"</p> <p>"How can you be sure that you will get a better deal elsewhere?"</p>
A question about whether the offer you just made is the same as that offered to others	<p>"What do you see as a fair offer, and given that, what do you think of my current offer to you?"</p> <p>"Do you believe that I think it's in my best interest to be unfair to you?"</p> <p>"Do you believe that people can be treated differently, but still all be treated fairly?"</p>
Attempts to pressure, control, or manipulate	<p>"Shouldn't we both walk away from this negotiation feeling satisfied?"</p> <p>"How would you feel if our roles were reversed, and you were feeling the pressure I'm feeling right now?"</p> <p>"Are you experiencing outside pressures to conclude these negotiations?"</p>

Source: Adapted from Samuel D. Deep and Lyle Sussman, *What to Ask When You Don't Know What to Say: 555 powerful questions to use for getting your way at work* (1993). Englewood Cliffs, NJ: Prentice Hall.

meanings without making the communicator angry or defensive.<sup>42</sup> There are three major forms of listening:

1. *Passive listening* involves receiving the message while providing no feedback to the sender about the accuracy or completeness of reception. Sometimes passive listening is itself enough to keep a communicator sending information. A negotiator whose counterpart is talkative may find that the best strategy is to sit and listen while the other party eventually works into, or out of, a position on his or her own.
2. *Acknowledgment* is the second form of listening, slightly more active than passive listening. When acknowledging, receivers occasionally nod their heads, maintain eye contact, or interject responses like "I see," "mm-hmm," "interesting," "really," "sure," "go on," and the like. These responses are sufficient to keep communicators sending messages, but a sender may misinterpret them as the receiver's agreement with his or her position, rather than as simple acknowledgments of receipt of the message.
3. *Active listening* is the third form. When receivers are actively listening, they restate or paraphrase the sender's message in their own language. Here are a few examples of active listening:<sup>43</sup>

SENDER: I don't know how I am going to untangle this messy problem.

RECEIVER: You're really stumped on how to solve this one.

SENDER: Please, don't ask me about that now.

RECEIVER: Sounds like you're awfully busy right now.

SENDER: I thought the meeting today accomplished nothing.

RECEIVER: You were very disappointed with our session.

Active listening is a hallmark of communication in counseling settings, but its value in negotiation might seem less obvious because, in negotiation, the listener normally has a set position and may feel strongly about the issues. By recommending active listening, we are not suggesting that receivers should automatically agree with the other party's position and abandon their own. Rather, we regard active listening as a skill that encourages others to speak more fully about their feelings, priorities, frames of reference, and, by extension, the positions they are taking. When the other party does so, negotiators will better understand the other's positions; the factors and information that support it; and the ways the position can be compromised, reconciled, or negotiated in accordance with their own preferences and priorities.

### Role Reversal

Arguing consistently for one particular position in a conversation can impede negotiators from recognizing the possible compatibility between their own position and that of the other party. We suggested earlier that active listening is one way to gain an understanding of the other party's perspective or frame of reference. Active listening is, however, a somewhat passive process. Role-reversal techniques allow negotiators to understand more completely the other party's positions by actively arguing these positions until the other party is convinced that he or she is understood. For example, someone can ask you how you would respond to the situation that he or she is in. In doing so, you can come to understand that

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person's position, perhaps accept its validity, and discover how to modify both parties' positions to make them more compatible.

Classic studies examining the impact and success of the role-reversal<sup>44</sup> technique. Point to two implications for negotiators. First, the party who attempts role reversal may come to a greater understanding of the other party's position, which can in turn lead to convergence between negotiators' positions. Second, while role reversal can produce these changes when the parties' positions are fundamentally compatible with each other to begin with, the technique may end up sharpening perceptions of differences if the positions are fundamentally incompatible.

In sum, role reversal may be most useful during the preparation stage of negotiation or during a team caucus when things are not going well. However, increasing understanding does not necessarily lead to easy resolution of the conflict, particularly when accurate communication reveals a fundamental incompatibility in the positions of the two sides.

## **Special Communication Considerations at the Close of Negotiations**

As negotiations move toward a close with agreement in sight, negotiators must attend to two key aspects of communication and negotiation simultaneously: the avoidance of fatal mistakes and the achievement of satisfactory closure in a constructive manner.

### **Avoiding Fatal Mistakes**

Gary Karrass focusing on sales negotiations in particular, has specific advice about communication near the end of a negotiation.<sup>45</sup> Karrass enjoins negotiators to "know when to shut up," to avoid surrendering important information needlessly, and to refrain from making "dumb remarks" that push a wavering counterpart away from the agreement he or she is almost ready to endorse. The other side of this is to recognize the other party's faux pas and dumb remarks for what they are and refuse to respond to or be distracted by them. Karrass also reminds negotiators of the need to watch out for last-minute problems, such as nit-picking or second-guessing by parties who didn't participate in the bargaining process but who have the right or responsibility to review it. Finally, Karrass notes the importance of reducing the agreement to written form, recognizing that the party who writes the contract is in a position to achieve clarity of purpose and conduct for the deal.

### **Achieving Closure**

Achieving closure in negotiation generally involves making decisions to accept offers, to compromise priorities, to trade off across issues with the other party, or to take some combination of these steps. Such decision-making processes can be divided into four key elements: framing, gathering intelligence, coming to conclusions, and learning from feedback.<sup>46</sup> The first three of these elements we have discussed elsewhere; the fourth element, that of learning (or failing to learn) from feedback, is largely a communication issue, which involves "keeping track of what you expected would happen, systematically guarding against self-serving expectations, and making sure you review the lessons your feedback has provided the next time a similar decision comes along."<sup>47</sup> In Chapter 6, we discussed

the decision traps that may result from perceptual and cognitive biases that negotiators will inevitably encounter. Although some of these traps may occur in earlier stages of the negotiation, we suspect that several of them are likely to arise at the end of a negotiation, when parties are in a hurry to wrap up loose ends and cement a deal.

## Chapter Summary

In this chapter we have considered elements of the art and science of communication that are relevant to understanding negotiations.

We first addressed *what* is communicated during negotiation. Rather than simply being an exchange of preferences about solutions, negotiation covers a wide-ranging number of topics in an environment where each party is trying to influence the other. This was followed by an exploration of three issues related to *how* people communicate in negotiation: the characteristics

of language, nonverbal communication, and the selection of a communication channel. We discussed at some length how the decision to negotiate in online environments (e.g., e-mail) alters negotiator behavior and outcomes.

In the closing sections of the chapter we considered ways to improve communication in negotiation, including improvement of listening skills and the use of questions, and special communication considerations at the close of negotiation.

## Endnotes

<sup>1</sup> Alexander, Schul, and Babakus, 1991.

<sup>2</sup> Carnevale, Pruitt, and Seilheimer, 1981.

<sup>3</sup> Olekalns, Smith, and Walsh, 1996; Patton and Balakrishnan, 2010; Weingart, Hyder, and Prietula, 1996.

<sup>4</sup> Tutzauer, 1992.

<sup>5</sup> Ibid.

<sup>6</sup> Pinkley, 1995; Pinkley, Neale, and Bennett, 1994; see also Buelens and Van Poucke, 2004.

<sup>7</sup> Thompson, Valley, and Kramer, 1995.

<sup>8</sup> Novemsky and Schweitzer, 2004.

<sup>9</sup> Bies and Shapiro, 1987; Shapiro, 1991.

<sup>10</sup> Sitkin and Bies, 1993.

<sup>11</sup> Brett, Shapiro, and Lytle, 1998.

<sup>12</sup> Taylor and Donald, 2003.

<sup>13</sup> Curhan and Pentland, 2007.

<sup>14</sup> Ibid.

<sup>15</sup> Adair and Brett, 2005.

<sup>16</sup> Roth and Malouf, 1979; Schelling, 1960; Siegel and Fouraker, 1960.

<sup>17</sup> O'Connor, 1997.

<sup>18</sup> Wiltermuth and Neale, 2011.

<sup>19</sup> Simons, 1993.

<sup>20</sup> Beebe, 1980; Burgoon, Coker, and Coker, 1986; Kleinke, 1986.

<sup>21</sup> Kellerman, Lewis, and Laird, 1989.

<sup>22</sup> Ivey and Simek-Downing, 1980.

<sup>23</sup> Ibid.

<sup>24</sup> Stacks and Burgoon, 1981.

<sup>25</sup> Nierenberg and Calero, 1971.

<sup>26</sup> Drolet and Morris, 2000, p. 27.

<sup>27</sup> Bazerman, Curhan, Moore, and Valley, 2000; Lewicki and Dineen, 2002.

<sup>28</sup> Barry and Fulmer, 2004. See also Short, Williams, and Christie, 1976, who used the term "social presence."

<sup>29</sup> Sproull and Kiesler, 1986.

<sup>30</sup> Barry and Fulmer, 2004.

<sup>31</sup> Drolet and Morris, 2000.

<sup>32</sup> Valley, Moag, and Bazerman, 1998.