

## Managing the Negotiation Process

### Part I, Eliciting

*This is the first in a two-part piece on communicating effectively when negotiating.*

Our challenge as negotiators is to reach an agreement that meets the needs of both parties, and that both parties can implement. Successful negotiators recognize that in order to meet that goal, clear and effective communication is necessary. It is particularly difficult during a negotiation as most people bring feelings and emotions to the bargaining table that can compromise the communication process. We strive for effective communication to help us avoid costly misunderstandings. But when we say “effective communication” what are we really talking about? We believe that effective communication within the negotiation process includes the following:

- Seeing the world as the other party views it
- Expressing ideas in a way that ensures the other person fully understands them.
- Encouraging the other party to share ideas without fear that she/he will be misunderstood or judged.

### **Philosophy**

The first challenge for the successful negotiator is to find out and understand why the other party believes the way she/he does. Only by understanding the other party – his/her objectives, needs and interests, will they find an answer that works for both parties. Successful negotiators presume that other person believes he or she is right, and probably has facts and opinions different from their own.

Successful negotiators also understand that their point of view is only that – their point of view, not

an absolute statement of the truth. When this philosophy is implemented, it gives rise to a very unique communication pattern – one focused on securing information and making sure that the other party’s issues and points of view are understood.

### **Behaviors – Introduction**

In the *Successful Negotiator* workshop we discuss a range of communication behaviors that, among other things, ensures that both parties understand one another’s ideas. As you look at the behaviors that follow you will notice that they are not very different from those we discuss during our workshop. We have selected those we think are most important and organized them in a way that we believe gives them richer context.

These behaviors are eliciting or soliciting and telling or selling. Eliciting behaviors help the other person to express a point of view. They cover asking questions, active listening, paraphrasing, clarifying and summarizing. The telling/selling behaviors are those that inform or share information. The effective negotiator brings a balanced approach to the communication process and is able to use each behavior, as the situation requires. In this newsletter, we will focus on eliciting/soliciting behaviors.

### **Eliciting Behaviors**

Open and Close-ended Questions. Good questioning is at the core of every successful negotiation. The prime need is for information and questioning is the best (and sometimes only) way to get it. There are two main types of questions – open and closed.

Close-ended questions generally receive short, factual, or yes/no answers. Close-ended questions should be used when looking for a specific piece of information, or when time is not available to

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explore the issues fully. An example of a closed question is, "How much will this cost?" Close-ended questions should generally be used much more infrequently than open-ended ones in the negotiation process.

Open-ended questions encourage the other party to share information. They are particularly useful in the early stages of Issue Identification and Bargaining. They help you understand the other's point of view. Examples of open-ended questions are, "Can you tell me a little more about this?" or, "How do you feel about my last offer?" When effectively done, questioning provides the information we need to move the negotiation to a logical conclusion.

Actively listen. Listening is essential if one is to gain any value from the questions asked. Yet few of us do it. Most of us are so busy mentally preparing our response we can hardly focus on what the other person is saying. Try listening carefully to the other person and staying attuned to their feelings. Avoid responding right away. Encourage the other person to talk. Doing this sends a message that what they are saying is important and, by extension, that they are important. Active listening requires concentration and an honest attempt to understand the other person's concerns. Listening requires patience, silence and concentration.

Affirm. Affirming is a critical part of active listening because it tells the other person they have been heard. To affirm, you might say something such as, "I understand that you don't want to involve others in this," or, "I agree, we must keep the overall costs down." Non-verbally, you can nod, smile, or have a concerned expression. Affirming does not mean that you agree – it merely demonstrates empathy and understanding. It also shows that you value the other person and what they are saying.

Clarify. Clarifying questions ensure that you and the other person understand the same thing. The

clarifying or paraphrasing response helps to limit distortion and ensures mutual understanding. It is an essential part of the active listening process. Clarifying works best when you have listened carefully to what the other person has said. An example of a clarifying response is, "I think what you're saying is that the company is currently having financial problems. Am I right?"

Summarize. In all phases of the negotiation process, it is critical to summarize your understanding of what has been said. Summarizing accomplishes several necessary things in a negotiation. Summarizing can help clarify where you and the other party are in the negotiation, make you aware of areas where you and the other person agree and serve as a way to leave one step to go into another. For instance, after identifying the issues, summarize...what has been identified can point out areas that are in question or have been omitted. On a totally separate level, a clear summary serves to reinforce that we are making progress and will eventually solve the problem.

## Conclusion

Although difficult, effective communication is not impossible. The aim of model we discussed is to create a collaborative and trusting environment – one that encourages both parties to talk freely and to share their feelings and concerns. In such an environment, effective communication is more apt to occur, thereby increasing your chances of finding a solution that works for both parties.

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## New Web Site:

United States Institute for Peace

We recently discovered a website with some very special material on culture and how we negotiate. It is the United States Institute for Peace. The web site address is [www.usip.org](http://www.usip.org).

Of particular interest is the special report published in 2002 on U.S. Negotiating Behavior.

NOTES:

Additional reports are available on Germany, Japan, China, North Korea and Russia. All can be downloaded for free. Go to 'special reports,' then to the archives and the year 2002 to download the U.S. report.

## **New Book:**

Meeting Excellence

Our good friend Glenn Parker is the author of a recently published book called, Meeting Excellence – 33 Tools to Lead Meetings That Get Results. We think all of you who lead meetings will find this book of real value. Available on Amazon.com ■

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