

The Impact of Emotion in Negotiation

by Mallory J. Stevens

You're furious, sitting there at the negotiation table as opposing counsel has just questioned your integrity. Elsewhere, a mediator grows ever more frustrated listening to the spiteful obstinacy of the parties in mediation. Across town, a couple can't agree on Thai or Italian. We negotiate almost every day since, after all, conflict's a part of life. And most of the time, we're not even aware we're doing it.

Negotiation takes two basic forms, depending on whether we're trying to make a deal or resolve a dispute. "Distributive" negotiation (a.k.a. bargaining) is competitive, where our objective is to maximize our share of fixed resources in a single deal. We're looking to *claim* value and the relationship isn't important. "Integrative" negotiation (also called "collaborative" and "interest-based") is a cooperative, mutual-gains approach where we look to *create* value. The relationship matters. Most negotiations are actually a hybrid of both approaches (known as "mixed motive").

Whether you're a shrewd bargainer, an accomplished collaborative negotiator or an experienced mediator—and whether you're representing yourself or a client—you can be sure of one thing: Everyone involved will be experiencing emotions. *The worst thing you can do is to ignore them.* The most essential first step in managing emotions in negotiation is to be *mindful* of them, which can begin by simply "naming" them in your head. Likewise, we need to be mindful of the *other* party's emotions. For those of us who serve as mediators, we need to be mindful of the negotiating parties' emotions as well as our own. In fact, the more insight mediators are able to gain into the emotions experienced by mediating parties, the better equipped we can be to guide them through the mediation process.

Negative and positive emotions alike have the potential to work for or against parties in a negotiation,¹ so it's important to understand both their potential impact and how we can help manage them.

No matter the type of negotiation, positive emotions can lead to more collaboration between the parties, even turning adversaries into colleagues.² Positive emotions are more likely to lead to greater flexibility and increased motivation to reach a mutually satisfactory resolution.³ Conversely, positive feelings also can potentially work to one's detriment. For example, a negotiator who's feeling enthusiastic and overly confident could lose focus, end up overlooking details of the other's arguments and even be vulnerable to disreputable tactics.⁴

Negative emotions—such as the ever-popular anger, fear, frustration, guilt, humiliation—can affect concentration, divert attention from substantive issues, damage relationships and affect the parts of our complex brains that enable

us to reason and exercise judgment; in other words, a recipe for potential disaster in negotiation. Studies show that reciprocally negative emotions can end up escalating a dispute⁵ and even provoke an inclination to retaliate.⁶ Additionally, though perhaps hard to believe, negative emotions also have the potential for bringing about positive results: They can bring to the foreground possible obstacles to settlement and motivate the parties to overcome them and seek solutions—or, perhaps, to bow out.⁷ Research also shows that, given the power of emotions in negotiation, we need to be particularly well prepared for negotiators who may use positive and/or negative emotions to strategically manipulate the other side to conform to certain notions or agree to proceed in a particular way.⁸ In divorce mediation, in particular, we need to be especially alert to emotional signals (whether overt or subtle) from either party that might reflect dominance or domestic abuse.

The good news is that while emotions are hard-wired, they are also pliable. In their book, *Beyond Reason: Using Emotions as You Negotiate*,⁹ scholars Roger Fisher and Daniel Shapiro provide a useful framework to enable us to deal with emotions—ours and the other party's—without letting them overpower us.

The authors identify five relationship-focused "core concerns" they assert underlie and ultimately provoke emotions, whether positive or negative, in a negotiation. They are:

Appreciation—Thoughts and ideas are acknowledged, not devalued.

Affiliation—Interaction is collegial, not adversarial

Autonomy—Authority to make decisions is respected, not encroached upon

Status—Stature is given full recognition, not belittled

Role—Role and responsibilities are found fulfilling, not personally unsatisfying

We all share these concerns, and being aware of them can help us better understand both our own and the other party's emotional states and behavioral motivations. This insight can help foster reciprocally positive emotions and, as a matter of fact, the core concerns can even be used intentionally to set a positive tone to the negotiation. Expressing appreciation of your counterpart's ideas doesn't necessarily mean you agree with them, but the respect and empathy you show will go a long way to set a positive tone. Everyone wants to feel "heard," and when we feel heard and respected, we're much more able to hear and understand each other. Positive emotions can be stimulated, and like begets like.

OK, you might ask, but what about that negotiating bully

(fill in whatever word you prefer) who rolled his eyes and denigrated your proposals last week? Your core concern to be appreciated was dishonored. Chances are you felt angry or frustrated, who knows, perhaps even vindictive. Our natural impulse—whether freeze, flight or fight—can only end up sabotaging the negotiation. Managing a negative emotion doesn't mean it's necessarily eradicated; it simply means the intensity's toned down enough for you to regulate it and not be distracted from the negotiation issues.

By the same token, for those of us who mediate, our own negative emotions that might be provoked during a mediation can be better controlled by our being cognizant both of them and the core concerns we believe have been violated. Moreover, our understanding of core concerns and how they provoke emotions can help us help our clients, particularly by enhancing the capacity for empathy.

Better equipped to manage our own emotions, what can we do to stimulate more positive emotions on both sides and overcome barriers? William Ury, in his book *Getting Past No: Negotiating in Difficult Situations*, offers some practical recommendations that, as we see, are all relevant to the five core concerns discussed above.¹⁰

- Don't React. "Go to the Balcony." Take a breath, imagine you're stepping onto a balcony or take a break. Use this time to remain focused on your needs and interests, on what you want to achieve and to remember your BATNA (Best Alternative to a Negotiated Agreement).
- Don't Argue. "Step to their Side." Arguing only serves to escalate, so you'll want to diffuse their negative emotions. They expect you to be an adversary, so do the opposite: Acknowledge their perspective, show empathy, show respect. If we can change our attitude and treat the other as a *negotiating partner* rather than an adversary, we demonstrate we're looking to reach a fair, mutually acceptable agreement and will stand more of a chance of reaching it.
- Don't Reject. "Reframe." This means reflecting back what's said, maintaining the essence of the message—but removing the provocation. Don't take the emotional bait. Practice active listening (reflecting back, reframing, asking open-ended questions, showing empathy). Be mindful of your own reactions and theirs. Active listening and empathy are also fundamental components of mediation.
- Don't Push. "Build a Golden Bridge." The more we push a solution, the more someone will reject it. We're looking to bridge the gap between their interests and ours.
- Don't escalate. "Use Power to Educate." Ury says, "The key mistake we make when we feel frustrated is to abandon the problem-solving game and turn to the power game instead."

No reason to let emotions get the better of us in negotiation and sabotage the chances for a positive outcome. Better prepared, we can leave our trepidations at the door.

Endnotes

¹ Lewicki, R. J., Barry, B., & Saunders, D. M. (2007, 4th ed.). *Essentials of negotiation*. (pp. 128-131). NY: McGraw-Hill Irwin.

² Fisher, R., & Shapiro, D. (2005). *Beyond reason: Using emotions as you negotiate*. NY: Penguin.

³ Lewicki et al. (2007, 4th ed.), citing Carnevale, P.J. & Isen, A. M. (1986). The influence of positive affect and visual access on the discovery of integrative solutions in bilateral negotiation. *Organizational Behavior and Human Decision Processes*, 37, 1-13; and Isen, A.M., & Baron, R.A. (1991). Positive affect as a factor in organizational behavior. In B.M. Staw & L. L. Cummings (Eds.), *Research in organizational behavior* (Vol. 13, pp. 1-53). Greenwich, CT: JAI Press.

⁴ Bless, H., Bohner, G., Schwarz, N., & Strack, F. (1988). Happy and mindless: Moods and the processing of persuasive communication. Unpublished manuscript, Mannheim, GR.

⁵ Lewicki et al. (2007, 4th ed.), citing Kumar, R. (1997). The role of affect in negotiations: An integrative overview. *Journal of Applied Behavioral Science*, 3 (1), 84-100.

⁶ *ibid.*, citing Allred, K. G. (1998). Anger-driven retaliation: Toward an understanding of impassioned conflict in organizations. In R. J. Bies, R. J. Lewicki, & B. H. Sheppard (Eds.), *Research on negotiation in organizations* (Vol. 7); and citing Bies, R. & Tripp, T. (1998). Revenge in organizations: The good, the bad and the ugly. In R. W. Griffin, A. O'Leary-Kelly, & J. Collins (Eds.), *Dysfunctional behavior in organizations*, Vol. 1: Violent behavior in organizations (pp. 49-68). Greenwich, CT: JAI Press.

⁷ *ibid.*, citing van de Vliert, E. (1985). Escalative intervention in small group conflicts. *Journal of Applied Behavioral Science*, 21. 19-36.

⁸ *ibid.*, citing Barry, B. (1999). The tactical use of emotion in negotiation. In R. Bies, R. J. Lewicki, & B. H. Sheppard (Eds.), *Research on negotiation in organizations* (Vol. 7, pp. 93-121), Stamford, CT: JAI Press.

⁹ Fisher, R., & Shapiro, D. (2005). *Beyond reason: Using emotions as you negotiate*. NY: Penguin.

¹⁰ Ury, W. (1993, 2nd ed.). *Getting past no: Negotiating in difficult situations*. NY: Bantam.



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