



# Breakthrough Bargaining

*Sometimes the hardest part of an informal negotiation is persuading the other side to deal with the issues. Understanding the dynamics of the “shadow negotiation” can help get things rolling.*

by Deborah M. Kolb and Judith Williams

**N**EGOTIATION WAS ONCE CONSIDERED AN ART practiced by the naturally gifted. To some extent it still is, but increasingly we in the business world have come to regard negotiation as a science—built on creative approaches to deal making that allow everyone to walk away winners of sorts. Executives have become experts at “getting to yes,” as the now-familiar terminology goes.

Nevertheless, some negotiations stall or, worse, never get off the ground. Why? Our recent research suggests that the answers lie in a dynamic we have come to call the “shadow negotiation”—the complex and subtle game people play before they get to the table and continue to play after they arrive. The shadow negotiation doesn’t determine the “what” of the discussion, but the “how.” Which

interests will hold sway? Will the conversation's tone be adversarial or cooperative? Whose opinions will be heard? In short, how will bargainers deal with each other?

The shadow negotiation is most obvious when the participants hold unequal power – say, subordinates asking bosses for more resources or new employees engaging with veterans about well-established company policies. Similarly, managers who, because of their race, age, or gender, are in the minority in their companies may be at a disadvantage in the shadow negotiation. Excluded from important networks, they may not have the personal clout, experience, or organizational standing to influence other parties. Even when the bargainers are peers, a negotiation can be blocked or stalled – undermined by hidden assumptions, unrealistic expectations, or personal histories. An unexamined shadow negotiation can lead to silence, not satisfaction.

It doesn't have to be that way. Our research identified strategic levers – we call them power moves, process moves, and appreciative moves – that executives can use to guide the shadow negotiation. In situations in which the other person sees no compelling need to negotiate,

*power moves* can help bring him or her to the table. When the dynamics of decision making threaten to overpower a negotiator's voice, *process moves* can reshape the negotiation's structure. And when talks stall because the other party feels pushed or misunderstandings cloud the real issues, *appreciative moves* can alter the tone or atmosphere so that a more collaborative exchange is possible. These strategic moves don't guarantee that bargainers will walk away winners, but they help to get stalled negotiations out of the dark of unspoken power plays and into the light of true dialogue.

## Power Moves

In the informal negotiations common in the workplace, one of the parties can be operating from a one-down position. The other bargainer, seeing no apparent advantage in negotiating, stalls. Phone calls go unanswered. The meeting keeps being postponed or, if it does take place, a two-way conversation never gets going. Ideas are ignored or overruled, demands dismissed. Such resistance is a natural part of the informal negotiation process. A concern will generally be accorded a fair hearing only when someone believes two things: the other party has something desirable, and one's own objectives will not be met without giving something in return. Willingness to negotiate is, therefore, a confession of mutual need. As a result, a primary objective in the shadow negotiation is fostering the perception of mutual need.

Power moves can bring reluctant bargainers to the realization that they must negotiate: they will be better off if they do and worse off if they don't. Bargainers

can use three kinds of power moves. Incentives emphasize the proposed value to the other person and the advantage to be gained from negotiating.

Pressure levers underscore the consequences to the other side if stalling continues. And the third power move, enlisting allies, turns up the volume on the incentives or on the pressure. Here's how these strategies work.

**Offer incentives.** In any negotiation, the other party controls something the bargainer needs: money, time, cooperation, communication, and so on. But the bargainer's needs alone aren't enough to bring anyone else to the table. The other side must recognize that benefits will accrue from the negotiation. These benefits

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## About the Research

We became aware of the shadow negotiation as we interviewed, over a five-year period, more than 300 executive women to probe their work experiences in formal and informal negotiations. We spoke with lawyers and bankers, accountants and entrepreneurs, consultants and marketers, project managers and account executives across a range of industries and organizational types. In each interview, we asked about the executive's best

and worst negotiation experience. After describing these scenarios, the women wanted to talk with us not only about what worked and why but also about how they might have better handled challenging situations.

During this interviewing and the subsequent writing of *The Shadow Negotiation*, we came to believe that these dialogues and the study's findings have implications for both men and women. The shadow negotiation is where issues of parity, or the equivalence of power, get settled. And parity—its presence or absence—determines to a great extent whether a negotiation takes place at all and on what terms.

both of the divisions. Second, realizing that sales would be more reluctant than production to negotiate any changes in the organization's decision-making processes, she worked with billing to speed up processing the expense-account checks so that salespeople were reimbursed more quickly, a move that immediately got the attention of everyone in sales. By demonstrating her value to sales and production, Sweeney encouraged the two division managers to work with her on improving their joint decision-making process. (For the complete story of Fiona Sweeney's campaign to revamp operations, see the sidebar "The Shadow Campaign.")

Creating value and making it visible are key power moves in the

must not only be visible – that is, right there on the table – but they must also resonate with the other side's needs. High-tech executive Fiona Sweeney quickly recognized this dynamic when she tried to initiate informal talks about a mission-critical organizational change.

Shortly after being promoted to head operations at an international systems company, Sweeney realized that the organization's decision-making processes required fundamental revamping. The company operated through a collection of fiefdoms, with little coordination even on major accounts. Sales managers, whose bonuses were tied to gross sales, pursued any opportunity with minimal regard for the company's ability to deliver. Production scrambled to meet unrealistic schedules; budgets and quality suffered. Sweeney had neither the authority nor the inclination to order sales and production to cooperate. And as a newcomer to corporate headquarters, her visibility and credibility were low.

Sweeney needed a sweetener to bring sales and production together. First, she made adjustments to the billing process, reducing errors from 7.1% to 2.4% over a three-month period, thereby cutting back on customer complaints. Almost immediately, her stock shot up with

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shadow negotiation. A bargainer can't leave it up to the other party to puzzle through the possibilities. The benefits must be made explicit if they are to have any impact on the shadow negotiation. When value disappears, so do influence and bargaining power.

**Put a price on the status quo.** Abba Eban, Israel's former foreign minister, once observed that diplomats have "a passionate love affair with the status quo" that blocks any forward movement. The same love affair carries over into ordinary negotiations in the workplace. When people believe that a negotiation has the potential to produce

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bad results for them, they are naturally reluctant to engage on the issues. Until the costs of *not* negotiating are made explicit, ducking the problem will be the easier or safer course.

To unlock the situation, the status quo must be perceived as less attractive. By exerting pressure, the bargainer can raise the cost of business-as-usual until the other side begins to see that things will get worse unless both sides get down to talking.

That is exactly what Karen Hartig, one of the women in our study, did when her boss dragged his heels about giving her a raise. Not only had she been promoted without additional pay, but she was now doing two jobs because

## The Shadow Campaign

A single strategic move seldom carries the day. In combination, however, such moves can jump-start workplace negotiations and keep them moving toward resolution.

Consider the case of Fiona Sweeney, the new operations chief introduced earlier in this article. She had neither the authority nor the personal inclination to order the sales and production divisions of her company to cooperate. Instead, she fashioned a series of strategic moves designed to influence the negotiations.

**Power Moves.** Having established her credibility with sales by increasing the turnaround time on expense-account reimbursements, Sweeney knew she needed to up the ante for maintaining the status quo, which created hardships for production and was frustrating customers. It was particularly important to bring pressure to bear on the sales division, since the informal reward systems, and many of the formal ones, currently worked to its benefit. To disturb the equilibrium, Sweeney began to talk in management meetings about a bonus system that

would penalize the sales division whenever it promised more than production could deliver. Rather than immediately acting on this threat, however, she suggested creating a cross-divisional task force to explore the issues. Not surprisingly, sales was eager to be included. Moreover, the CEO let key people know that he backed Sweeney's proposal to base bonuses on profits, not revenues.

**Process Moves.** Sweeney then moved to exert control over the agenda and build support for the changes she and the CEO envisioned. She started an operations subgroup with the heads of quality control and production, mobilizing allies in the two areas most directly affected by the sales division's behavior. Soon they developed a common agenda and began working in concert to stem the influence of sales in senior staff meetings. On one occasion, for example, Sweeney proposed assigning a low priority to orders that had not been cleared by the operations subgroup. Quality control and production roundly supported the suggestion, which was soon implemented. Through these process moves, Sweeney built a coalition that shaped the subsequent negotiations. But she did something more.

Power and process moves often provoke resistance from the other side.

Sweeney prevented resistance from becoming entrenched within the sales division through a series of appreciative moves.

**Appreciative Moves.** To deepen her understanding of the issues sales confronted, Sweeney volunteered her operations expertise to the division's planning team. By helping sales develop a new pricing-and-profit model, she not only increased understanding and trust on both sides of the table, but she also paved the way for dialogue on other issues—specifically the need for change in the company's decision-making processes.

Most important, Sweeney never forced any of the players into positions where they would lose face. By using a combination of strategic moves, she helped the sales division realize that change was coming and that it would be better off helping to shape the change than blocking it. In the end, improved communication and cooperation among divisions resulted in increases in both the company's top-line revenues and its profit margins. With better product quality and delivery times, sales actually made more money, and production no longer had the burden of delivering on unrealistic promises generated by sales. Customers—and the CEO—were all happy.

the first position had never been filled. Although her boss continued to assure her of his support, nothing changed. Finally, Hartig was so exasperated that she returned a headhunter's call. The resulting job offer provided her with enough leverage to unfreeze the talks with her boss. No longer could he afford to maintain the status quo. By demonstrating that she had another alternative, she gave him the push—and the justification—he needed to argue forcefully on her behalf with his boss and with human resources.

**Enlist support.** Solo power moves won't always do the job. Another party may not see sufficient benefits to negotiating, or the potential costs may not be high enough

to compel a change of mind. When incentives and pressure levers fail to move the negotiation forward, a bargainer can enlist the help of allies.

Allies are important resources in shadow negotiations. They can be crucial in establishing credibility, and they lend tangible support to incentives already proposed. By providing guidance or running interference, they can favorably position a bargainer's proposals before talks even begin. At a minimum, their confidence primes the other party to listen and raises the costs of not negotiating seriously.

When a member of Dan Riley's squadron faced a prolonged family emergency, the air force captain needed to renegotiate his squadron's flight-rotation orders. The

matter was particularly sensitive, however, because it required the consent of the wing commander, two levels up the chain of command. If Riley approached the commander directly, he risked making his immediate superior look bad since his responsibilities covered readiness planning. To bridge that difficulty, Riley presented a draft proposal to his immediate superior. Once aware of the problem, Riley and his superior anticipated some of the objections the commander might raise and then alerted the wing commander to the general difficulties posed by such situations. When Riley finally presented his proposal to the commander, it carried his immediate superior's blessing, and so his credibility was never questioned; only the merits of his solution were discussed.

## Process Moves

Rather than attempt to influence the shadow negotiation directly through power moves, a bargainer can exercise another kind of strategic move, the process move. Designed to influence the negotiation process itself, such moves can be particularly effective when bargainers are caught in a dynamic of silencing – when decisions are being made without their input or when colleagues interrupt them during meetings, dismiss their comments, or appropriate their ideas.

While process moves do not address the substantive issues in a negotiation, they directly affect the hearing those issues receive. The agenda, the prenegotiation groundwork, and the sequence in which ideas and people are heard – all these structural elements influence others' receptivity to opinions and demands. Working behind the scenes, a bargainer can plant the seeds of ideas or can marshal support before a position becomes fixed in anyone's mind. Consensus can even be engineered so that the bargainer's agenda frames the subsequent discussion.

**Seed ideas early.** Sometimes parties to a negotiation simply shut down and don't listen; for whatever reason, they screen out particular comments or people. Being ignored in a negotiation

doesn't necessarily result from saying too little or saying it too hesitantly. When ideas catch people off guard, they can produce negative, defensive reactions, as can ideas presented too forcefully. Negotiators also screen out the

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familiar: if they've already heard the speech, or a close variant, they stop paying attention.

Joe Lopez faced this dilemma. Lopez, a fast-track engineer who tended to promote his ideas vigorously in planning meetings, began to notice that his peers were tuning him out – a serious problem since departmental resources were allocated in these sessions. To remedy the situation, Lopez scheduled one-on-one lunch meetings with his colleagues. On each occasion, he mentioned how a particular project would benefit the other manager's department and how they could work together to ensure its



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completion. As a result of this informal lobbying, Lopez found he no longer needed to oversell his case in the meetings. He could make his ideas heard with fewer words and at a lower decibel level.

Preliminary work like this allows a bargainer to build receptivity where a direct or aggressive approach might encounter resistance. Once the seeds of an idea have been planted, they will influence how others view a situation, regardless of how firmly attached they are to their own beliefs and ideas.

**Reframe the process.** Negotiators are not equally adept in all settings. Highly competitive approaches to problem solving favor participants who can bluff and play the game, talk the loudest, hold out the longest, and think fastest on their feet. Bargainers who are uncomfortable

*Appreciative moves allow opportunities for additional information to surface and afford the other side more time to rethink ideas and adjust initial predilections.*

with this kind of gamesmanship can reframe the process, shifting the dynamic away from personal competition. That's what Marcia Philbin decided to do about the way in which space was allocated in her company. Extra room and equipment typically went to those who pushed the hardest, and Philbin never fared well in the negotiations. She also believed that significant organizational costs always accompanied the process since group leaders routinely presented the building administrator with inflated figures, making it impossible to assess the company's actual requirements.

Positioning herself as an advocate not only for her department but also for the company, Philbin proposed changing the process. Rather than allocating space in a series of discrete negotiations with the space administrator, she suggested, why not collaborate as a group in developing objective criteria for assessing need? Management agreed, and Philbin soon found herself chairing the committee created to produce the new guidelines. Heated arguments took place over the criteria, but Philbin was now positioned to direct the discussions away from vested and parochial interests toward a greater focus on organizational needs.

Within organizations or groups, negotiations can fall into patterns. If a bargainer's voice is consistently shut out of discussions, something about the way negotiations are structured is working against his or her active participation. A process move may provide a remedy because it will influence how the discussion unfolds and how issues emerge.

**Build consensus.** Regardless of how high a bargainer is on the organizational ladder, it is not always possible—or wise—to impose change on a group by fiat. By lob-

bying behind the scenes, a bargainer can start to build consensus before formal decision making begins. Unlike the first process move, which aims at gaining a hearing for ideas, building consensus creates momentum behind an agenda by bringing others on board. The growing support isolates the blockers, making continued opposition harder and harder. Moreover, once agreement has been secured privately, it becomes difficult (although never impossible) for a supporter to defect publicly.

As CEO of a rapidly growing biotechnology company, Mark Chapin gradually built consensus for his ideas on integrating a newly acquired research boutique into the existing company. Chapin had two goals: to retain the acquired firm's scientific talent and to rationalize the research funding process. The second goal was at odds with the first and threatened to alienate the new scientists. To mitigate this potential conflict, Chapin focused his attention on the shadow negotiation. First, he met one-on-one with key leaders of the board and the research staffs of both companies. These private talks provided him with a strategic map that showed where

he would find support and where he was likely to meet challenges. Second, in another round of talks, Chapin paid particular attention to the order in which he approached people. Beginning with the most supportive person, he got the key players to commit, one by one, to his agenda before opposing factions could coalesce. These preliminary meetings positioned him as a collaborator – and, equally important, as a source of expanding research budgets. Having privately built commitment, Chapin found that he didn't need to use his position to dictate terms when the principal players finally sat down to negotiate the integration plan.

## Appreciative Moves

Power moves exert influence on the other party so that talks get off the ground. Process moves seek to change the ground rules under which negotiations play out. But still, talks may stall. Two strong advocates may have backed themselves into respective corners. Or one side, put on the defensive, even inadvertently, may continue to resist or raise obstacles. Communication may deteriorate, turn acrimonious, or simply stop as participants focus solely on their own demands. Wariness stifles any candid exchange. And without candor, the two sides cannot address the issues together or uncover the real conflict.

Appreciative moves break these cycles. They explicitly build trust and encourage the other side to participate in a dialogue. Not only do appreciative moves shift the dynamics of the shadow negotiation away from the adversarial, but they also hold out a hidden promise. When bargainers demonstrate appreciation for another's concerns, situation, or "face," they open the negotiation to the dif-

ferent perspectives held by that person and to the opinions, ideas, and feelings shaping those perspectives. Appreciative moves foster open communication so that differences in needs and views can come to the surface without personal discord. Frequently the participants then discover that the problem they were worrying about is not the root conflict, but a symptom of it. And at times, before a negotiation can move toward a common solution, the participants must first experience mutuality, recognizing where their interests and needs intersect. A shared problem can then become the basis for creative problem solving.

**Help others save face.** Image is a concern for everyone. How negotiators look to themselves and to others who matter to them often counts as much as the particulars of an agreement. In fact, these are seldom separate. "Face" captures what people value in themselves and the qualities they want others to see in them. Negotiators go to great lengths to preserve face. They stick to their guns against poor odds simply to avoid losing face with those who are counting on them. If a bargainer treads on another's self-image—in front of a boss or colleague, or even privately—his or her demands are likely to be rejected.

Sensitivity to the other side's face does more than head off resistance: it lays the groundwork for trust. It conveys that the bargainer respects what the other is trying to accomplish and will not do anything to embarrass or undermine that person. This appreciation concedes nothing, yet as Sam Newton discovered, it can turn out to be the only way to break a stalemate.

Newton's new boss, transferred from finance, lacked experience on the operations side of the business. During departmental meetings to negotiate project schedules and funding, he always rejected Newton's ideas. Soon it was routine: Newton would make a suggestion and before he got the last sentence out, his boss was issuing a categorical veto.

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Frustrated, Newton pushed harder, only to meet increased resistance. Finally, he took a step back and looked at the situation from his boss's perspective. Rubber-stamping Newton's proposals could have appeared as a sign of weakness at a time when his boss was still establishing his credentials. From then on, Newton took a different tack. Rather than present a single idea, he offered an array of options and acknowledged that the final decision rested with his boss. Gradually, his boss felt less need to assert his authority and could respond positively in their dealings.

Bosses aren't the only ones who need to save face; colleagues and subordinates do, too. Team members avoid peers who bump a problem upstairs at the first sign of trouble, making everyone appear incapable of producing a solution. Subordinates muzzle their real opinions once they have been belittled or treated dismissively by superiors. In the workplace, attention to face is a show of respect for another person, whatever one's corporate role. That respect carries over to the shadow negotiation.





**Keep the dialogue going.** Sometimes, talks don't get off the ground because the timing is not right for a participant to make a decision; information may be insufficient, or he or she is simply not ready. People have good reasons – at least, reasons that make sense to them – for thinking it's not yet time to negotiate. Appreciating this disposition doesn't mean abandoning or postponing a negotiation. Instead, it requires that a bargainer keep the dialogue going without pushing for immediate agreement. This appreciative move allows an opportunity for additional information to come to the surface and affords the other side more time to rethink ideas and adjust initial predilections.

Francesca Rossi knew instinctively that unless she kept the communication lines open, discussions would derail about the best way for her software firm to grow. The company had recently decided to expand by acquiring promising applications rather than developing them in-house from scratch. As head of strategic development,

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Rossi targeted a small start-up that designed state-of-the-art software for office computers to control home appliances. The director of research, however, was less than enthusiastic about acquiring the firm. He questioned the product's commercial viability and argued that its market would never justify the acquisition cost.

Needing his cooperation, Rossi pulled back. Instead of actively promoting the acquisition, she began to work behind the scenes with the start-up's software designers and industry analysts. As Rossi gathered more data in support of the application's potential, she gradually drew the director of research back into the discussions. He dropped his opposition once the analysis convinced him that the acquisition, far from shrinking his department's authority, would actually enlarge it. Rossi's appreciative move had given him the additional information and time he needed to reevaluate his original position.

Not everyone makes decisions quickly. Sometimes people can't see beyond their initial ideas or biases. Given time to mull over the issues, they may eventually reverse course and be more amenable to negotiating. As long as the issue isn't forced or brought to a preemptive conclusion – as long as the participants keep talking – there's a chance that the resistance will fade. What seems unreasonable at one point in a negotiation can become more acceptable at another. Appreciative moves that keep the dialogue going allow the other side to progress at a comfortable speed.

**Solicit new perspectives.** One of the biggest barriers to effective negotiation and a major cause of stalemate is the tendency for bargainers to get trapped in their own perspectives. It's simply too easy for people to become overly enamored of their opinions. Operating in a closed world of their making, they tell themselves they are right and the other person is wrong. They consider the merits of their own positions but neglect the other party's valid objections. They push their agendas, merely reiterating the same argument, and may not pick up on cues that their words aren't being heard.

It's safe to assume that the other party is just as convinced that his or her own demands are justified. Moreover, bargainers can only speculate what another's agenda might be – hidden or otherwise. Appreciative moves to draw out another's perspectives help negotiators understand why the other party feels a certain way. But these moves serve more than an instrumental purpose, doing more than add information to a bargainer's arsenal. They signal to the other side that differing opinions and perspectives are important. By creating opportunities to discover something new and unexpected, appreciative moves can break a stalemate. As understanding deepens on both sides of the table, reaching a mutual resolution becomes increasingly possible.

Everyone agreed that a joint venture negotiated by HMO executive Donna Hitchcock between her organization and an insurance company dovetailed with corporate objectives on both sides. The HMO could expand its patient base and the insurance carrier its enrollment.

Although the deal looked good on paper, implementation stalled. Hitchcock couldn't understand where the resistance was coming from or why. In an attempt to unfreeze the situation, she arranged a meeting with her counterpart from the insurance company. After a brief update, Hitchcock asked about any unexpected effects the joint venture was exerting on the insurance carrier's organization and on her counterpart's work life. That appreciative move ultimately broke the logjam. From the carrier's perspective, she learned, the new arrangement stretched already overworked departments and had not yet produced additional revenues to hire more staff. Even more important, her counterpart was personally bearing the burden of the increased work.

Hitchcock was genuinely sympathetic to these concerns. The extra work was a legitimate obstacle to the joint venture's successful implementation. Once she understood the reason behind her counterpart's resistance, the two were able to strategize on ways to alleviate the overload until the additional revenues kicked in.

Through these appreciative moves – actively soliciting the other side's ideas and perspectives, acknowledging their importance, and demonstrating that they are taken

seriously—negotiators can encourage the other person to work with them rather than against them.

There's more to negotiation than haggling over issues and working out solutions. The shadow negotiation, though often overlooked, is a critical component. Whether a bargainer uses power, process, or appreciative moves in the shadow negotiation depends on the demands of the situation. Power moves encourage another party to recognize the need to negotiate in the first place. They help bring a reluctant bargainer to the table. Process moves create a context in which a bargainer can shape the negotiation's agenda and dynamic so that he or she can be a more effective advocate. Appreciative moves engage the other party in a collaborative exchange by fostering trust and candor in the shadow negotiation. While power and process moves can ensure that a negotiation gets started

on the right foot, appreciative moves can break a stalemate once a negotiation is under way. By broadening the discourse, appreciative moves can also lead to creative solutions. Used alone or in combination, strategic moves in the shadow negotiation can determine the outcome of the negotiation on the issues.

Most of the negotiating stories used in this article have been adapted from *The Shadow Negotiation: How Women Can Master the Hidden Agendas That Determine Bargaining Success* (Simon & Schuster, 2000) and the authors' interviews with businesspeople. To respect interviewees' candor and to protect their privacy, their identities and situations have been disguised, sometimes radically.

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*"I thought we were getting along fine, then suddenly she says I fell short of expectations."*

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