

Communication

Objectives

1. Understand the basic components of communication flow in a negotiation.
 2. Explore what is communicated in a negotiation and how people communicate.
 3. Consider the ways that communication might be improved in negotiation.
 4. 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. According to Putnam and Poole (1987),

... the activity of having or managing a conflict occurs through communication. More specifically, communication undergirds the setting and reframing of goals; the defining and narrowing of conflict issues; the developing of relationships between disputants and among constituents; the selecting and implementing of strategies and tactics; the generating, attacking, and defending of alternative solutions; and the reaching and confirming of agreements. (p. 550)

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. Clearly, communication pervades the negotiation process; accordingly, research on communication sheds light on negotiation both as a process of interaction and as a context for communication subtleties that may influence processes and outcomes (Chatman, Putnam, and Sondak, 1991). This 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.

Basic Models of Communication

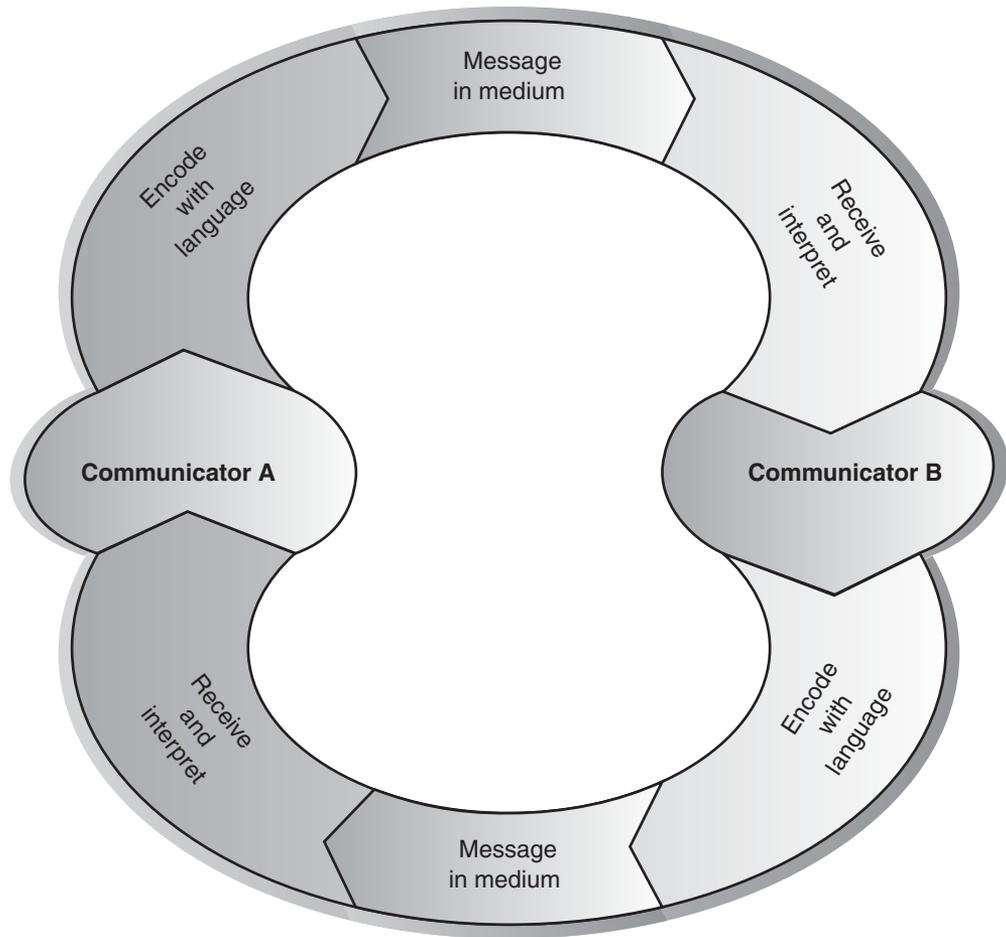
Most analyses of communication begin with a basic model of the communication process, and we do so here. An early and influential model developed by Shannon and Weaver (1948) conceptualizes communication as an activity that occurs between two people: a *sender* and a *receiver*.¹ A sender has a thought or *meaning* in mind. The sender *encodes* this

meaning into a message that is to be transmitted to a receiver. For instance, the thought could be about the sender's preference for a particular outcome in a negotiation. The message may be encoded into verbal language (e.g., words and sentences), nonverbal expression (e.g., facial gestures, hand waving, and finger pointing), or both. Once encoded, the message is then transmitted (e.g., via voice, facial expression, or written statement) through a *channel* or *medium* (e.g., face-to-face interaction, telephone, e-mail, text message, letter) to the receiver. The person to whom the message is directed receives the transmission and then *decodes* and *interprets* it, giving meaning and understanding to the receiver.

In one-way communication, from sender to receiver, this process would constitute a complete transmission. A sender who writes a message, reads it over to check its clarity, and sends it by e-mail to the receiver generally assumes that the message is received and understood. This one-way view is simplistic, however, because most communication, particularly in negotiation, involves give-and-take, dialogue and discussion. Thus, it is more useful to analyze communication by treating the exchange between parties as a two-way process that continuously cycles back and forth between the individuals involved. Foulger (2004) has proposed a "transactional model" (see Figure 6.1) that captures the bidirectional nature of two-party communication in ongoing conversations, such as occurs routinely in negotiation. Foulger's model appropriately treats communicators as both creators and consumers of messages rather than one or the other.

In a two-party exchange like that depicted in Figure 6.1, a communicator is not a passive recipient of messages; the person who receives a message takes an active role in several ways. First, the recipient receives the message (hears it, reads it, feels it) and then seeks to ascribe meaning to it by interpreting both its information content and the other party's motives for transmitting it. The recipient then becomes a sender, encoding a verbal and/or nonverbal response that may try to accomplish a number of things: convey to the other person information about how the original message was received—perhaps a nod of assent, or a quizzical look of confusion, or maybe a grimace signalling dismay (but not always: in a negotiation, like in a poker game, the receiver at times prefers not to react in a way that is detectable by the communicator); respond in some way to the content of the message of the original sender; avoid a substantive response and change the subject; or any number of other possible goals. Importantly, the communicator responding to a message, like the one who sent the previous message, has the opportunity not only to choose how to encode the response, but also to select a channel or medium to use for transmission. People often make a channel selection out of habit or convenience—he sent me an e-mail so I'll reply by e-mail, or she left me a phone message so I'll return the call. Effective communicators and negotiators, however, will often pause to consider the strategic implications of choices about communication channels (which we discuss later in this chapter) rather than simply respond in kind.

Thus, in negotiation the *feedback* provided by the recipient of a message to its sender can take various forms: a nonverbal gesture, an expressed emotion, a question seeking clarification, a response to information presented, an attempt to build upon the first message, or a rebuttal to an argument, to name just a few, or some combination of these. In two-party communication the entire transaction may range from something as simple as a routine question ("Want to go for a cup of coffee?") and an affirmative nod by another, to complex statements of fact and opinion and equally complex responses as negotiators shape a comprehensive agreement that requires acceptance by several contentious parties.

FIGURE 6.1 | A Transactional Model of Communication Involving Two Parties

Source: Adapted from D. Foulger, "Models of the Communication Process," February 2004, unpublished paper available at <http://foulger.info/davis/research/unifiedModelOfCommunication.htm>.

Having sketched this basic, transactional model of the communication process between two parties, we next use the elements of this model as a framework for understanding the distortions that can occur in communication.

Distortion in Communication

Communication "works" to the degree that a wide variety of information—facts, opinions, feelings, preferences, and experiences—is completely and thoroughly shared, and accurately received and decoded, leading to mutual understanding. As most of us know from experience, human communication systems seldom perform optimally. Rather, the elements of the model we have described and the linkages among them are subject to external factors that distort

messages and their meaning, which inhibits comprehension and mutual understanding. In the following paragraphs, we explore how distortions occur in communication by looking at some of the individual elements comprising the communication process that we presented earlier (refer again to Figure 6.1).

1. *Individual communicators* (whether sender or receiver at a given point in the exchange) each have goals and objectives, things they want to accomplish. Communicator A may want to change the Communicator B's mind about an issue or secure concessions toward a negotiated agreement. Communicator B may not want to have her mind changed or to make concessions; moreover, she is likely to want the sender to change or make concessions. The more diverse the goals of the two parties, or the more antagonistic they are in their relationship, the greater the likelihood that distortions and errors in communication will occur (de Dreu, Nauta, and Van de Vliert, 1995). Similarly, the two communicators differ in their individual characteristics—each is likely to have different personal values, attitudes toward certain issues and objectives, previous experiences, life history, and personality characteristics (not to mention communication skills). Each of these elements contributes to a different way of viewing the world.

2. *Messages* are the symbolic forms by which information is communicated. Humans are unique in their ability to use symbols—primarily written or spoken language—to transmit information. Some messages are direct expressions of meaning (e.g., I lean over the table and take the pencil I want), whereas others are symbolic representations (e.g., I say to the person seated across the table, “Please pass me the pencil”). The more prone we are to using symbolic communication, the more likely it is that the symbols we choose may not accurately communicate the meaning we intend. In the pencil example, if the other person does not understand English, or if there are several different pencils on the table, the communication will be less effective.

3. *Encoding* is the process by which messages are put into symbolic form. The encoding process will be affected by varying degrees of skill in encoding (e.g., fluency in language, skill at written and oral expression). It will also be affected by earlier communication, including what both parties want to communicate and how they have reacted to earlier communications. One party may encode a message in a form that the other may not prefer (e.g., too complicated or too informal or too cursory). Distortions are likely if the sender encodes the message in a way that impedes understanding or accurate interpretation by the recipient.

4. *Channels and media* (we use the terms interchangeably) are the means through which information is sent and received. The choices available to communicators exist at a couple of different levels. First, should the message be transmitted verbally (through spoken or written words), nonverbally (through body posture, hand and facial gestures, tone of voice, and the like) or symbolically (through pictures or graphics of some sort)? Second, having decided whether a message should involve words, symbols, graphics, or gestures, what should be the conduit for its transmission? Spoken words can be transmitted face to face, over the telephone, or online (with or without visual contact). For written words there is paper, e-mail, and texting, with wide variations in formality available to the writer. We tend to think of nonverbal gestures as requiring visual contact, but there are ways to convey reactions and emotions

without actual words in a telephone conversation or an online exchange. Symbolic communication is also possible through various conduits, with technology making it possible to convey complex ideas in novel ways. There are numerous opportunities for communication distortion based on the channels used. A complex message may need to be written rather than spoken so that the recipient can consume it at his or her own pace and review if need be. A face-to-face interaction could be unwise if it occurs in a noisy environment that fosters distraction. A communicator who wishes to convey an emotional appeal may risk message distortion in writing when a personal conversation would make it easier to convey emotion. Also, distortion of meaning can result when there is incongruence between multiple channels used at the same time. If a parent says to a child, “Don’t do that!” but simultaneously smiles or laughs, the incongruity of the messages can lead to confusion (“Do I stop, or do I keep doing it?”).

5. *Reception* is the process of comprehension: receiving messages in their verbal, nonverbal, or symbolic form and decoding them into a form that is understandable to the recipient of the message. If the parties speak the same language or use the same common nonverbal gestures to communicate messages, the process may be reasonably simple, although it is subject to perceptual and cognitive errors (see Chapter 5). When people speak different languages, decoding involves higher degrees of error. Although translators may help decode the other party’s messages, full translation may not be possible; that is, it may not be possible to capture fully the other party’s meaning or tone along with the words. In fact, translators introduce the possibility of additional error into the communication process.

6. *Interpretation* is the process of ascertaining the meaning and significance of decoded messages for the situation going forward. The facts, ideas, feelings, reactions, or thoughts that exist within individuals act as a set of filters for interpreting decoded messages. If one person has said to the other, “Please pass me that pencil,” and the other person has said, “No,” the encoded *no* is likely to stimulate a variety of reactions in the first person’s search for its exact meaning: Was the *no* a direct refusal of the request? Why did the other person say *no*? Does he need the pencil too? Is he being obstinate and intentionally blocking me? Was it a playful joke? Answers to these questions will vary depending on other aspects of the communication exchange and on the relationship between the parties, all of which lead the person to ascribe particular meanings to the word *no*.

An important way to avoid some of the problems in communication we have mentioned is by giving the other party *feedback*: inform the sender that the message was received, encoded, and ascribed with the meaning the sender intended. The absence of feedback can contribute to significant distortions in communication, especially when a sender does not know whether the message has been received, much less understood. Those addressing a large audience may find themselves either speaking into space or directing comments to people who are nodding their heads to signify agreement, smiling, or otherwise acknowledging that the communication is being received and appreciated. The sender is unlikely to continue directing comments to receivers who are scowling, sleeping, or shaking their heads to signify disagreement, unless the comments are specifically designed to influence them to act otherwise. In negotiation, feedback can distort communication by influencing the offers negotiators make (e.g., Kristensen and Garling, 1997) or by

leading them to alter their evaluations of possible outcomes (Larrick and Boles, 1995; Thompson, Valley, and Kramer, 1995). Although feedback is often genuinely intended to improve understanding, negotiators need to keep in mind that feedback can be used strategically to induce concessions, changes in strategy, or altered assessments of process and outcome.

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. For instance, Alexander, Schul, and Babakus (1991) videotaped executives who participated in a 60-minute, three-person negotiation involving two oil companies. The videotapes were classified into 6,432 verbal units, which were then coded into 24 different response categories. The researchers found that 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 (Carnevale, Pruitt, and Seilheimer, 1981). Although the blend of integrative versus distributive content varies as a function of the issues being discussed (Weingart, Hyder, and Prietula, 1996), it is also clear that the content of communication is only partly responsible for negotiation outcomes (Olekalns, Smith, and Walsh, 1996). 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) may be unaware why some outcomes occur. In the following sections, we discuss five different categories of communication that take place during negotiations and then consider the question of whether more communication is always better than less communication.

1. Offers, Counteroffers, and Motives

According to Tutzauer (1992, p. 67), “Perhaps the most important communications in a bargaining session are those that convey the disputants’ offers and counteroffers.” Tutzauer assumes that bargainers have definite preferences and exhibit rational behavior by acting in accordance with those preferences, and that the preferences can be expressed according to some numerical scale, that is, that they have different degrees of utility or worth (see also Luce and Raiffa, 1957). A negotiator’s preferences reflect in good measure his or her underlying motivations, 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. Evidence for this comes from a study by Langner and Winter (2001) that examined historical examples of political crisis negotiations as well as experimental data. Findings indicate that negotiators with affiliation motives (a concern for friendly relations among people or groups) tend to convey “positive” concessions that de-escalate tensions or facilitate agreement. In contrast, negotiators with power motives (concern

for impact, prestige, and reputation) were more likely to reject concessions and escalate conflict.

A communicative framework for negotiation is based on the assumptions that (1) the communication of offers is a dynamic process (the 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 a bargainer to change his or her offer” (Tutzauer, 1992, p. 73). In other words, the offer–counteroffer process is dynamic and interactive, like the reciprocal influence process described in Chapter 3, 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, Pinkley and her colleagues (Pinkley, 1995; Pinkley, Neale, and Bennett, 1994) have examined the question of whether simply having a best alternative to a negotiated agreement (BATNA) (Fisher, Ury, and Patton, 1991) is sufficient to give a negotiator an advantage over the other party, or whether the BATNA needs to be communicated to the other person. The existence of a BATNA changed 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 did; (2) negotiators whose counterparts had attractive BATNAs set lower reservation points for themselves; and (3) when both parties were aware of the attractive BATNA that one of the negotiators had, that negotiator received a more positive negotiation outcome. Buelens and Van Poucke (2004) have shown that knowledge of a negotiation partner’s BATNA is one of the strongest determinants of a negotiator’s initial offer. The results of these studies suggest that 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

In a simulation study of negotiation, Thompson, Valley, and Kramer (1995) examined the effects of sharing different types of information, how the other party evaluated his or her success in the negotiation, and how this influenced negotiators’ evaluations of their own success. 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. A study by Novemsky and Schweitzer (2004) 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. 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. In addition, the study suggested that negotiators should evaluate their own success before learning about the other party's evaluations of the outcomes.

4. Social Accounts

Another type of communication that occurs during negotiation consists of the “social accounts” that negotiators use to explain things to the other party (see Bies and Shapiro, 1987; Shapiro, 1991), especially when negotiators need to justify bad news. A review of the relevant literature by Sitkin and Bies (1993) suggests that 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). Sitkin and Bies suggest that 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. The effect need not be “small,” however; there is evidence that interaction giving rise to shared cognition and shared identity among negotiators before they immerse themselves in the task at hand leads to better integrative outcomes (Swaab, Postmes, van Beest, and Spears, 2007). 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. A study by Brett, Shapiro, and Lytle (1998) examined communication strategies in negotiation that are used to halt conflict spirals that might otherwise lead to impasse or less-than-ideal outcomes. One such strategy involves calling attention to the other party's contentious actions and explicitly labeling the process as counterproductive. More generally, Brett and her colleagues suggest that 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?

A major theme of many guides to negotiation, including this book, is that 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. Taylor and Donald (2003) analyzed transcripts of divorce and hostage negotiations to examine patterns of behavioral interaction. The results showed that negotiations are clearly a dynamic and interactive process with consistency over time; negotiators' utterances were affected by the ones that preceded it and influenced those that followed. This analysis also showed that negotiators react to only a small proportion of the available cues communicated by their partner and use only a small proportion of possible response. Moreover, this proportion becomes smaller as the negotiation proceeds, meaning there is less variation in forms of communication the longer a negotiation goes on. Taylor and Donald conclude that "negotiators have set responses to different behavioral sequences that they employ consistently irrespective of the context and their negotiation role" (p. 228). 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?

Recently published research shows that a relatively small amount of communication in a negotiation encounter can have large effects on the outcomes that result. Curhan and Pentland (2007) explored the idea 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. Using an experimental two-party negotiation simulation, they found that for some negotiators (those in a high-status role), speaking time—the amount of time they were talking and not the other person—during the first five minutes predicted how well that party did in the negotiation. But their study also showed that the tone of the conversation during those first few minutes matters: the more negotiators spoke with emphasis, varying vocal pitch and volume, the worse they did and the better the other party did. In other words, controlling "the floor" early in the negotiation helps, but not dominating it with emotional or hyperbolic communication.

Controlling the conversation early on may help an individual negotiator do better, but does it help the pair achieve integrative outcomes? The negotiation simulation in Curhan and Pentland's study did include potential for integrating the parties' interests to achieve mutual gains, but they found that communication during the first five minutes had no effects on the ability of parties to achieve *joint* gains. But there is evidence from other researchers that joint gains are influenced by what happens early on. Adair and Brett (2005) examined communication at various stages of negotiation encounters, focusing specifically on actions that contribute to achieving better joint outcomes. They found greater joint gains when negotiators move beyond posturing to exchanging information about issues and priorities before the negotiation is too far along. "What negotiators do in the first half of a

One of the most difficult aspects of negotiation is the actual give-and-take that occurs at the table. Should I stick with this point, or is it time to fold? Should I open the bidding or wait for the other side to take the lead? It requires good judgment to make these tough decisions. While experience certainly contributes to the development of judgment, other key ingredients are the knack of analyzing situations, the courage to make concessions when they're called for, and the willingness to stick to an unpopular position when necessary. Also important are creativity, persuasiveness, and the ability to see the big picture of the exchange.

James Freund is a lawyer and experienced negotiator. He recommends the following:

- *Stay in balance.* Remember that there is a time to be aggressive and a time to concede, a time to wrap things up and a time to keep options open. It is important to strike some sort of balance in the process, even when you are in the driver's seat, to ensure that your future relationship with this negotiating partner (or your own personal reputation as a negotiator) does not suffer from this single encounter.
- *Manage appearances.* The negotiator who arrives at the meeting with bags packed and a

plane ticket obtrusively in the pocket of her coat telegraphs to her counterpart, "Hey, I want to wrap this up and make my plane home." Her opponent will be motivated to slow the tempo of negotiation, expecting that she will be willing to make big concessions as the time for her departure grows closer. Cultivating an appearance that says you will wait patiently for the best deal to be negotiated is a more effective strategy.

- *Be patient.* You can learn a great deal about your counterpart's real level of desire by hanging back and watching. Does he hurry things along? Is she willing to take time to learn the details of a new but complex proposal? Patient adherence to your position provides you with gradually increasing credibility as negotiations wear on.

Freund concluded, "Patience and perseverance are most effective when clothed in a low-key style that emphasizes deliberateness rather than obstinacy. So learn how to insist on your point without being overbearing—and how to say no without seeming too negative" (p. 34).

Source: Adapted from J. C. Freund, "Being a Smart Negotiator," *Directors and Boards* 2, no. 18 (Winter 1994), pp. 33–36.

negotiation," Adair and Brett concluded, "has a significant impact on their ability to generate integrative solutions and with high joint gains" (p. 47).

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.² Box 6.1 provides a discussion of ways to manage communication during a negotiation. Negotiators who know the complete preferences of both parties may have more difficulty determining fair outcomes than negotiators who do not have this information. Brodt (1994) conducted a study to examine how a specific type of information—namely, inside information about the other party's deadline—influenced the negotiation process. In a simulation study of a distributive negotiation over an exotic automobile, Brodt found that negotiators with inside information (1) paid less for the car, (2) were less likely to make concessions during negotiation, and (3) made more creative offers during negotiation than did negotiators without inside information. Brodt concluded that having more information

enhanced the negotiator's strength, suggesting that the information-is-weakness effect may be limited to very specific circumstances.

An experimental study by O'Connor (1997), however, demonstrates that having more information does not automatically translate into better negotiation outcomes. O'Connor's subjects participated in a simulated union–management negotiation over an employment contract, which included both integrative issues and compatible issues where both parties wanted the same outcome. They negotiated in pairs that were encouraged to be either cooperative (pursue collaborative problem solving) or individualistic (pursue self-interest). O'Connor found that cooperative dyads exchanged more information than individualistic dyads but that the amount of information exchanged did not improve the overall accuracy of the parties' perceptions of each other's preferences. The results of O'Connor's study suggest that the influence of the exchange of accurate 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. Nor does it automatically result in the information-is-weakness effect. Rather, the effect of exchanging information during negotiation depends on the type of issues being discussed and the negotiators' motivation to use the information.

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

Gibbons, Bradac, and Busch (1992) have proposed that negotiation “represents the exchange of information through language that coordinates and manages meaning” (p. 156). 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 6.2 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

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*: 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 can be made more credible and more compelling if they carry 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 P. Gibbons, J. J. Bradac, and J. D. Busch. "The Role of Language in Negotiations: Threats and Promises," in L. Putnam and M. Roloff (Eds.), *Communication and Negotiation* (Newbury Park, CA: Sage, 1992), pp. 156–75.

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 (see Chapter 16). 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"). Intentional or not, the message received or inferred by women may be that they're excluded from the club. Deborah Tannen (1990), in her aptly named book *You Just Don't Understand*, states that "male–female miscommunication may be more dangerous [than cross-cultural miscommunication] because it is more pervasive in our lives, and we are less prepared for it" (p. 281). Because people generally aren't aware of the potential for such miscommunication 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. Simons (1993) examined linguistic patterns of communication in negotiation; two of his findings are relevant here:

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.

Earlier in this chapter we mentioned research showing that the conversations that take place early in the negotiation can affect outcomes, and Simons' work reinforces that point in linguistic terms: "Linguistic patterns from the first half of negotiation were better predictors of agreements than linguistic patterns from the second half of negotiation" (p. 139).

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 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. If people do not look at you when you are speaking, you may question whether they are listening. 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.

In making eye contact, however, people should not keep their eyes continually fixed on the other person. Otherwise they might be accused of staring, which usually leads to suspicion rather than trust. Instead, the eyes should momentarily leave the other person. Generally, breaks in eye contact are fewer and shorter when listening actively than when speaking. When speaking, one may occasionally look away, especially when searching for a word or phrase or trying to remember a detail. Averting the gaze briefly while speaking signals to the other party that the speaker is not finished.

When persuading someone, it is important to make eye contact when delivering the most important part of the message (Beebe, 1980; Burgoon, Coker, and Coker, 1986; Kleinke, 1986). 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 (Kellerman, Lewis, and Laird, 1989).

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 (Ivey and Simek-Downing, 1980).

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 (Ivey and Simek-Downing, 1980). 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 (Stacks and Burgoon, 1981). In contrast, crossing arms, bowing the head, frowning the brow, and squeezing eyebrows together all can signal strong rejection or disapproval of the message (Nierenberg and Calero, 1971).

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 hunh" 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. Drolet and Morris (2000) compared the development of rapport between negotiators who did or did not have visual access to each other while negotiating. They defined rapport as "a state of mutual positivity and interest that arises through the convergence of nonverbal expressive behavior in an interaction" (p. 27). Findings indicated 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. This is easier said than done: the ability to judge nonverbal behavior varies with social context and gender, among other factors (Puccinelli, Tickle-Degnan, and Rosenthal, 2003).

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, instant messaging, and even 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 (Bazerman, Curhan, Moore, and Valley, 2000; Lewicki and Dineen, 2002).

For our purposes here, the key variation that distinguishes one communication channel from another is *social bandwidth* (Barry and Fulmer, 2004)—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 (see also Short, Williams, and Christie, 1976, who used the term “social presence”). Greater social bandwidth means that a channel can convey more cues having social, relational, or symbolic content. 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 that is unrestrained by social norms, such as *flaming*—a term that refers generally to hostile or insulting communication (Sproull and Kiesler, 1986). 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 (Barry and Fulmer, 2004).

Treating e-mail as just another vehicle for written communication is analytically simplistic because e-mail interactions frequently substitute for communication that would otherwise occur via telephone, face to face, or perhaps not at all. Accordingly, it is not enough to ask how e-mail communication differs from conventional writing; we also need to understand how interaction (such as negotiation) is affected when people choose to use e-mail rather than communicate through channels with higher social bandwidth.

Researchers have been examining the effects of channels in general, and e-mail in particular, on negotiation processes and outcomes during much of the past decade. 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 (Drolet and Morris, 2000) and that face-to-face negotiators

are more inclined to disclose information truthfully, increasing their ability to attain mutual gain (Valley, Moag, and Bazerman, 1998). 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 (Valley et al., 1998), although an attempt to extend this to written e-mail did not yield a clear finding (Croson, 1999).

There is also evidence that e-mail negotiators reach agreements that are more equal (a balanced division of resources) than face-to-face negotiators (Croson, 1999). According to Croson, this may occur because electronic communication “‘levels the playing field’ between stronger and weaker negotiators” (p. 33). 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. Analyzing the actions of pairs who negotiated over the Internet, van Es, French, and Stellmaszek (2004) found that online negotiators frequently reread and reviewed previous statements and assumptions. But if this reviewability is an asset, van Es and colleagues point to a couple of drawbacks to negotiating in this kind of written format. First, negotiating in writing online gives parties an excuse to be less prepared, given time lags between conversational turns during which one can reflect on prior statements and contemplate future strategies. Second, negotiating in writing, as one does in e-mail, is inevitably challenging for people who don’t like writing or don’t write very well. van Es et al. put it this way: “Most people would rather talk than pursue the more arduous task of typing comments. . . . The typing task may motivate negotiators to move too rapidly toward closure” (p. 169). Indeed, many people can express themselves with nuance and subtlety quite well in spoken conversation, but are not accomplished at doing so in writing.

Moore, Kurtzberg, Thompson, and Morris (1999) explored reasons e-mail negotiations sometimes end in impasse. In their experiment, students negotiated over e-mail with other students who were either at the same university (an “in-group” pairing) or at another university (“out-group” pairing). Also, some of the negotiators disclosed personal information about themselves with the other party; others did not. They found that impasse was more likely in e-mail negotiations when people negotiated with out-group parties and when there was no mutual self-disclosure of personal information. Other research shows, perhaps not surprisingly, that reaching agreements with e-mail becomes more difficult as the number of parties involved increases. Kurtzberg, Dunn-Jensen, and Matsibekker (2005) found very high impasse rates in a four-party negotiation simulation via e-mail, with many participants expressing high levels of dissatisfaction afterward.

A growing body of evidence points to the conclusion that 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 (Morris, Nadler, Kurtzberg, and Thompson, 2000). Schmoozing is an important avenue for building rapport and establishing trust in the negotiation relationship. In fact, negotiators who schmoozed on the phone prior to e-mail negotiations resulted in more negotiated agreements, better outcomes, increased cooperation, and greater trust and optimism regarding future working relationships with the other party (Morris et al., 2000). In one recent study, researchers tried

to overcome the problem of rapport by telling e-mail negotiators about difficulties of using e-mail for negotiation and instructing them to ask questions of their opponent in an effort to create a personal connection (Sheehy and Palanovics, 2006). It worked—there were more agreements following these instructions, and agreements were more integrative, suggesting that some of the pitfalls of e-mail as a channel for negotiation can be overcome if negotiators attend to and adjust to those pitfalls.

With so much attention to e-mail, it is important to keep in mind that other online mechanisms exist for virtual negotiations. One of the few studies to contrast different online channels is an experiment by Loewenstein, Morris, Chakravarti, Thompson, and Kopelman (2005) comparing negotiations over e-mail with those conducted and via instant messaging (IM). Loewenstein et al. argue that the important 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. The study examined how these two channels compare when negotiators have at their disposal complex versus simple arguments. In a simulated buyer–seller negotiation, some sellers were provided with intricate arguments to use in support of their position; others were provided with simple arguments. The researchers predicted and found that sellers did better with complex arguments in the “quick” medium (IM) but not in the “slow” medium (e-mail). 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. In Chapter 5 we discussed various cognitive biases that interfere with rational decision making by negotiators. Analogously, we can think of some of the challenges posed by virtual negotiation as “biases” that put the smoothness, civility, and effectiveness of a negotiation exchange at risk. Thompson and Nadler (2002) identified four specific biases that can hinder success in online negotiations:

1. *Temporal synchrony bias* is the tendency for negotiators to behave as if they are in a synchronous situation when they are not. Face-to-face interactions often involve a “volley” of offers, in which both sides converge in the length of time spent talking as well as the rate of exchange. However, during e-mail negotiations the parties aren’t necessarily working on the same time frame and the lack of synchrony can be annoying to one or both parties, therefore negatively affecting both the negotiation relationship and outcomes.
2. *Burned bridge bias* is the tendency for individuals to employ risky behavior during e-mail negotiations that they would not use during a face-to-face encounter. The impoverished social environment of e-mail creates social distance and an illusion of anonymity that can facilitate behavior that would be unacceptable in a face-to-face encounter. For example, negotiators may be more willing to challenge the other party, set ultimatums, or react negatively to an offer when not interacting face to face. Friedman and Currall (2003) argue that e-mail’s inherent structural features make it more likely that disputes will escalate compared with face-to-face or telephone interaction.

3. *Squeaky wheel bias* is the tendency for e-mail negotiators to use a negative emotional style to achieve their goals. If social norms fostering civility are absent or less apparent, then negotiators may become more likely to resort to intimidation, rude behavior, and poor etiquette to achieve outcomes. On the other hand, when e-mail negotiators are part of a cohesive social group, constructive social norms are reinforced, which may moderate any tendency toward incivility. There is also some evidence that emotions that do surface are more muted in e-mail negotiation relative to face-to-face settings (van Es et al., 2004), presumably because the expression of emotion is occurring in writing rather than through the spoken word.

4. *Sinister attribution bias* occurs when one mistakenly assumes that another's behavior is caused by personality flaws, while overlooking the role of situational factors. This bias is an exaggerated case of the fundamental attribution error, discussed in Chapter 5, "wherein attributions of the other person's behavior are not only dispositional, but also diabolical" (Thompson and Nadler, 2002, p. 119). Thompson and Nadler contend that a lack of trust, dissimilarity between parties, and shortage of rapport that may exist via e-mail lead individuals to project sinister and deceitful motives onto the other party. Sinister attributions, in turn, lead to poorer outcomes (Moore et al., 1999).

Creating a positive rapport with a negotiation partner, either face to face or over the phone, can help to combat these biases. Unfortunately, it may not be possible to extend the negotiation relationship beyond online interactions. In such cases it is important to find ways to create a context of accountability for your actions. Examples include involving a neutral third party in the e-mail exchange or taking the time to schmooze via e-mail to develop a sense of trust and camaraderie prior to negotiating. See Box 6.3 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. As we have discussed at length in Chapter 5 and here, failures and distortions in perception, cognition, and communication are the paramount contributors to breakdowns and failures in negotiation. Research cannot confirm this assertion directly because the processes of perception, cognition, and communication are so intertwined with other major factors, including commitment to one's own position and objectives, the nature of the negotiating process, the use of power and power tactics, and the negotiators' personalities. Nevertheless, research has consistently demonstrated 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.

Three main techniques are available for improving communication in negotiation: the use of questions, listening, and role reversal. Each of these is discussed in more detail next.

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 counteroffers. 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. One of the most difficult aspects of negotiation is the actual give-and-take that occurs at the table. Should I stick with this point, or is it time to fold? Should I open the bidding or wait for the other side to take the lead? It requires good judgment to make these choices.

Source: Adapted from R. J. Lewicki and B. R. Dineen, “Negotiating in Virtual Organizations,” in R. Heneman and D. Greenberger (Eds.), *Human Resource Management in the Virtual Organization* (New York: John Wiley and Sons, 2003).

The Use of Questions

One of the most common techniques for clarifying communication and eliminating noise and distortion is the use of questions. Nierenberg (1976) emphasized that 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.

Nierenberg proposed that questions could be divided into two basic categories: those that are manageable and those that are unmanageable and cause difficulty (see Table 6.1). 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?”). 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

TABLE 6.1 | 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 about 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: From Gerard Nierenberg, *Fundamentals of Negotiating* (New York: Hawthorn Books, 1973), pp. 125–26. Used with permission of the author.

this enough?”). As you can see in Table 6.1, most of the unmanageable questions are likely to produce defensiveness and anger in the other party. Although these questions may yield information, they are likely to 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 (we discuss difficult situations in depth in Chapters 17 and 18.). 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. Deep and Sussman (1993) identify a number of such situations and suggest specific questions for dealing with them (see Table 6.2). 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. In addition, Ury (1991) suggests that using “why not” questions instead of “why” questions is a good way to unblock negotiations. The other party may be more prepared to discuss what’s wrong with a proposal than what’s right; using “why not” questions and careful listening skills can thus help negotiators identify the other party’s preferences.

Listening

“Active listening” and “reflecting” are terms commonly used in the helping professions such as counseling and therapy (Rogers, 1957, 1961). Counselors recognize that communications are frequently loaded with multiple meanings and that the counselor must try to identify these different meanings without making the communicator angry or defensive. In the decades since Carl Rogers advocated this key communication dynamic, interest in listening skills, and active listening in particular, has continued to grow, both in general communication contexts and in the specific domain of business and organizational settings.³ 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. Some people like to talk and are uncomfortable with long silences. 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. Gordon (1977) provides the following examples of active listening:

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.

TABLE 6.2 | Questions for Tough Situations

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 <i>you</i> 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 Sam Deep and Lyle Sussman, *What to Ask When You Don't Know What to Say* (1993). Used by permission of the publisher, Prentice Hall/A Division of Simon & Schuster, Englewood Cliffs, NJ.

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.

Athos and Gabarro (1978) note that successful reflective responding is a critical part of active listening and has these elements: (1) a greater emphasis on listening than on speaking, (2) responding to personal rather than abstract points (i.e., feelings, beliefs, and positions rather than abstract ideas), (3) following the other rather than leading him or her into areas that the listener thinks should be explored (i.e., allowing the speaker to frame the conversation process), (4) clarifying what the speaker has said about his or her own thoughts and feelings rather than questioning or suggesting what he or she should be thinking or feeling, and (5) responding to the feelings the other has expressed.

Active listening has generally been recommended for counseling communications, such as employee counseling and performance improvement. In negotiation, it may appear initially that active listening is unsuitable because, unlike a counselor, the receiver 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

Communication may also be improved through role reversal. Rapoport (1964) suggests that continually arguing for one particular position in debate leads to a "blindness of involvement," or a self-reinforcing cycle of argumentation that prohibits negotiators from recognizing the possible compatibility between their own position and that of the other party. While discussing active listening, we suggested that one objective was to gain an understanding of the other party's perspective or frame of reference. Active listening is, however, still 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 person's position, perhaps accept its validity, and discover how to modify both of your positions to make them more compatible. Studies examining the impact and success of the role-reversal technique (e.g., Johnson, 1971; Walcott, Hopmann, and King, 1977) suggest the following conclusions:

1. Role reversal is effective in producing cognitive changes (greater understanding of the other party's position) and attitude changes (perceived similarities between the two positions).

2. When the parties' positions are fundamentally compatible with each other, role reversal is likely to produce acceptable results (cognitive and attitudinal change); when the parties' positions are fundamentally incompatible, role reversal may sharpen the perceptions of incompatibility and inhibit positive attitude change.
3. Although role reversal may induce greater understanding of the other party's position and highlight possible areas of similarity, it is not necessarily effective overall as a means of inducing agreement between parties.

In sum, role reversal may be a useful tool for improving communication and the accurate understanding and appreciation of the other party's position in negotiation. This 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

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 (Russo and Schoemaker, 1989). 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" (Russo and Schoemaker, p. 3). In Chapter 5, 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.

Achieving Closure

Gary Karrass (1985), focusing on sales negotiations in particular, has specific advice about communication near the end of a negotiation. 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. Karrass advises negotiators to expect such challenges and to be prepared to manage them with aplomb. 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.

Chapter Summary

In this chapter we have considered elements of the art and science of communication that are relevant to understanding negotiations. We began with model of two-party interaction that shows communication as a transactional process that cycles between the parties and is prone to error and distortion at various points. Such distortions are more likely to occur when communicating parties have conflicting goals and objectives or strong feelings of dislike for one another. Distortion may occur as information is encoded, transmitted, decoded, and interpreted. During all stages of the communication cycle between two parties, problems of "noise" or interference potentially affect the accuracy and clarity with which messages and responses are sent and received.

We then moved to a discussion of *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, where we discussed avoiding last-minute mistakes and achieving closure.

Endnotes

¹ Clearly, communication can occur among more than two people, but the same general processes are expected to apply as to the two-person case, albeit with more complexity. For the sake of clarity, we will restrict our discussion to the two-person case in this chapter. The complexity of negotiations involving more than two parties is examined in detail in Chapter 13.

² See Roth and Malouf (1979); Schelling (1960); and Siegel and Fouraker (1960).

³ For discussions of listening in general contexts, see Bostrom (1990); Wolff, Marsnik, Tacey, and Nichols (1983); and Wolvin and Coakley, (1988). For applications to business and organizational settings see Bone (1988); Lewis and Reinsch (1988); Rogers and Roethlisberger (1991); and Wolvin and Coakley (1991).