RANDOM HOUSE eBOOKS

Building Agreement

Roger Fisher and
Daniel Shapiro

Contents

About the Book

Whether you're negotiating with an angry boss or a difficult colleague – or, indeed, a stubborn teenager – you can learn to stimulate emotions that help you achieve the result you want.

Building Agreement shows you how to use five 'core concerns' that motivate people:

- Express appreciation for what others think, feel or do
- Build affiliation; turn an adversary into a colleague
- Respect autonomy in others and gain autonomy for yourself
- Acknowledge status and establish your own
- Choose a fulfilling role during every negotiation

Using the latest research of the Harvard Negotiation Project, the group that brought you the groundbreaking book *Getting to Yes*, this is a superb, practical guide to essential negotiation skills.

About the Authors

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Sloan School of Management, Massachusetts Institute of Technology, and teaches negotiation to corporate executives and diplomats. He has extensive international experience, including training Serbian members of Parliament, Mideast negotiators, Macedonian politicians, and senior U.S. officials. During the Bosnian war, he conducted conflict management trainings in Croatia and Serbia. Through funding from the Soros Foundation, he developed a conflict management program that now reaches nearly one million people across twenty-five countries.

- For additional information on *Building Agreement* (published in the U.S. as *Beyond Reason*) visit our web site at www.beyond-reason.net.

- To contact the authors with questions, comments, and inquiries about lectures or consultation, please e-mail us at rogeranddan@beyond-reason.net.

- To learn more about the Harvard Negotiation Project, visit www.pon.harvard.edu.

BUILDING AGREEMENT

Using Emotions as You Negotiate

Roger Fisher and Daniel Shapiro

To Carrie and Mia

WITH MUCH LOVE

(and other positive emotions)

Introduction

We cannot stop having emotions
any more than we can stop having thoughts.
The challenge is learning to stimulate helpful emotions
in those with whom we negotiate—and in ourselves.

YOU NEGOTIATE EVERY day, whether about where to go for dinner, how much to pay for a secondhand bicycle, or when to terminate an employee. And you have emotions all the time. These may be positive emotions like joy or contentment, or negative emotions like anger, frustration, and guilt.

When you negotiate with others, how should you deal with these emotions—both theirs and yours? As hard as you might try to ignore emotions, they won't go away. They can be distracting, painful, or the cause of a failed agreement. They can divert your attention from an important issue that ought to be resolved now. And yet as you negotiate formally or informally, you have too much to think about to study every emotion that you and others may be feeling and to decide what to do about it. It is hard to manage the very emotions that affect you.

Building Agreement offers a way to deal with this problem. You will learn a strategy to generate positive emotions and to deal with negative ones. No longer will you be at the mercy of your own emotions or those of others. Your negotiations will be more comfortable and more effective. This strategy is powerful enough to use in your

toughest negotiations—whether with a difficult colleague, a hard bargainer, or your spouse.

Because *Building Agreement* is about emotions, we (Roger and Dan) have added a personal dimension to our writing. We have included a number of examples drawn from our personal lives as well as from our involvement for many years in the field of negotiation. We each have developed negotiation theory and have trained people from all walks of life, from Mideast negotiators to marital couples, business executives to university students.

This book is a product of our personal learning and research. It builds upon *Getting to YES: Negotiating Agreement Without Giving In*, which is coauthored by Roger and has become a foundation for the widely used process of *interest-based negotiation*. This process suggests that negotiators obtain the best results by understanding each other's interests and working together to produce an agreement that will meet those interests as best they can. (See Seven Elements of Negotiation for details.) Many have commented that though the advice in *Getting to YES* is powerful, it does not spend much time addressing the question of how to handle the emotions and relationship issues in our toughest negotiations. This is our attempt to dig into those questions.

This book would not have happened were it not for the late professor Jerome D. Frank, who introduced the two of us. His intuition suggested to him that there might be synergy between "a negotiator interested in psychology" and "a psychologist interested in negotiation." He was right, and we are indebted.

We have worked together for the past five years on this book. It has taken far longer than either of us would have predicted, in part because we have so enjoyed spending time talking together and learning from each other. We now understand far more about emotions in negotiation than the sum total of our combined knowledge a few years back.

In this book, we share some of the excitement of these ideas with you, the reader.

I

The Big Picture

CHAPTER 1

Emotions Are Powerful, Always Present, and Hard to Handle

A PROSPECTIVE CUSTOMER threatens to back out of an agreement just before the final document is signed. The dealer who sold you a brand new car says that engine problems are not covered under warranty. Your eleven-year-old announces there is simply no way she is going to wear a coat to school on this frigid February morning.

At moments like these, when your blood pressure is rising or anxiety is creeping in, rational advice about how to negotiate seems irrelevant. As constructive and reasonable as you might like to be, you may find yourself saying things like:

> “Don’t do this to me. If you walk away from this agreement, I’m out of a job.”
> “What kind of sleazy operation is this? Fix the engine or we’ll see you in court.”
> “Young lady, you’re wearing a coat whether you like it or not. Put it on!”

Or perhaps you do not express your emotions in the moment, but let them eat away at you for the rest of the day. If your boss asks you to work all weekend to finish something she didn’t get to, do you say okay, but spend the weekend fuming while you consider quitting? Whether you speak up or not, your emotions may take over. You may act in ways that jeopardize reaching agreement, that damage a relationship, or that cost you a lot.

Negotiation involves both your head and your gut—both reason and emotion. In this book, we offer advice to deal with emotions. Negotiation is more than rational argument. Human beings are not computers. In addition to your substantive interests, *you* are a part of the negotiation. Your emotions are there, and they will be involved. So, too, will the emotions of others.

WHAT IS AN EMOTION?

Psychologists Fehr and Russell note that "everyone knows what an emotion is, until asked to give a definition. Then, it seems, no one knows." As we use the term, an emotion is a felt experience. You *feel* an emotion; you don't just think it. When someone says or does something that is personally significant to you, your emotions respond, usually along with associated thoughts, physiological changes, and a desire to *do* something. If a junior colleague tells you to take notes in a meeting, you might feel angry and think, "Who is *he* to tell me what to do?" Your physiology changes as your blood pressure rises, and you feel a desire to insult him.

Emotions can be positive or negative. A positive emotion feels personally uplifting. Whether pride, hope, or relief, a positive emotion feels good. In a negotiation, a positive emotion toward the other person is likely to build *rapport,* a relationship marked by goodwill, understanding, and a feeling of being "in sync." In contrast, anger, frustration, and other negative emotions feel personally distressing, and they are less likely to build rapport.[fn1]

This book focuses on how you can use positive emotions to help reach a wise agreement. In this chapter, we describe major obstacles you might face as you deal with emotions—both yours and those of others. Subsequent chapters give you a practical framework to overcome these obstacles. The framework does not require you to reveal your deepest

emotions or to manipulate others. Instead, it provides you with practical ideas to deal with emotions. You can begin to use the framework immediately.

EMOTIONS CAN BE OBSTACLES TO NEGOTIATION

None of us is spared the reality of emotions. They can ruin any possibility of a wise agreement. They can turn an amicable relationship into a long-lasting feud where everybody gets hurt. And they can sour hopes for a fair settlement. What makes emotions so troubling?

They can divert attention from substantive matters. If you or the other person gets upset, each of you will have to deal with the hassle of emotions. Should you storm out of the room? Apologize? Sit quietly and fume? Your attention shifts from reaching a satisfying agreement to protecting yourself or attacking the other.

They can damage a relationship. Unbridled emotions may be desirable when falling in love. But in a negotiation, they reduce your ability to act wisely. Strong emotions can overshadow your thinking, leaving you at risk of damaging your relationship. In anger, you may interrupt the long-winded comments of a colleague who was just about to suggest an agreement workable for both of you. And in resentment, he may retaliate by remaining silent the next time you need his support.

They can be used to exploit you. If you flinch at another negotiator's proposal or hesitate before telling them[fn2] your interests, these observable reactions offer clues about your "true" concerns and vulnerabilities. Careful observers of your emotional reaction may learn how much you value proposals, issues, and your relationship with them. They may use that information to exploit you.

If those are possible results of emotions, it is not surprising that a negotiator is often advised to avoid them

altogether.

EMOTIONS CAN BE A GREAT ASSET

Although emotions are often thought of as obstacles to a negotiation—and certainly can be—they can also be a great asset. They can help us achieve our negotiating purpose, whether to find creative ways to satisfy interests or to improve a rocky relationship.

President Carter used the power of emotions during the historic peace negotiations between Israel and Egypt. He invited Israel's Prime Minister, Menachim Begin, and Egypt's President, Anwar Sadat, to Camp David. His goal was to help the two leaders negotiate a peace agreement. After thirteen long days, the negotiation process was breaking down. The Israelis saw little prospect for reaching agreement.

By this time, Carter had invested a lot of time and energy in the peace process. He could easily have expressed frustration, perhaps approaching Begin with a warning to accept his latest proposal "or else." But an adversarial approach might have caused Begin to abandon the negotiation process completely. It would also have risked damaging the personal relationship between the two leaders.

Instead, Carter made a gesture that had a significant emotional impact. Begin had asked for autographed pictures of Carter, Sadat, and himself to give to his grandchildren. Carter personalized each picture with the name of a Begin grandchild. During the stalemate in talks, Carter handed Begin the photographs. Begin saw his granddaughter's name on the top photograph and spoke her name aloud. His lips trembled. He shuffled through the photographs and said each grandchild's name. He and Carter talked quietly about grandchildren and about war. This was a turning point in the

negotiation. Later that day, Begin, Sadat, and Carter signed the Camp David Accord.

The open discussion between Carter and Begin could not have happened if there were a poor relationship between them. Begin talked to Carter about difficult issues without resisting or walking out. The groundwork of positive emotions allowed nonthreatening conversation about serious differences.

This groundwork did not just “happen.” It took work. Honest work. Carter and Begin began to establish rapport at their first meeting more than a year prior to the negotiation. They met at the White House, where Carter invited the Prime Minister for an open, private discussion about the Mideast conflict. Months later, Carter and his wife invited Begin and his wife to a private dinner, where they talked about their personal lives, including the murder of Begin’s parents and his only brother in the Holocaust. Later, during the Camp David negotiation, Carter demonstrated that he was looking out for each party’s welfare. For example, before Begin met with Sadat for the first time at Camp David, Carter alerted Begin that Sadat would present an aggressive proposal; he cautioned Begin not to overreact.

Carter did not want the negotiation to fail, nor did Begin or Sadat. Everyone had an interest in “winning.” And positive emotions between Carter and each leader helped to move the negotiation forward.

In an international or everyday negotiation, positive emotions can be essential. They can benefit you in three important ways.

Positive emotions can make it easier to meet substantive interests. Positive emotions toward the other person reduce fear and suspicion, changing your relationship from adversaries to colleagues. As you work side by side on your problems, you become less guarded. You can try out new ideas without the fear of being taken advantage of.

With positive emotions, you are motivated to do more. Things get done more efficiently as you and others work jointly and with increased emotional commitment. You are more open to listening and more open to learning about the other party's interests, making a mutually satisfying outcome within your reach. As a result, your agreement is more likely to be stable over time.

Positive emotions can enhance a relationship. Positive emotions can provide you with the intrinsic enjoyment that comes from a person-to-person interaction. You can enjoy the experience of negotiating and the personal benefits of camaraderie. You can talk comfortably without the fear of getting sidetracked by a personal attack.

That same camaraderie can act as a safety net. It can allow you to disagree with others, knowing that even if things get tense, each of you will be there tomorrow to deal with things.

Positive emotions need not increase your risk of being exploited. Although positive emotions may help you produce a mutually satisfying agreement, there is a danger that you may feel so comfortable that you make unwise concessions or act with over-confidence. Our advice is not to inhibit positive emotions but rather to check with your head and your gut before making decisions. Before committing to an agreement, check that it satisfies your interests. Draw on standards of fairness. Know each person's alternative to a negotiated agreement, and use that information wisely.

Table 1, which follows, contrasts the effect of positive and negative emotions on a negotiation. This table illustrates the effect of emotions on seven key elements of the negotiation process that are described here.

DEALING WITH EMOTIONS: THREE APPROACHES THAT DON'T WORK

Despite knowing that emotions can harm or help a negotiation, we still have little guidance on how to deal with them. How can we reap their benefits? It is sometimes suggested that negotiators: Stop having emotions; ignore them; or deal directly with them. None of those suggestions helps.

Stop Having Emotions? You Can’t.

You cannot stop having emotions any more than you can stop having thoughts. At all times you are feeling some degree of happiness or sadness, enthusiasm or frustration, isolation or engagement, pain or pleasure. You cannot turn emotions on and off like a light switch.

TABLE 1

SOME FREQUENT EFFECTS OF EMOTIONS

Elements of Negotiation	Negative Emotions Tend to Foster:	Positive Emotions Tend to Foster:
Relationship	A tense relationship filled with distrust	A cooperative working relationship
Communication	Communication that is limited and confrontational	Open, easy, two-way communication
Interests	Ignoring interests; clinging to an extreme demand; conceding stubbornly if at all	Listening and learning about each other's concerns and wants
Options	Two options: our position or theirs Doubts that options for mutual gain are possible	Creating a lot of possible options that might accommodate some interests of each Optimism that with hard work mutually beneficial options can be created
Legitimacy	A battle of wills over why we are right and they are wrong Fear of being "taken"	Use of criteria that should be persuasive to both why one option is fairer than another A sense of fairness
BATNA (*B*est *A*lternative *T*o a *N*egotiated *A*greement)	Walking away from a possible agreement even if our BATNA is worse	Commitment to the best we can get, as long as it is better than our BATNA
Commitments	No agreement, or commitments that are unclear or unworkable Regret for making (or not making) the agreement	Well-drafted obligations that are clear, operational, and realistic Contentment, support, and advocacy for the agreement

Consider the experience of "Michele," a researcher who was just offered a job at a big pharmaceutical company. She was initially excited about her compensation—until she discovered that two other recent hires had been offered higher initial salaries. She was upset and confused. From her point of view, her qualifications far outshone theirs.

Michele decided to negotiate for a higher salary. When asked what her negotiation strategy was, she said, "I plan to negotiate 'rationally.' I'm not going to let emotions enter into our conversation. I just want to 'talk numbers.' " She tried to persuade a company executive that if others of equal caliber received a higher salary, she deserved a

similar compensation. Good, principled approach. Unfortunately, the negotiation did not go well. Her emotions failed to stop during the negotiation, even though she presumed she had them under control.

As Michele recalls: “The tone of my voice was more abrasive than usual. I didn’t want it to be that way. But it was. I felt upset that the company was trying to hire me for less money than the other two new hires. The company’s negotiator interpreted my statements as demands. I was surprised when the negotiator said that he refused to be arm twisted into giving a salary raise to *anyone,* let alone a new hire. I wasn’t trying to coerce him into a salary raise. But my emotions just didn’t switch off the way I had hoped.”

In most circumstances, negotiators would be foolish to turn off emotions even if they could. Stopping emotions would make your job harder, not easier. Emotions convey information to you about the relative importance of your concerns. They focus you on those things about which you care personally, such as respect or job security. You also learn what is important to the other side. If the other person communicates an interest with great enthusiasm, you might assume that that interest is important. Rather than spend days trying to understand the other side’s interests and priorities, you can save time and energy by learning what you can from their emotions.

Ignore Emotions? It Won’t Work.

You ignore emotions at your peril. Emotions are always present and often affect your experience. You may try to ignore them, but they will not ignore you. In a negotiation, you may be only marginally aware of the important ways that emotions influence your body, your thinking, and your behavior.

Emotions affect your body. Emotions can have an immediate impact on your physiology, causing you to perspire, to blush, to laugh, or to feel butterflies in your stomach. After you feel an emotion, you might try to control the expression of that emotion. You might hold back from a smile of excitement or from crying in disappointment. But your body still experiences physiological changes. And suppressing the emotion comes at a cost. A suppressed emotion continues to affect your body. Whether an emotion is negative or positive, internal stress can distract your attention. Trying to suppress that emotion can make it harder to concentrate on substantive issues.

Emotions affect your thinking. When you feel disappointment or anger, your head clogs with negative thoughts. You may criticize yourself or blame others. Negative thinking crowds out space in your brain for learning, thinking, and remembering. In fact, some negotiators become so wrapped up in their own negative emotions and thoughts that they fail to hear their counterpart make an important concession.

When you feel positive emotions, in contrast, your thoughts often center on what is right about you, others, or ideas. With little anxiety that you will be exploited, your thinking becomes more open, creative, and flexible. You become inclined not to reject ideas but to invent workable options.

Emotions affect your behavior. Virtually every emotion you feel motivates you to take action. If you are exuberant, you may feel a physical impulse to hug the other side. If you are angry, you may feel like hitting them.

Usually you can stop yourself before you perform a regrettable action. When you feel a strong emotion, however, careful thinking lags behind, and you may feel powerless to your emotion. In such moments, your ability to censor your thoughts or reflect on possible action is

severely limited. You may find yourself saying or doing things that you later regret.

Deal Directly with Emotions? A Complicated Task.

Negotiators are often advised to become aware of emotions—both their own and those of others—and to deal directly with those emotions. Some people are naturally talented at dealing directly with emotions, and most can improve their ability. If a negotiator habitually gets angry, for example, he or she can learn helpful skills to recognize and manage that anger.

Yet even for a trained psychologist or psychiatrist, it is a daunting proposition to deal directly with every emotion as it happens in oneself and others. And trying to deal directly with emotions is particularly challenging when negotiating, where you also need to spend time thinking about each person's differing views on substantive issues and the process for working together. It can feel as though you are trying to ride a bicycle while juggling and talking on a cell phone.

Dealing directly with every emotion as it happens would keep you very busy. As you negotiate, you would have to look for evidence of emotions in yourself and in others. Are you sweating? Are their arms crossed? You would have to infer the many specific emotions taking place in you and in them. (Look through the list of emotion words in Table 2 and think how long it takes simply to read through that list, let alone to correctly identify which emotions you and others are feeling.) You would have to make informed guesses about the apparent causes, which may be multiple and unclear. Is the other person upset because of something you said—or because of a fight with a family member this morning?

You would have to decide how to behave, then behave that way, and then notice the emotional impact of that behavior on yourself and on the other person. If the resulting emotions are negative and strong, there is a great risk that each person's emotions will quickly escalate.

TABLE 2

EMOTION WORDS

Positive Emotions	Negative Emotions
Excited	Guilty
Glad	Ashamed
Amused	Humiliated
Enthusiastic	Embarrassed
Cheerful	Regretful
Jovial	
Delighted	Envious
Ecstatic	Jealous
	Disgusted
Proud	Resentful
Gratified	Contemptuous
Happy	
Jubilant	Impatient
Thrilled	Irritated
Overjoyed	Angry
Elated	Furious
	Outraged
Relieved	
Comforted	Intimidated
Content	Worried
Relaxed	Surprised
Patient	Fearful
Tranquil	Panicked
Calm	Horrified
Hopeful	Sad
In awe	Hopeless
Wonder	Miserable
	Devastated

Emotions are usually contagious. Even if your emotions change from frustration to active interest, the other person is likely to be reacting still to your indignant behavior of a few minutes ago. The impact of a negative emotion lingers long after it has passed. The stronger and more troublesome the emotion, the greater the risk that both of you will lose control.

Thus comes the question to which this book is directed: How should a negotiator cope with the interacting, important, and ever-changing emotions of each side? Given that we cannot realistically be expected to observe, understand, and deal directly with these emotions as they occur, must we simply react as best we can?

AN ALTERNATIVE: FOCUS ON CORE CONCERNS

This book offers negotiators—and that means everyone—a powerful framework for dealing with emotions. Whether or not you acknowledge emotions, they *will* have an impact on your negotiation. As the following chapters suggest, you can avoid reacting to scores of constantly changing emotions and turn your attention to five core concerns that are responsible for many, if not most, emotions in a negotiation. These core concerns lie at the heart of many emotional challenges when you negotiate. Rather than feeling powerless in the face of emotions, you will be able to stimulate positive emotions and overcome negative ones.

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fn1 As a general negotiating strategy, positive emotions are more likely than negative emotions to foster rapport and collaboration. Yet, tactically, even the negative emotion of anger can enable two people to clear the air and get back together. And, to be sure, sometimes negative feelings such as grief can bring people together as they share the grief.

fn2 In this book, we sometimes use the third person plural—they, them, or their—where strict grammar would suggest using a singular, such as he or she. Other options seem to lead to some sort of stereotyping or distracting language.

CHAPTER 2

Address the Concern, Not the Emotion

RATHER THAN GETTING caught up in every emotion you and others are feeling, turn your attention to what generates these emotions.

Core concerns are human wants that are important to almost everyone in virtually every negotiation. They are often unspoken but are no less real than our tangible interests. Even experienced negotiators are often unaware of the many ways in which these concerns motivate their decisions.

Core concerns offer you a powerful framework to deal with emotions without getting overwhelmed by them. This chapter provides an overview of how to use them.

FIVE CORE CONCERNS STIMULATE MANY EMOTIONS

Five concerns stimulate, for better or worse, a great many emotions that arise in a negotiation. These core concerns are *appreciation, affiliation, autonomy, status,* and *role*.

When you deal effectively with these concerns, you can stimulate positive emotions both in yourself and in others. Because everyone has these concerns, you can immediately utilize them to stimulate positive emotions. This is true even if you are meeting someone for the first time. You reap the benefits of positive emotions without having to observe, label, and diagnose the scores of ever-changing emotions in yourself and others.

Obviously, powerful feelings can be stimulated by hunger, thirst, lack of sleep, or physical pain. The core concerns, however, focus on your relationship with others. As Table 3 illustrates, each core concern involves how you see yourself in relation to others or how they see themselves in relation to you.

These five core concerns are not completely distinct from one another. They blend, mix, and merge. But each has its own special contribution in stimulating emotions. Together, these concerns more fully describe the emotional content of a negotiation than could any single core concern. The core concerns are analogous to the instruments a quintet uses to play Mozart's Woodwind Quintet. No sharp edges divide the contribution of the flute, oboe, clarinet, bassoon, and French horn. But together, the five instruments more fully capture the tone and rhythm of the music than could any individual instrument.

We want each of the core concerns to be met not excessively nor minimally, but to an *appropriate* extent. Three standards can be used to measure if our concerns are treated appropriately. Do we feel that others are treating our concerns in ways that are:

- *Fair?* Fair treatment is consistent with custom, law, organizational practice, and community expectations. We feel treated as well as others who are in similar or comparable circumstances.

- *Honest?* Honest treatment means that what we are being told is true. We may not be entitled to know everything, but we do not want to be deceived. When the other person honestly addresses our concerns, their intent is not to deceive or trick us. They communicate what they authentically experience or know.