Neil Rackham

The Effective

The Behaviour of

by Neil Rackham

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Introduction

Very few studies have investigated what actually goes on face-to-face during a negotiation. Two reasons account for this lack of published research. Firstly, real negotiators are understandably reluctant to let a researcher watch them at work. Such research requires the consent of both negotiating parties and constitutes a constraint on a delicate situation. The second reason for the poverty of research in this area is lack of methodology. Until recently there were few techniques available which allowed an observer to collect data on the behaviour of negotiators without the use of cumbersome and unacceptable methods such as questionnaires.

Since 1968 we have been using behaviour analysis methods [1] to allow direct observation during real negotiations, so that an objective and quantified record can be collected to show how the skilled negotiator behaves.

The Successful Negotiator

In theory, the study of negotiating behaviour should be a simple matter. Find some successful negotiators and watch them during actual negotiations to find how they do it. When we began our studies in 1968, intending to use this simple-sounding procedure, we were puzzled that nobody else seemed to be using this method. But, like many apparently simple procedures, it is not so easy. As Tony Martin of the RHR Institute has pointed out [2], there is not much agreement among the experts on what "negotiation" means – let alone a commonly agreed definition of a skilled negotiator.

We had some problems in deciding how to define the skilled negotiator and we eventually decided on three success criteria.

(a) *They should be rated as effective by both sides*
This criterion enabled us to identify likely candidates for further study. The condition that both sides should agree a negotiator's effectiveness was a precaution to prevent picking a sample from a single frame-of-reference.

(b) *They should have a track record of significant success*
The central criterion for choosing effective negotiators was track record over a time period. In such a complex field we were anxious for evidence of consistency. We also wished to avoid the common trap of laboratory studies – looking only at the short-term consequences of a negotiator's behaviour and therefore favouring those using tricks or deceptions.

(c) *They should have a low incidence of implementation failures*
We judged that the purpose of a negotiation was not just to reach an agreement but to reach one that would be *viable*. Therefore, in addition to a track record of agreements, the record of implementation was also studied to ensure that any agreements reached were successfully implemented.

We picked a total of 49 negotiators who met all of these three success criteria. The breakdown of the sample is given in Table I. Altogether the 49 successful negotiators were studied over a total of 103 separate negotiating sessions. For the remainder of this article these people are called the "skilled" group. In comparison, a group of negotiators who either failed to meet the criteria or about whom no criterion data was available, were also studied. These were called the "average" group. By comparing the behaviour of the two groups it was possible to isolate some of the crucial behaviours which made the skilled negotiators different.

Table I. Effective Negotiator Sample

Union Representatives	17
Management Representatives	12
Contract Negotiators	11
Others	9

The Research Method

We met the negotiators before the negotiation and encouraged them to talk about planning and objectives. For 56 sessions with the skilled negotiators and 37 sessions with the average negotiators this planning session was either tape-recorded or extensive notes were taken.

The negotiator then introduced us as researchers into the actual negotiation. (The delicacy of this process can be judged from the fact that although most cases had been carefully prehandled, we were not accepted in upwards of 20 instances and were asked to withdraw.)

During the negotiation we observed and noted the frequency with which certain key behaviours were used by the negotiators, using behaviour analysis methods. In all of the 103 sessions interaction data was collected while in 66 sessions some content analysis was also obtained.

In this article we shall concentrate on the area of face-to-face behaviours used by skilled negotiators and compare their frequency with those used by average negotiators. We shall use a definition of negotiation similar to that used by Morley and Stephenson [3] but without the industrial rela-

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Negotiator – Part I

Successful Negotiators

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tions dispute connotations: "A negotiation is the verbal process of coming to agreement over the allocation of scarce resources".

Face-to-face Behaviour

Skilled negotiators show marked differences in their interactions compared with average negotiators. They use certain types of behaviour significantly more frequently while other types they tend to avoid.

(a) *Behaviours avoided*

(1) *Irritators*

Certain words and phrases which are commonly used during negotiation have negligible value in persuading the other party but do cause irritation. Probably the most frequent example of these is the term "generous offer" used by a negotiator to describe his own proposal. Similarly, words such as "fair", "reasonable" and other terms with a high positive value loading, have no persuasive power when used as self-praise, while serving to irritate the other party because of the implication that they are *un*fair, *un*reasonable and so on. Most negotiators avoid the gratuitous use of direct insults or unfavourable value judgements. They know that there is little to gain from saying unfavourable things about the other party during face-to-face exchanges. However, the other side of the coin – saying gratuitously favourable things about themselves – seems harder for them to avoid. We call such words "*irritators*" and find that although the average negotiator uses them fairly regularly, the skilled negotiator tends to avoid them.

Table II. Irritators

	Use of Irritators per hour of Face-to-face Speaking Time
Skilled Negotiators	2.3
Average Negotiators	10.8

It is hardly surprising that skilled negotiators use fewer irritators. Any type of verbal behaviour which antagonises without a persuasive effect is unlikely to be productive. More surprising is the heavy use of irritators by average negotiators. The conclusion must be that most people fail to recognise the counter-productive effect of using positive value judgements about themselves and, in doing so, implying negative judgements of the other party.

(2) *Counter proposals*

During negotiation it frequently happens that one party puts forward a proposal and the other party immediately responds with a counter proposal. Skilled negotiators seem to make immediate counter proposals much less frequently than average negotiators.

Table III. Counter-Proposals

	Frequency of Counter Proposals per Hour of Face-to-face Speaking Time
Skilled Negotiators	1.7
Average Negotiators	3.1

This difference suggests that the common strategy of meeting a proposal with a counter proposal may not be particularly effective. The disadvantages of counter proposals are:

– They introduce an additional option, sometimes a whole new issue, which complicates and clouds the clarity of the negotiation.

– They are put forward at a point where the other party has least receptiveness, being occupied with their own proposal.

– They are perceived as blocking or disagreeing by the other party, not as proposals. (We studied 87 controlled pace negotiation [4] exercises and found that when one side in a negotiation put a proposal there was an 87 per cent chance that the other side would perceive it as a proposal. However, if the proposal immediately followed a proposal made by the other side (if, in other words, it was a counter proposal), the chance of being perceived as a proposal dropped to 61 per cent with a proportionate increase in the chances of being perceived as either disagreeing or blocking.)

These reasons probably explain why the skilled negotiator is less likely to use counter-proposing as a tactic than is the average negotiator.

(3) *Defend/Attack Spirals*

Because negotiation frequently involves conflict, negotiators may become heated and use emotional or value-loaded behaviours. When such behaviour was used to attack the other party, or to make an emotional defence, we termed it "defending/attacking". Once initiated, this behaviour tends to form a spiral of increasing intensity: one negotiator will attack; the other will

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defend, usually in a manner which the first negotiator perceives as an attack. In consequence the first negotiator attacks more vigorously and the spiral commences. Defending and attacking are often difficult to distinguish from each other. What one negotiator perceives as a legitimate defence, the other party might see as an unwarranted attack. This is the root cause of most defending/attacking spirals observed during the studies. Average negotiators in particular are likely to react defensively, using comments such as, "You can't blame us for that", or "It's not *our* fault that the present difficulty has arisen". Such comments frequently provoke a sharp defensive reaction from the other side of the table.

Table IV. Defend/Attack Spirals

	Percentage of Negotiators Classified as Comments Defending/Attacking
Skilled Negotiators	1.9
Average Negotiators	6.3

Average negotiators use more than three times as much defending/attacking behaviour as skilled negotiators. Although we do not have any precise measures, we observed that skilled negotiators, if they did decide to attack, gave no warning and attacked hard. Average negotiators, in contrast, usually begin their attacking gently, working their way up to more intense attacks slowly and, in doing so, causing the other party to build up its defensive behaviour in the characteristic defending/attacking spiral.

(4) *Argument Dilution*

Most people have a model of arguing which looks rather like a balance or a pair of scales. In fact, many of the terms we use about winning arguments reflect this balance model. We speak of "tipping the argument in our favour", of "the weight of the arguments", or how an issue "hangs in the balance". This way of thinking predisposes us to believe that there is some special merit in quantity. If we can find five reasons for doing something then that should be more persuasive than only being able to think of a single reason. We feel that the more we can put on our scale-pan, the more likely we are to tip the balance of an argument in our favour. If this model has any validity then the skilled negotiator would be likely to use *more* reasons to back up an argument than would the average negotiator.

We found that the opposite was true. The skilled negotiator used *fewer* reasons to back up each argument. Although the balance-pan model may be very commonly believed, the studies suggest that it is a *disadvantage* to advance a whole series of reasons to back an argument or case. In doing so, the negotiator exposes a flank and gives the other party a choice of which reason to dispute. It seems self-evident that if a negotiator gives five reasons to back a case and the third reason is weak, the other party will exploit this reason in their response. The most appropriate model seems to be one of *Dilution*. The more reasons advanced the more a case is potentially diluted.

Table V. Argument Dilution

	Average Number of Reasons Given by Negotiators to Back Each Argument/Case they Advanced
Skilled Negotiators	1.8
Average Negotiators	3.0

The poorest reason is a lowest common denominator: a weak argument generally dilutes a strong one.

Unfortunately, many negotiators who had the disadvantage of higher education put a value on being able to ingeniously devise reasons to back their case. They frequently suffered from this dilution effect and had their point rejected, not on the strength of their principal argument, but on the weakness of the incidental supporting points they introduced. The skilled negotiator tended to advance single reasons insistently, only moving to subsidiary reasons if the main reason was clearly losing ground. It is probably no coincidence that an unexpectedly high proportion of the skilled negotiators studied, both in labour relations and in contract negotiation, had relatively little formal education. As a consequence they had not been trained to value the balance-pan model and more easily avoided the trap of advancing a whole flank of reasons to back their case.

(b) *Behaviours used*

(1) *Behaviour Labelling*

Skilled negotiators tended to give an advance indication of the class of behaviour they were about to use. So, for example, instead of just asking, "How many units are there?", they said, "Can I ask you a question – how many units are there?", giving warning that a question was coming. Instead of just making a proposal they began, "If I could make a suggestion . . ." and then followed this advance label with their proposal. Average negotiators were significantly less likely to label their behaviour in this way – with one exception. The only behaviour which the average negotiator was more likely to label in advance was disagreeing.

Table VI. Behaviour Labelling

	Percentage of All Negotiators' Behaviours Immediately Preceded by a Behaviour Label	
	Disagreeing	All Behaviours Except Disagreeing
Skilled Negotiators	0.4	6.4
Average Negotiators	1.5	1.2

This is a slightly unusual finding and it may not be immediately evident why these differences should exist. Our interpretation is that, in general, labelling of behaviour gives the negotiator the following advantages:

– It draws the attention of the listeners to the behaviour that follows. In this way social pressure can be brought to force a response.

– It slows the negotiation down, giving time for the negotiators using labelling to gather their thoughts and for the other party to clear their minds from the previous statements.

– It introduces a formality which takes away a little of the cut-and-thrust and therefore keeps the negotiation on a rational level.

– It reduces ambiguity and leads to clearer communication.

The skilled negotiator does, however, avoid labelling *disagreement*. While average negotiators will characteristically say, "I disagree with that because of . . ." thus labelling that they are about to disagree, the skilled negotiator is more likely to begin with the reasons and lead up to the disagreement.

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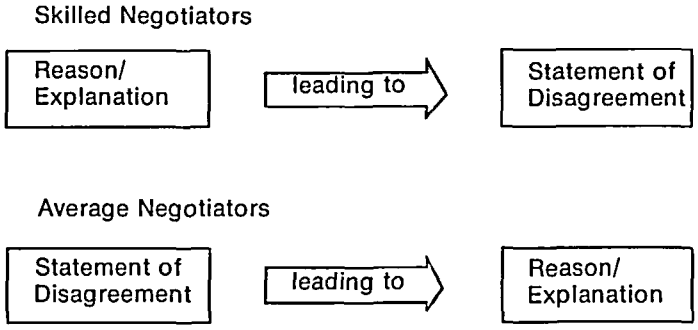
Figure 1. Alternative Modes of Disagreeing



If one of the functions of behaviour labelling is to make a negotiator's intentions clear, then it is hardly surprising that skilled negotiators avoid making it clear that they intend to disagree. They would normally prefer their reasons to be considered more neutrally so that acceptance involved minimal loss of face for the other party. But, if labelling disagreement is likely to be counter productive, why does the average negotiator label disagreeing behaviour more than all the other types of behaviour put together? Most probably this tendency reflects the order in which we think. We decide that an argument we hear is unacceptable and only then do we assemble reasons to show why. The average negotiator states the disagreement first, and then follows with the reasons. The skilled negotiator seems to be able to stifle this impulse.

(2) *Testing Understanding and Summarising*
We found that two behaviours with a similar function, *testing understanding* and *summarising* were used significantly more by the skilled negotiator. *Testing understanding* is a behaviour which checks to establish whether a previous contribution or statement in the negotiation has been understood. *Summarising* is a compact restatement of previous points in the discussion. Both behaviours sort out misunderstandings and reduce misconceptions.

Table VII. Testing Understanding and Summarising

	Percentage of All Behaviours by Negotiators		
	Testing Understanding	summarising	TU + summarising
Skilled Negotiators	9.7	7.5	17.2
Average Negotiators	4.1	4.2	8.3

The higher level of these behaviours by the skilled negotiator probably reflects concern with clarity and the prevention of misunderstanding. It may also relate to two less obvious factors.
(i) *Reflecting* – Some skilled negotiators tended to use testing understanding as a form of reflecting behaviour – turning the other party's words back in order to obtain further responses, e.g. "So do I understand that you are saying you don't see *any* merit in this proposal at all?"

(ii) *Implementation Concern* – Average negotiators in their anxiety to obtain an agreement, would often quite deliberately fail to test understanding or to summarise. They would prefer to leave ambiguous points to be cleared later, fearing that making things explicit might cause the other party to disagree. In short, their predominant objective was to obtain an agreement and they would not probe too deeply into any area of potential misunderstanding which might prejudice immediate agreement, even if it was likely to give rise to difficulties at the implementation stage. The skilled negotiator, on the other hand, tended to have a greater concern with the successful implementation (as would be predicted from the success criteria earlier in this article). Consequently they would test and summarise in order to check out any ambiguities at the negotiating stage rather than leave them as potential hazards for implementation.

(3) *Seeking Information*
The skilled negotiator seeks significantly more information during negotiation than does the average negotiator.

Table VIII. Seeking Information

	Seeking Information as a Percentage of All Negotiators' Behaviours
Skilled Negotiators	21.3
Average Negotiators	9.6

This is a very significant difference in behaviour, and it is interesting that researchers and practitioners such as Chester Karrass [5] and Gerald Atkinson [6] recognise the utility of seeking information. Negotiators questioned about this behaviour agree on its utility at two levels:
(a) Obtaining the necessary information with which to bargain;
(b) Using questions as a deliberate strategy. For example:
  (i) Questions give control over the discussion,
  (ii) Questions are more acceptable alternatives to direct disagreement,
  (iii) Questions keep the other party active and reduce their thinking time,
  (iv) Questions can give negotiators a breathing space to allow them to marshall their own thoughts.

It is worth noting that testing understanding which, as we have seen, is also a behaviour used more by successful negotiators has a similar strategic value.

(4) *Feelings Commentary*
Skilled negotiators are often thought of as people who play their cards very close to their chests and who keep feelings to themselves. The research studies were unable to measure this directly because feelings are unobservable. However, an indirect measure was possible – counting the number of times that negotiators made statements about what was going on inside their minds. The behaviour category of "*Giving Internal Information*" was used to record any reference by negotiators to their internal considerations such as feelings and motives.

Table IX. Feelings Commentary

	Giving Internal Information as Percentage of All Negotiators Behaviours
Skilled Negotiators	12.1
Average Negotiators	7.8

The skilled negotiator is more likely to give information about internal events than the average negotiator. This contrasts sharply with the amount of information given about *external* events, such as facts, clarifi-

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cations, general expressions of opinion, etc. Here the average negotiator gives almost twice as much.

The effect of giving internal information is that negotiators appear to reveal what is going on in their minds. This revelation may or may not be genuine, but it gives the other party a feeling of security because such things as motives appear to be explicit and above board. The most characteristic and noticeable form of giving internal information is a feelings commentary, where skilled negotiators talk about their own feelings and the impression the other party has on them. For example, average negotiators, hearing a point from the other party which they would like to accept but doubt its veracity, are likely to receive the point in uncomfortable silence. The skilled negotiators are more likely to comment on their own feelings saying something like, "I'm uncertain how to react to what you've just said. If the information you've given me is true then I would like to accept it, yet I feel some doubts inside me about its accuracy. So part of me feels happy and part feels rather suspicious. Can you help me resolve this?"

It was also often used instead of disagreeing behaviour. For example, if a price quoted seemed too high, the skilled negotiator would say, "I'm very worried that we seem so far apart on this particular point . . .", instead of disagreeing flatly with it.

The work of psychologists such as Carl Rogers has shown that the expression of feelings is directly linked to establishing trust in counselling situations. It is probable that the same is true for negotiating.

Conclusion

We would agree with McGrath and Julian [7] that ". . . direct measurement of that interaction process which could permit a tracing of these mediating effects is seldom attempted" and that this is a ". . . major limitation in nearly all studies of negotiation". We are hoping to remedy this.

The behaviour analysis techniques we use can be related to success criteria and this has given us an insight into real-life negotiation which we are using in training and further research. Our findings are not exhaustive and, as usual, the knowledge we have gained has opened up other areas for investigation. Probably the most profitable area for deeper investigation is the broad area of questions, techniques and objectives. We already have one tentative model which we are testing in the training environment which we shall discuss in our later article on negotiating training; but a great deal more work is needed in this area before a definitive model can be produced.

In the next article we shall examine planning for a negotiation. This is a complex but vital aspect of negotiation research, being the foundation for any successful bargaining, and our research has revealed some surprisingly different approaches.

References

1. Rackham, N., and Morgan, T., *Behaviour Analysis in Training*, McGraw-Hill, London, 1977.
2. Martin, A. W., *The Manager as Negotiator, (The Role of Negotiation in Organizational Transactions)*, RHR Institute, Inc, 1975.
3. Morley, I and Stephenson, G., *Social Psychology of Bargaining*, George Allen & Unwin, London, 1977.
4. Rackham, N., "Controlled Pace Negotiation", *Industrial and Commercial Training*, 1972.
5. Karrass, C. L., *The Negotiating Game*, World Publishing, New York and Cleveland, Ohio, 1970.
6. Atkinson, G. M., *The Effective Negotiator*, Quest Research Publication, London, 1977.
7. McGrath, J. E. and Julian, J. W., "Interaction Process and Task Outcomes in Experimentally Created Negotiating Groups," *Journal of Psychological Studies*, 1963, 14, pp. 117-138.

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