

Is the Other Person Competing? Collaborating? Possibly Intending Harm? Ideas to Consider in a Negotiation

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People often ask those of us who teach negotiations if someone with whom they are trying to reach agreement is “out to get them.” Or they ask how to tell if a person might be trustworthy in negotiations in business or personal life. Often people ask how they themselves are coming across to others in a situation involving conflict and negotiation.

There are no easy answers to such questions, in part because people vary, situations vary, the context varies, and cultural differences are important. In addition, almost all negotiating situations are “mixed motive” situations that involve more than one of the five negotiation strategies described in classic negotiation theory: competition, collaboration, compromise, avoidance, and/or accommodation.¹ For example, you might wish to *avoid* a negotiation until the time is right to talk. You might *accommodate* the other party on various points, hoping they will accommodate you, and hoping to *collaborate* as long as possible (to enlarge the “pie” that will then be divided). And you might thereafter *compete* and then *compromise* over what is still on the table for discussion.

In addition to the five classic negotiation strategies described above, my own work takes note of the fact that some people may *intend to harm* the other party in a negotiation—an outcome that the intended victim usually wishes to avoid.² So...now there are six basic strategies to consider. How can you discern the intentions of the other party in a negotiation?

Negotiators often find it relatively easy to discern if another person is *avoiding* them, explicitly seeking to “split the difference” as a *compromise*, or just giving in and *accommodating*. But it may be harder to determine whether another person is focused on *competition*, *collaboration*, or both. And almost always, you want to understand clues that may indicate if the person you are negotiating with *intends harm*.

¹ Kenneth W. Thomas, “Conflict and Conflict Management,” in *The Handbook of Industrial and Organizational Psychology*, ed. Marvin D. Dunnette (Chicago: Rand McNally, 1976), 889-935.

² Mary Rowe, “Negotiations Theory and Ombuds Practice,” *Negotiation Journal* 31 (October 2015): 419-23.

The chart below offers some possible clues to help you figure out when the other party is competing flat out to get the best outcome for themselves at your expense—or really trying hard to collaborate—or, very likely, doing both in a mixed motive situation, as described above. Equally important, the chart may help you understand how others in a negotiation may see you. Please note that the use of the tactics shown in parentheses in the chart may suggest intended harm.

The descriptions of negotiating tactics below are not meant as endorsements of a particular strategy, or of tactics often associated with a given strategy. It is perfectly possible to be a principled, competitive bargainer who uses the ethical tactics associated with competition—just as it is possible to be an unethical collaborative negotiator. It *is*, however, important for all negotiators to be aware of the strategies and tactics that may be used by others.

In particular, if you observe that the party you are negotiating with 1) exhibits a pattern of using tactics associated with wanting to cause harm or 2) uses even one of those tactics in a way that seriously upsets or harms you, take note. In such situations, please consult the resources available to you and/or your team. **Please therefore study carefully the tactics in parentheses, so you may recognize them if they are used against you and plan appropriately.**

The ideas in the chart below were adapted from materials for a course on Negotiations and Conflict Management that I taught for many years at the MIT Sloan School of Management; you can find more information and resources from that course [here](#). In a real-life negotiation, it will be useful to keep notes and consult with experienced advisers. This chart is intended just as potential clues written in simple terms—about what in real life is complex behavior—to support our thinking about our own communications and those of others.

Is the Other Person Competing? Collaborating? Doing Both? Or Possibly Intending Harm?

Some Classic Competitive Tactics
(Tactics associated with hostility are in parentheses)

Some Classic Collaborative Tactics

Maintain an inscrutable (or hostile) demeanor; bargain on your own turf and do not be hospitable. Or, alternatively, be polite (or deceptively charming).	Be as professional and as pleasant as possible, whatever the substance of discussion. Seek neutral turf. If you cannot be pleasant, be scrupulously civil and respectful.
Sacrifice the relationship if necessary to achieve gains. Ignore the internal and external constituents/friends of the other party (or seek to weaken or seduce or attack those constituents).	Affirm the dignity of the other party. Build trust for a long-term relationship. Be respectful of the internal and external constituents/friends of the other party.
Argue ad hominem (attack personalities).	Discuss issues rather than personalities.
Use general humor to help everyone relax. (Use humor at the expense of the other party.)	Use general humor to help everyone relax. Use self-deprecating humor.
Avoid discussions of the principles that should influence the decisions to be made. Negotiate in terms of your positions and your view of your rights. (Intimidate.)	Seek agreement on the principles that should determine the decisions to be made. Negotiate in terms of interests and principles. Respect the rights of all.

Conceal your own true interests. Appear to ignore (or dismiss or disparage) the other's interests while doing your best to discover the true interests of the other party to learn their associated sticking points. (Ignore or disparage the other party's autonomy and rights, status, present role, social identities, and achievements. Or use shared social identities or your knowledge of the other party's interests, achievements, status, and role to deceive the other party into trusting you.)

Cautiously describe your interests; seek to understand and, where appropriate, express appreciation of the other party's tangible and emotional interests and achievements. Seek points of common identities and values you may share. Emphasize joint decision-making and your respect for the other person's status and present role. Talk about problem-solving. Seek and offer reasonable possibilities and options.

Conceal as much private information as you wish. Respond to questions with your own further questions.

Cautiously share information; it may help to expand the pie or identify potential joint gains.

Distract and waste the time of the other party. (Mislead, lie, deceive, decoy. Invent facts to bolster your positions. Accuse and blame others of your own past—and planned future—misdeeds or fraud. Avoid oversight or responsibility for outcomes.)

Stay focused on important issues. Be truthful. Be reasonably humble about what you do not know. Offer external evidence of facts you assert. Take responsibility. Apologize for mistakes. Offer appropriate warranties.

Be unexpected. (Retract former agreements or points of agreement without notice; rattle the other side. Walk out on commitments.)

Be consistent. Be reliable. Be accountable. Honor the spirit and the letter of your commitments.

Take extreme positions. (Consider tangible and intangible bribes and blackmail. Be willing to take stances that will result in the other party losing face.)

Seek reasonable possibilities. Stay within ethical and legal limits. Try to see that everyone saves face, especially if they make accommodations.

Hold your positions tenaciously. Give in only a little, and only if forced. (Promise reciprocity for accommodations by the other party but avoid making good on these promises if this is advantageous to you.)	Make reasonable accommodations. Offer accommodation on occasion; make larger concessions if warranted. If the other party offers an accommodation, seek ways to reciprocate.
Consider widening the agenda so you will have bargaining chips you do not care about to offer to the other side. (Consider narrowing the agenda so the other side loses some possible gains.)	Keep the agenda to what's important <i>or</i> widen the agenda to seek additional possible gains for the other side as well as your own, by expanding the pie and/or constructing a "package."
Set deadlines; create tension; repeat demands. (Push decisions through before the other side can assess the implications; actively conceal any negative consequences of a decision for the other side).	Take as much time as you need; take time out; ascertain that you, your external and internal constituents, and the other side really understand and accept the consequences of a decision.
Don't let anyone else in on anything, if possible, except as below. Keep the focus on your positions.	Brainstorm with as many wise heads as possible. Generate more options.
Refer all final decisions to another, concealed, or higher authority (who may renege if necessary and make further demands).	Let the real decision-maker bargain directly or, at least, conclude the final agreements. Support their honoring their agreements.