



# Some Sure-Fire Negotiation Techniques and Tactics

# 5

*You can learn to negotiate anything.  
You can develop or grow any negotiation technique(s) or tactic(s).*

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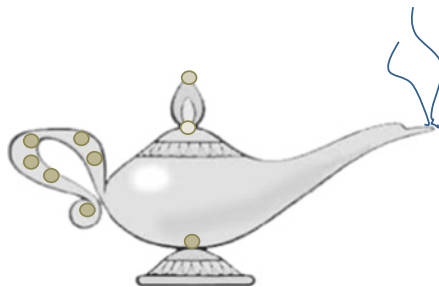
## 5.1 Introduction

A paramount negotiation technique or general tactic is to ask. “Ask and it shall be given to you”; each of us carries our very own Aladdin lamp. When we want to work with people, to help each other, I see little harm in asking. People will give; they grant us things when we ask. And when we ask, we ask with sincerity and honesty. We ask politely, respectfully and kindly. People are always pleased to help others, but we should do our part by asking. If you ask, you get! If you don’t ask, you don’t get—it’s as simple as that!

Let’s look at some other negotiation techniques. As we move from one to the next, I strongly urge you to think about how you could use each technique in specific situations you were in or will face in your:

- Personal life
- Work situation (Fig. 5.1)

Then, as you enter situations in which you must influence or persuade others, you can pick and choose from this array of tactics to help you arrange win-win outcomes or achieve the relationship way.

**Fig. 5.1** Ask ... just ask

**“Ask and it shall be given to you”; do note that everyone carries his or her own Aladdin lamp.**

**Fig. 5.2** The Robin Hood technique

**A commodity trader tactic**

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## 5.2 Negotiation Techniques and Tactics

### 1. Robin Hood or Robbing Peter To Pay Paul Technique (Fig. 5.2).

You probably did not realise Robin Hood was a commodity trader. Robin Hood and his band of merry men roamed the countryside in England. While doing this, they bought lambs or sheep from farmers. Then, the peasants only ate lambs. The rich did not eat such “lowly peasant food”.

Since only poor folk ate sheep, Robin Hood and his merry men could buy the lambs or sheep very cheaply. They, then, took the sheep, which they would butcher, to the wealthy sections of the villages. They would sell the lamb meat to the rich villagers. Of course, Robin Hood did not tell them they were buying sheep. Instead, they would market the meat as venison, i.e. deer meat. Since rich people highly valued venison, they would pay high prices for the meat. As a result, Robin Hood made huge profits.

By pulling off such deals, Robin Hood became a commodity trader. Reason: *He would buy sheep and sell deer.*

Or, in negotiating terms, Robin Hood would buy cheap and sell dear. Sometimes we now phrase it as *buy low and sell high*.

Kidding and cheating aside, buying low and selling high typically offers the best way to bargain. Just follow these easy-to-remember routines:

- When selling something, ask for more than you expect to get.
- When buying something, offer less than the asking price.

Perhaps you want to buy a car, and you are willing to spend \$80,000. Would you even consider telling the salesperson you are willing to spend \$80,000? Surely not. If you did, the salesperson would figure \$80,000 is your lowest bid, and you would pay more.

Instead you might say, “I’m willing to spend \$67,000 on the car”. Then, you have leeway to negotiate up to \$80,000.

Now, let’s put you in the salesperson’s role. A prospect approaches you and asks, “How much is that car?” Perhaps as the salesperson you really want to get \$80,000 for it. However, if you say \$80,000, what would the buyer think? The buyer would presume, “Aha!! \$80,000 is the high point of the car’s price range. I can negotiate downward from \$80,000”.

Realising this may occur, as the salesperson you may say, “The car costs \$83,000”. That leaves you room to negotiate downward, maybe down to about \$80,000, nab the sale and help your customer feel he or she landed a good deal on the “\$83,000” car.

As a *guideline*, whenever possible, aim to:

- Bid low when you are the buyer.
- Ask for a higher amount if you are the seller.

Or just remember the axiom of *buy low and sell high*.

You also can use the buy low and sell high approach in organisations. Let’s say you want someone to collaborate with you on *one* project. If you believe the person will object quite strenuously, simply ask the person to cooperate with you on *two* projects.

Then, let the person negotiate out of her involvement in one of the two projects. By doing this, you accomplish two things.

First, the other person feels she won, because she negotiated her way out of doing one of the two projects.

Second, you got what you wanted: She agreed to work on *one* project. Using this buy low and sell high method produces a result that feels like a win-win to both parties.

Another use of the buy low and sell high approach could occur when someone asks you to manage a project. If you do not want to manage the project, you might propose working on part of the project but not taking charge of the entire project.

This situation illustrates how to start negotiating by offering less than what you feel willing to do. Then, allow the other person to bargain you up a bit. This provides another opportunity for you to benefit from the buy low and sell high technique.

## 2. Time's on Our Side!

I call the second negotiation tactic *time is on your side*. During a workshop I conduct on how to negotiate, influence and persuade, workshop participants practise negotiating in a number of situations. One involves pairing each participant with another. I give each person a page of information about the situation to be negotiated.

Importantly, each sheet gives different information about the situation. Then, I tell the participants they:

- Have *exactly* 10 min to negotiate.
- *Must* reach a win–win outcome.

Lo and behold, it typically takes workshop participants about 9 min and 59 s to negotiate a win–win outcome!

This result demonstrates a fascinating phenomenon. Sometimes, instead of saying that people have 10 min to negotiate a win–win outcome, I tell them they have 15 min. Question: How long does it take most participants to reach a win–win outcome? Answer: Typically, about 14 min and 59 s.

I have also told people that they have 30 min. I bet you can predict what occurs. It then takes about 29 min and 59 s for them to reach a win–win outcome.

In fact, I once gave workshop participants the exact same scenario, and told them they could take up to 45 min to negotiate win–win outcomes. You definitely can predict how long it took. It took them between 44 and 45 min to reach win–win outcomes.

As the old truism indicates, “Work expands to take up the time”. Likewise, remember when you negotiate that “time (in this case establishing a deadline) is on your side”.

The training coordinator of a large institute attended one of my negotiation workshops. After I discussed the “time is on your side” technique, she said,

“Patrick, oh—that’s so true. When we advertise for a training session, we often get the registrations—most registrations at the 11th hour. People often wait until the last minute—even though we offer very good early-bird discount prices. Often, we set up booths for last minute registrations and the response is relatively tremendous!”

This anecdote shows how work—and negotiating—definitely does expand to take up the allotted time. When you give people a reasonable time limit to wrap up negotiations, they typically use all or most of that time, but they do come to a decision or complete the task. For example, if you negotiate with somebody to finish a project by 5 p.m. on Friday, the person will most finish it between 4 and 5 o’clock. People often wait until the last minute. So you can

make sure people do things on time by giving them a definite, but reasonable, time limit. Use time/time limits to your advantage!

This explains why we often hear threats made during union contract negotiations: “Unless we sign a contract by midnight on Tuesday, we’ll go on strike”. When does the contract negotiation usually conclude? Usually by 11:59 p.m.! If a union says it needs to agree on a contract by 3 a.m. on Wednesday morning, probably the same contract clauses would be agreed on by 2:59 a.m. on Wednesday morning.

So set reasonable time limits when you negotiate to build a more cooperative atmosphere between both parties. When you give a short deadline, that can be a pressurising tactic, you are building a competitive climate; it forces the other party (OP) to succumb to your terms or come to an agreement.

### 3. Stall for Time or Buying Time

*Stall for time* can also be another negotiation tactic. Let the OP wait. You can say you need your superior’s approval—your hands are tied—before you can proceed. Buy time, delay—ask questions or request more information from the OP.

Beware of your OP’s attempt to stall negotiations. Your OP may try to put off your talks or a settlement if he feels there is something to gain by buying time so as to put pressure on you. Faced with this, try real-world incentives for pushing ahead and these include the end of the fiscal year, an impending trip abroad and impending training. Here, you create a sense of urgency by resorting to outside, immutable conditions that your OP will have trouble ignoring. And you’re also showing that you are working cooperatively with the OP.

### 4. Brainstorming

Another negotiation tactic is *brainstorming or the teamwork approach to negotiation*. This works well when:

- The negotiation seems friendly.
- Both sides understand each other and each other’s needs.
- Both sides want to come up with creative solutions.
- Both sides work cooperatively.

You could say to the people you are negotiating with, “Let’s brainstorm. Let’s conjure up creative, innovative alternatives or options”. This technique can also be called the “crossroad” approach to negotiation, as more options are open for the OP to choose.

Follow through by encouraging everyone to come up with ideas as you write them all on a flip chart. *Warning*: Do not let anyone criticise anyone else’s ideas during the brainstorming session. *Reason*: Remember the last time you came up with an array of creative ideas and someone criticised them. What happened to your level of creativity? It probably dropped to rock bottom. Why? Because when people are criticised when they come up with ideas, their creativity level shrinks. They become self-conscious.

*Useful tip*: When you lead the brainstorming session during your negotiation, ask lots of open-ended questions to elicit creative ideas. Open-ended questions prod people to think about potential alternatives.

### 5. Tom Sawyer or the Getting Participation and Involvement Technique

Another negotiation technique is the *Tom Sawyer* technique, mentioned in Chap. 2. Get and receive the cooperation of others. When you want to persuade someone to work on a project, find a facet of the project the person would enjoy doing. People are always more motivated doing something they enjoy than doing something they don't enjoy. *Tom Sawyer had the right idea.*

Go get along—and why would you want to counter such a nice, cooperative tactic?

*Caveat:* Be wary that you are not being conned into something you will regret. You need to have enough information and base any decisions only upon total or maximum disclosure of information.

### 6. Good Guy/Bad Guy Technique

This technique can be used, especially when conducting a team negotiation. It is also called the Dr. Jekyll and Mr. Hyde tactic.

One of you can play the good guy selling the benefits and the other the bad guy pretending not to like the product, feigning to walk away not wanting to buy the car. A husband and wife team makes a good “good guy/bad guy” team tactic! The aim is to get the OP to satisfy some requirements of the bad guy and the good guy can at times play a “bridging” or a middleman role.

### 7. The Fait Accompli

The next negotiation technique is *fait accompli*. (It's done and for this reason should be accepted) In French, *fait accompli* means accomplished fact, a “done deal”. It is “a given” or something that definitely will occur. The fait accompli persuasion technique quickly gets someone to do what you want him to do.

How? By stating what you want to be done and when you want it as though it were “a given”. If you do this right, you should get what you want.

For example, let's say you want someone to finish a project and it needs to be finished by the tenth of the month. You can say to that person:

“Here's a project we need you to complete by the tenth of the month. What are your ideas for how you can complete it by then?”

Notice that embedded in the first part of this statement—“Here's a project we need you to complete by the tenth”—is the phrase clearly implying the person *will* complete the project by the tenth of the month. After that fait accompli statement, you just need to ask an open-ended question—“What are your ideas for how you can complete it by then?”—to help him conjure up how he will complete the project by the tenth of the month.

*Warning:* You might use the fait accompli technique with somebody one, two or three times annually. However, if you use it more often, many people will object. Or consider it a win-lose proposition. So, use the fait accompli technique when you *absolutely* need something done *and* less assertive methods fall on deaf ears.

*Counter tactic:* Always remember what's done can always be, so to speak, undone. Nothing is non-negotiable. Nothing is fixed. Don't accept a fait accompli.

### 8. The “Higher-Authority” Technique

This enables you to get out of a negotiation session diplomatically when you cannot manoeuvre the other side into focusing on anything but a win–lose or lose–lose outcome. Using the *higher authority* tactic helps you save face as you slip out of the negotiation session. The Red Russians used to previously deploy these tactics against US negotiators.

In using this method, you could declare, “Before I can commit any effort to that project, I need to get my boss’s OK. However, he’s out of town until next month.” Or, “I have to get permission from the department managers involved, they are the experts and I need to get their views too”.

Such a statement conveys that before you can reach a final solution, you need to talk to someone who may *not* be readily available. When you invoke the “higher-authority” or “Mother may I” technique, be certain the person with whom you claim you must speak won’t stroll into the room minutes later!

Here’s another “higher-authority” gambit you can use. You might say to a salesperson, “I can’t agree on the price you want until I talk to my boss/partner/spouse/colleagues/co-workers”. Again, the gist is the same. You claim you absolutely must talk with somebody who:

- Just happens not to be there.
- Is hard to reach.

This tactic lets you exit a lose–lose or win–lose situation and gives you time to modify your approach and return with a negotiation strategy that, hopefully, generates a win–win outcome.

### 9. The Back Burner Tactic

The *back burner* routine helps you avoid discussing a topic you prefer not to negotiate at that particular moment. When you negotiate, you usually want to negotiate topics *you* consider most important first. Once negotiations on those issues are complete, you may be willing to negotiate or discuss other topics.

One way to do this is to say “Let’s put or park that topic on the back burner until we agree on these other issues” to someone who raises a topic in the middle of a negotiation session that you prefer not to discuss. By the way, “these other issues” might be those points you want to discuss.

Here’s another way to employ the back burner technique. When the OP tries to bring up another topic, you could say, “Yes, that’s an important topic for us to deal with, and let’s do it. First, let’s tackle the matters currently on our agenda”. Those matters happen to be the topics you consider most important.

### 10. The FBI Technique (Short-Term Tactic)

Never use this negotiation technique with anyone:

- Who works in your organisation.
- With whom you want to have a warm relationship.

It can easily foster a win–lose or lose–lose outcome, unless you do it right. This technique uses power negotiating and is called the *FBI* technique.

In an FBI-type interrogation, two investigators grill one person. One investigator acts nicely, friendly, and warmly. The other acts bad, meanly and viciously. Put another way, one interrogator acts like a “good cop/good parent”, while the other one acts like a “bad cop/bad parent”.

What happens is that the person being questioned—or, in our case, negotiated with—is eager to do almost anything to get the attention of the investigator who seems nice *and* to avoid confronting the mean questioner.

When should you use the FBI negotiating ploy? Never with people you work with. Use it with vendors or salespeople to help you negotiate price concessions but not with your suppliers with whom you want to establish close/long-term relationships—the total quality management sort!

When I present the FBI technique in my negotiation workshop, some participants ask if it automatically sets up a win–lose outcome. If done improperly, it could. However, keep in mind, the reasons why you chose this technique: you use it to win price concessions from a vendor or salesperson. The salesperson entered the negotiation with one *primary goal*: to sell you something. Your *primary goal* is to get the best price. Therefore, if the salesperson makes a sale and you get a better price, both of you achieved your primary goals. That definitely sounds like a win–win outcome.

#### 11. The Ultimatum

The next negotiation tactic is *ultimatums*. At times people may misunderstand this. I said earlier we need to aim for win–win outcomes, and we can arrive at win–win outcomes with the types of ultimatums described here. However, this is an aggressive negotiation strategy.

Ultimatums can prove useful when you want to:

- Make the other side give in.
- Call your OP’s bluff.
- Effect a competitive style.

You have to be careful that when you present an ultimatum, you follow through. You can’t back down without losing face or getting a bad reputation.

For example, with a salesperson, you might use this ultimatum: “Either sell us the equipment for \$10,000 less, or you can forget about selling it to us at all”.

Here’s another way you can use an ultimatum. You might say, “If you do not accept this agreement, then we’ll need to call off even trying to reach an agreement”.

A boss may say to her staff, “Either you agree to improve your job performance in the four ways we discussed or I will have to let you go”. That is a clear ultimatum. If the employee wants his job, then this ultimatum—although creating tension—could result in a win–win outcome.

The major problem negotiators create for themselves with ultimatums is they fail to follow through.

Remember:



Prior to giving someone an ultimatum, ask yourself, “Can I live with it?” If, for instance, you make a “final offer” and the other side does not take it, you are obliged (unless you’re willing to lose face) to call off any possible deal. So before giving an ultimatum, ensure that you can get the services or products from someone else. Otherwise, you could be seriously burning your bridges.

12. Acting Crazy

Visibly show your emotional commitment to your position—put on a good show. This increases your credibility and may give the OP justification to settle on your terms.

13. Get a Prestigious Ally or Associate with a Star

He or she can be a person that has some influence or it can be a project that is prestigious. You try to get your OP to accept less because the person/object he or she will be involved with is regarded as “prestigious” or a star performer.

You can also bandwagon and associate your company/yourself with a star. Get testimonials from your satisfied clients to show to your prospects. Here, you need to make sure that what you promise is important to your customers. Make your promise specific, talk benefits—dollars saved, costs cut, time elapsed and many other factors that suit your customers’ needs. As used in advertising, testimonials and helpful information usually work well when they come from recognised experts in well-known companies.

14. The Well Is Dry

Take a stand and tell the OP you have no more concessions to make. Here, the buyer can claim that his company’s funds are low and therefore seeks to have the purchasing prices reduced.

15. Whipsaw/Auction

Let several competitors know you’re negotiating with them at the same time. Keep them all waiting to see you.

16. Wet Noodle: Dampen the OP’s Spirit

Give no emotional response to the OP. Don’t react to his pressure or force. Sit there like a wet noodle and keep a poker face.

17. Be Patient

Outwait the OP and you’ll probably win big. The Japanese are good at this; learn to practise patience when it comes to negotiating with others.

18. Trial Balloon

Float a trial balloon. This enables you to test the reactions to your decision.

19. Play the Devil’s Advocate/the Angel’s Advocate

You play the devil’s advocate by arguing against the OP’s proposal. You may say to your OP, “Before I say yes, perhaps you will let me look at all the bad things that could possibly happen if we did what you want”. This allows you to show the OP your better way of achieving his or her objectives without directly opposing the OP’s viewpoint.

You can also play the angel’s advocate by arguing against the OP’s proposal. You ask, “Before I say yes, perhaps you will let me look at all the benefits of your proposal”. This enables you to review the merits of the OP’s proposals

before you decide to accept it. Here, you have a chance to review whether the benefits offered to meet your goals.

#### 20. Split the Difference

The person who suggests this has the least to lose. It is a move to settle and get things done.

#### 21. Wince or Surprises

A drastic, sudden shift on your part can put the other side off-balance. Never be predictable—keep your OP from anticipating your move.

You can also be cooperative by changing levels, such as moving from the official level or position to a more personal level. You can say to the OP, “Okay, let us go off the record. Personally, this is what I feel ...” or “I’m talking not as your manager but more as a friend and these are my ideas on the issue ...”.

#### 22. The Disappearing Act/Vanish: An Ideal Technique when Only you Can Make the Deal

When used properly, the *vanish* technique forces the other side in a negotiation to run after you before a final agreement can be reached. *Warning:* Use the vanish technique only if your presence in a negotiation session is at least 150% needed. Unless you—and only you—are needed to reach a negotiated outcome, do not even consider using the vanish technique.

One way to use the vanish technique is to be deliberately late. If there’s a negotiation session scheduled, make sure everyone else has arrived, then show up for the meeting. This makes everyone wait for you. Next, leave quickly, before any agreement is reached. They cannot reach a solution without you. Since you’re 150% needed, they must run after you to set up the next negotiation session. Since you are essential to the negotiation, they will:

- Run after you.
- Schedule the next negotiation session at a time convenient for you.
- Keep the negotiations as brief as possible so you will not vanish again.

The *disappearing act* tactic is great if you’re buying a fridge, a car or anything that costs a small fortune. Here’s how it works. Once I really wanted to buy a particular fridge. I made the salesperson spend over 3 hours with me without ever agreeing on a price. Finally, I said, “Forget it”, and started walking out of the shop. The salesperson waited until I had opened the door, and then he actually ran to ask me to come back in. I did, and we spent two more hours wrangling. I still did not budge a cent on the price I offered.

Finally, I told the salesperson he could keep the fridge, and I walked towards the door. The co-owner of the fridge dealership ran to block the door. He pleaded with me to stay. We spoke, and 10 min later I bought the fridge—without spending more than I had the first bid.

This *vanish* technique produced a win-win outcome. The electrical shop/dealership needed me 150%. Without me, it would not sell a fridge until another interested buyer walked in. Of course, the dealership had no idea of when that might occur. In contrast, I represented a real prospect who had

already—purposely—taken up hours of their time. As a result, the dealership had a huge need to sell the product to me.

The dealership won, since it made a sale. I won, because I purchased the product I desired at the exact price that I was willing to pay.

23. Backscratching or Helping One another! The Oldest Technique in the Book

“You scratch my back and I’ll scratch yours” is probably the oldest negotiation technique in history. Asians use it often; the Indonesians call it *gotong-royong*. It virtually ensures win–win outcomes, mutual gain and continued good relationships among those involved. The key reason backscratching is not used more is because many people feel that you should not ask for a favour in return for a favour.

In contrast, the high achievers and peak performers I studied were ready, willing and able to ask someone to return a favour. These winners use such backscratching when they negotiate or need to influence someone.

The backscratching technique is simple to use. You could say to the person you seek to persuade, “Remember \_\_\_ (the favour) I did for you sometime back? I need your help now. I’d really appreciate it if you could help this time round?”

24. Salami Slicing or Nibbling

Don’t go in one big bang. If you ask in one go, you would frighten the OP with seemingly many demands. Do not ask in one go, but ask bit by bit. Inch by inch, it is a cinch!

25. Putting Yourself in my Place

The union leader said to the management representative, “I see you have got problems. But put yourself in my shoes—my people have had a pay cut. We’re really up to here. We’ve really taken a lot of pain in the past 2 years. They’re hurting and I’ve got to deliver. If I don’t, I might be downsized by my own people and I can’t guarantee you’ll get such a nice person as me next time”.

This is a very cooperative technique. Like being needed to debate a viewpoint with which you (first) disagree, it is remarkable how such an experience changes your perspective—not reversing but enlarging it. The adversarial visor and ritual of negotiating often mean that we become or are not very interested in the OP’s interests and motivations. However, if each party puts itself in the OP’s place, then each will understand the other better and both can work together.

26. Ask for Sympathy

In a tough situation, if all else fails, get help. Plead for leniency.

Appeal to your OP’s sympathy. Make an appeal to your OP’s sense of fair play and decency. If you have a special need, an urgent cash requirement, an illness or a deadline and if you assess that your OP is not lacking in compassion, make the situation known and appeal for his or her consideration. This tactic is not without its merits. Put it this way, if you are going to be beaten anyway, you might as well try this last act of desperation. Your OP, having the satisfaction of seeing you admit defeat, may spare you to impress you further with his magnanimity.

27. It's my Fault! (Italian: *Mia Culpa*)

Here, an apology is used as a negotiation technique, turning weakness into strength. It is related to the "putting yourself in my place" tactic.

An apology can be of low cost to you and of high value for the OP even when you do not go so far as to acknowledge personal responsibility. In fact, it can be a good investment; such a display of honesty can do wonders in building trust. It shows that you are willing to admit your mistake; this tactic can be a deflator of aggression and/or revenge feelings held by the OP.

28. Pilot Studies or Trial Runs

Salespersons can get their customers to cooperate with them by their buying/using the products on trial before making further purchases. Similarly, this technique can be a useful way of producing an action-oriented compromise when few or no data exist as a basis for agreement and final agreements will not be made until data are produced. Both parties work to specify the trial schedule and duration and establish the experimental standards.

After the trial period, both sides sit down to gather evidence from the "operations" and renegotiate. A decision is then made to adopt the new methods or revert to the status quo (as it is). This tactic can also be applied to managing change within the company, having a trial run first in selected company operations or departments before implementing the company-wide change.

29. Share Information and be Open

Sometimes, some OPs (buyers/sellers) will give misleading information about quantity, quality, credit and so forth. If you are suspicious, say that your company routinely checks relevant facts before making a final commitment. Then do the necessary investigation before finalising the deal.

Here, I do not agree with using this technique, that is giving misleading information, as it is a really short-term tactic. Sharing information is more apt as it is both a long-term tactic that builds relationships. If you're open and genuinely show you care for the OP, the OP will, in fact, respect and appreciate you for that.

Buyers/OPs may sometimes tease and/or put you/your products down. This is best met with objectivity. Remember you are there to get a sale, not have fun. If the abuse is bothering you, there is nothing wrong with letting your preference be known, politely and professionally, of course. Remember, however, that the best way to "get even" is to prove to yourself that your selling and negotiating abilities are unaffected by the abuse.

30. Be the Expert or the Authority in the Field

You wield much power and personal influence. Read, study and work to be an expert. Being an expert in your field gives you influence and that is a more lasting selling point. Increase your knowledge and experience power! It helps you and your OP to work well together too!

Have the necessary information and know the necessary people. People will ask you if they believe that you know.

31. Bring in the Experts (Fig. 5.3)

If the OP is (or has access to) an expert, be careful not to be swayed by one's natural deference to expertise. Be open to the information provided but emphasise your expertise as well. If need be, bring in your own experts too.

**Fig. 5.3** Bring in the experts ... and make the experts work for you. Ask the experts for information you would usually have supplied yourself



Negotiate cooperatively. Make sure that the OP's experts are experts for your products and then make use of their expertise to support your presentation, asking them for information you would normally have provided yourself (Fig. 5.3).

### 32. The Humble Paddy Technique

This is very much an Asian technique or way. Unlike the long grass (*lallang* in Bahasa Malaysia/Indonesia) that stands tall, the paddy, though bent low, is loaded with rice grains. Don't brag, be quiet. But make your own achievements, and let your results and how good you are speaking for themselves.

In your own quiet way, you raise your reputation and become your own walking product. Convincingly show the OP that you really mean business. Always reliable, you/your company deliver/delivers your promises. This long-term tactic works well in customer excellence and service recovery situations; it wins great customer loyalty.

### 33. Use Humour

This tactic, often forgotten, helps lighten the tension or reduce the seriousness of the matter. Create laughter, tell a joke or recount an amusing story. Laughter can be a good medicine; humour soothes things and relaxes people. It is also useful in breaking deadlocks.

### 34. Promote Positive Benefits for the OP

Associate the settlement you propose with positive benefits for your OP. These include increased sales, greater prestige and improved business.

### 35. Argue Special Cases

Remember Coco Chanel's words, "In order to be irreplaceable, one must always be different", hence the strategy of arguing a special case for yourself. Say that your case is different and requires a premium. Your product is not a shelf item, it is something specially customised, deserving of a more favourable response from the OP.

### 36. Be Persistent

"It's me again!", "Don't take no for an answer" or simply practising active patience works; it's pure power and it's like carbon is to steel. The person applying persistence may be able to withstand all counter tactics—stalling for time/delay—and simply be the one left standing.

### 37. Never Criticise or Reject your OP's Position out of Hand

Listen politely and nod your head when your OP is making his or her pitch. Offer verbal encouragement as he or she speaks—all the "ahhs" and the "uhhs",

showing you understand (even if you don't agree). Then when he or she has finished, don't slam your OP with reasons why his/her offer is unworkable. Instead, mention the points you agree with and how they fit into what you are offering. Denouncing the OP outright makes the OP defensive and leads to a tug of war, not a settlement.

#### 38. Inflict Injury on Oneself to Win Trust

This strategy is based on the proposition that people tend to feel sympathy for others who suffer misfortune.

In fact, some street performers practise this strategy in a rather crude way; they swallow daggers and stick nails through their nostrils before passing around their collection bag among the onlookers.

Chinese students demonstrating in Tiananmen Square in 1989 boosted their movement by inflicting injury upon themselves, going on a hunger strike. The world then saw the drama of students fainting, and ambulances and medical workers rushing to the scene, and this provoked an outpouring of public sympathy.

Sometimes, our relationships with others are, in fact, enhanced by injury. Your spouse may grow more tender if you fall ill. And children too may abandon their usual self-centred way to respond to the difficulty when someone they love is in trouble.

#### 39. Give the Silent Treatment

This can be a competitive tactic. Salespeople note that some OPs (buyers/sellers) may play dumb, not responding or participating and giving you the silent treatment. On your part, respond by staying cooperative. Ask or use probing questions to bring them out. And don't let their silence rattle you into saying anything you would not have said otherwise.

#### 40. Credit where Credit Is Due

When negotiating, we need not be stingy when giving credit to or praising our OP. We only increase our influence by doing so.

Matsushita once said, "A leader must never stint on giving praise when it is deserved". Everyone likes to be praised, and nothing makes a person feel so alienated as work that goes unappreciated. Praise gives the recipient pleasure and boosts his or her confidence. It makes the OP accomplish more the next time, and acts as an incentive for development.

#### 41. Share Success Stories

Don't brag! Just share success stories with your OP. Open with "Most of our customers tell us ..." or "Our clients speak of us as...". Such stories lend support to third-party testimonials and bolster the "associate with a star" technique.

#### 42. Balance the Team Members

There may be some or frequent times when the negotiation needs more than one person on your team.

An effective negotiator balances his or her team members carefully. Whoever is involved, they are experts in some forms, are responsible and contribute accordingly. They should also know what they could contribute when drawn in and should be a team player.

#### 43. Keep the Whole Package in Mind

Price should only be one of the several considerations or ingredients involved in any negotiation. The effective negotiator keeps the whole package or deal in mind. And the whole package includes the price, product or service itself, profit, quantity, product functions/benefits and non-price items, which are actually indirect costs too. These indirect costs include delivery, warranty, clearance of existing stocks and payment options.

#### 44. Towards the Greater Good

Finally, one last but not the least important tactic. As leaders, when negotiating, you can achieve more when you look beyond small differences of opinion. You need to avoid becoming preoccupied with immediate concerns and minor details and take the long view instead. Never stop asking yourselves what the key issues are and aim to do right. Try to put the whole situation in perspective and be willing to disregard small differences for the common cause.

History has seen many examples where opposing factions or parties set their differences aside; they joined forces for the sake of national interests and unity. The country would then not be subjugated to the stronger influence of foreign powers. For example, in Japanese-ruled Malaya during World War II, anti-Japanese British forces and communist elements formed Force 136 to fight against the Japanese.

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### 5.3 The Dangers of Verbal Agreements

Beware of verbal agreements. Samuel Goldwyn, the founder of Metro Goldwyn Mayer film studios, summed up the value of a verbal agreement when he declared, “A verbal contract is not worth the piece of paper it’s printed on!” The movie tycoon’s insightful remark points out a basic fact: verbal agreements are often worthless.

For agreements where large amounts of money change hands, it is usually best to make a formal written agreement or contract. That minimises future conflicts. It leaves few, if any, questions about exactly what the parties agreed in terms of:

- Goods or services to be provided.
- The fee for these goods or services.

On the other hand, you would appear terribly bizarre if you convinced someone at your company to work on a project, and then said, “I want you to sign this agreement or contract to do that project”.

However, if you need assurance that the person will not back out of the verbal agreement or will live up to the agreement, you still can do something. After agreeing with your co-worker about precisely what she will do, write a memo to that person detailing the agreement. In the memo spell out the who, what, when and where to which that person agreed. Then, send the original memo to the person and “c.c.” (carbon copy) the person’s boss, colleagues, co-workers or anyone else who may have an impact on her working on that project.

When the person receives your memo, a few things happen. First, she sees what she agreed to in writing. Second, if you misunderstood the agreement, she can call you (or write a memo of her own) to set the record straight. Third, by sending copies of the memo to others, there is pressure on her to carry out the agreement, since her boss, colleagues or co-workers will notice whether she does what she agreed she'd do.

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## 5.4 How to Negotiate like a Child?

Children make your life important.—Emma Bombeck

A person's a person, no matter how small.—Dr. Seuss

Here, from the outset, it should be pointed out that ordinarily when someone asks you to think, (s)he expects us to think logically—the left-brain way, what (s)he forgets that there is another type of thinking called creative thinking, the right-brain way. The successful negotiator surely needs an armory of techniques and tactics, and (s)he needs to be creative and continuously expand his or her range to be effectively flexible and successful when negotiating. This is where (s)he can learn from the way of the child. More so, nowadays, being a parent and raising a child often requires the same skills as delicate negotiations in the corporate minefield (Tsang 1995).

In most ways, when the boy (girl) is small, one can see the man (woman). The aim and objectives of this chapter are thus to examine several key ways and in particular, core techniques as gleaned from children, in which a negotiator can wisely or smartly apply when negotiating with other parties (OPs) at work or in business. Several counter tactics are also suggested should OPs apply such tactics or techniques. Here, it is also hoped that readers will gain some useful negotiation lessons and tips.

From the interview inputs of forty-three (43) parent-negotiators (gathered during the period from 16 January 2006 to 17 March 2009; Low 2011), the following techniques and tactics are gathered, and they are found to be commonly used by children (in this order). [Here, the direct and indirect counter tactics will also be discussed]:

### 5.4.1 Present Yourself as the Little Child, or Better Still, an Orphan in Need of Help

Adults are just outdated children.—Dr. Seuss

Alder (2006: 91) speaks of this technique—“be needy”. Children often need the help of adults. They are often able to position themselves well to win negotiations because they need adults. The adults (parents) have to help them buy clothes, feed



them and make their beds. That's the nature of childhood particularly so for younger children. They just can't do that much for themselves. They NEED HELP.

And what more, "most time, children are completely transparent about what they want" (Alder 2006: 65). They just ask directly what they want, and should we too do the same thing. Interestingly, the study has shown that "children like to ask"; "They ask many questions to help themselves". (Input of the majority, 86.04% or 37 respondents.) From the above, what then are the negotiation lessons that can be garnered?

Firstly, yes, we should ask. Before and during negotiations, it is good to pose questions. Secondly, ask directly. Ask well. And ask politely. Ask in a cooperative manner. Thirdly, if one asks, well, expect too that the OP would ask one in return. "Asking thus begets asking" (several respondents' input), and can be used as a counter tactic. Yes, ask for OP's assistance; we are in need of help too. Fourthly, applying the same tactic back is a negotiation option, once the successful negotiator can identify the initial tactic. Interestingly, all these also coincide with Low (2010) and Hawkins and Hudson (1990), that is asking a question is always an option as a counter. And this leads to a slight variant of this "in need of help" technique, that is, request for participation.

The negotiator can also request for participation from the other party (OP) to resolve the issue. Ask the OP on his or her advice on how to comply with his or her demands (Hawkins and Hudson 1990: 102). Get the OP to help and work together so that all parties get what they need. It is good to find a common purpose, and stress on the common ground of all parties involved (Low 2010; Hawkins and Hudson 1990).

It is worthy to note that the other parties normally wish to help or assist for, after all, they feel good that they are doing something good. "People feel better about themselves (this is the enlightened view of humankind) when they can help others; people feel superior and more potent (the cynical perspective) when they can show that they're more capable or knowledgeable than others" (Alder 2006: 92). In whatever the case, the heart is happy when it beats for the others; it's applying the power of nice (Low 2010, 2002), and gaining for oneself and the OP, a win-win for all. Besides, when we are faced with conflicts, kindness is the oil that takes friction out of life; thus, it is mutually satisfying as well as good feeling about to enter into negotiation with the view to help ourselves as well as to help others.

### 5.4.2 Appeal to Sympathy and/or Act Forlorn

This author believes that in a difficult situation, if all else fails, get help or assistance. Simply plead for leniency.

Children use this technique when they ask to be passed onto a higher grade despite having failed a course. The teacher or the school system may grant the request because it harms the school's overall performance evaluation whenever a child is held back. Large corporations also play the pitiful card with even greater success: In the United States, when Chrysler was about to go under in 1979, its

executives appealed successfully to Congress for bailout loans to save the jobs of thousands of workers and prevent a big downturn in the automobile industry as a whole (Alder 2006: 110).

In Low (2011), several housewife parent-respondents expressed that they, at times, as a counter tactic, “applied the same tactic to (their) children”, asking them, “Please pity mummy, I’m tired after doing the cooking for the family and you”; “Help mummy to pack your toys, put them in the box, please”. Several respondents also expressed that “children also responded well with pleases and thanks”. “Guess it is no difference with adult negotiators”. And this was agreed with the majority of other parent-negotiator respondents, some from the service sector.

“Be nice to your OP—melt their hearts; say the magic words (please and thank-you)—they help” (Several respondents’ input). Certainly, it’s also good to apply, during negotiations, what has been wisely advised in Brown (1991) *Life’s Little Instruction Book*, # 444 “never under-estimate the power of a kind word or deed”. “Skilled negotiators make full use of words” (Low 2010: 73); he speaks of applying positive or cooperative words “to touch base, connect and build common ground with the OP, keeping the discussion going in a cool, cooperative climate”.

### 5.4.3 Throw a Tantrum or the Stomping Tactic

You can learn many things from children. How much patience you have, for instance.—  
Franklin P. Jones

It is true that the loud screamers and stompers get what they want. Should you be known for being sensible and calm, then that one time you throw a tantrum, you will get what you want. Tantrum can evoke fear in OP of oneself, and throwing a tantrum is similar to using a very powerful secret weapon.

However, if tantrum evokes fear in OP of us, then it is not the best negotiating tactic ([http://www.how-to-negotiate.com/archives/2009/03/fear\\_is\\_not\\_the\\_best\\_negotiating\\_tactic.html](http://www.how-to-negotiate.com/archives/2009/03/fear_is_not_the_best_negotiating_tactic.html)). If you are trying to convince OP, do not shut them down by yelling, shouting or having an outburst. That is not the way to win your point. Moreover, fear hinders communications, making people defensive, anxious and inhibits resolution ([http://www.how-to-negotiate.com/archives/2009/03/fear\\_is\\_not\\_the\\_best\\_negotiating\\_tactic.html](http://www.how-to-negotiate.com/archives/2009/03/fear_is_not_the_best_negotiating_tactic.html)).

When the negotiator makes an outburst, (s)he gets angry and would not be able to think well, and that would put the negotiator at a disadvantage. Then again, one needs to be careful when using the tantrum—don’t use this fit of temper often lest it loses its effectiveness with your tantrums classified as hot air. And one should always observe this rule: The best is *not* to use it, but if you have to, use it only when nothing else will do.

A slight variant of this tantrum tactic is that of acting aggressively, and this can also be the counter tactic deployed. However, it is doubtful or uncertain if long-term advantages can be reaped by acting aggressively; perhaps it may achieve short-term concession, but it should be highlighted that in such a case, it often strengthens the

OP's resolve or even tenacity to hold out. And that is not helpful to the negotiation process in getting both sides to agree and settle the issue.

Additionally, this author agrees with Alder (2006: 13) that children who frequently have fits or outbursts are more often ignored than anything else. At home, they may get smacked. In school, they would have to stand in the corner of the class; they would be punished. Children know this trick and the best counter tactic is simply to let the child who has an outburst to have his or her rants. Ignore the child (OP); when (s)he is tired, (s)he will cool off. If the other party is nagging, tantamount to throwing a tantrum, just ignore him. When she cools down, she will come to you, and continue the discussion. If so, continue the discussion. If not, leave it to her, she'll be rational and allow her to come to her senses. Another good counter tactic against tantrum (see Fig. 5.1 on the various counter tactics against tantrum) is to praise the good behaviors displayed by the OP, so OP is reinforced to display good behavior when negotiating or dealing with us.

On the concept of countering a tactic, it should be noted that all tactics are counters. Several counter tactics against tantrums to be considered include applying whatever delay one can (Alder 2006: 18), stalling for time, asking for cooling off period to give time to think (Hawkins and Hudson 1990: 103) or being patient, outwaiting the OP (Low 2010: 86). Here, it is noted that more than a virtue when negotiating, patience is imperative. "TIME is the most expensive cost of negotiating"; and patience reduces time pressure (Kennedy 1993: 126).

To counter tantrum, the negotiator can also do nothing (Hawkins and Hudson 1990: 100). Applying the power of pause or silence (Low 2010: 72–73; [http://www.how-to-negotiate.com/archives/2009/08/silence\\_a\\_power\\_tactic\\_in\\_negotiations.html](http://www.how-to-negotiate.com/archives/2009/08/silence_a_power_tactic_in_negotiations.html); Hawkins and Hudson 1990) [embrace and appreciate patience; Low 2009] is also a useful counter although most negotiators feel anxious or uncomfortable, feeling compelled to fill the "gap" (Hawkins and Hudson 1990: 94). Does one have to gather more information or facts and figures? Does one need to check further with others on certain points? Note that tantrums or outbursts are intended to get the OP to capitulate right then and there. They are calculated to get the other party to quickly agree, comply or give in, because they generally cannot be sustained for an extended period of time.

#### 5.4.4 Change the Subject: As you Wish

What is a home without children? Quiet.—Henny Youngman

While we try to teach our children all about life, Our children teach us what life is all about.—Angela Schwindt

"Kids use this practice fairly frequently, but adults hardly ever do." (Alder 2006: 107). Children normally change subjects casually; non sequiturs, illogical connections or arguments come naturally to them.

Switching the subject (or topic) or diverting is the thing to do when the issue at hand is something that puts you in a difficulty. Changing the subject can also be applied in line with delaying tactics as a way to derail negotiations when they're charging full steam ahead to a conclusion you do not want to reach. When posed a question by the OP, the negotiator can divert and move on to another subject or

issue. Indeed, changing the subject can throw the other party off on a tangent that needs to be explored, giving you the time it needs to come up with options that might be accepted.

The successful negotiator has to be on guard, and the key counter tactic here is to stay focused, and draw the OP's attention to the issue at hand. This brings to mind Hawkins and Hudson's (1990: 108) words "merely identifying a tactic and showing you area ware that it is only a tactic, can be an adequate counter". While drawing the OP's attention to the issue at hand, one can also put or allocate other issues on a back burner (Low 2010: 84), a sort of Keep-In-View: KIV list. Moreover, if the negotiation is long-drawn and lengthy with the OP team changing their subject often, then a useful (counter) tactic is to summarize or give a summary of the current status of the situation and recap agreed areas (Hawkins and Hudson 1990).

### 5.4.5 Take Back What You Have Given to Other Party

All children are artists. The problem is how to remain an artist once he grows up.—  
Pablo Picasso

"Yes, children can always 'play' among themselves—"I want it back!" (Several respondents' input; mentioned several times). Although the child may have given another child something, (s)he can always or very often demand or ask the other child(ren) (the other party) to return the gift or item back to him or her. Besides, no reasons can be offered; it's simply "I want it back!"

Look it in another way, it could be the case of "insufficient RAM" as described by Lum (2011: 177). Here, you, the negotiator and the OP reach an agreement, but both parties remember it differently because neither you nor the OP wrote it down. You suspect deception, but it may be a simple case of miscommunication. If this were to happen, then send follow-up memos after meetings as a preventive action, and invite input for clarification. It is also good to make it a practice to jot down agreements in a public fashion—use flip charts, papers, and so on.

Let us now suppose that the OP, say the salesperson says, "So sorry, there is no discount, I cannot give you the 20 percent off and free delivery as agreed last week". On the one hand, the OP is able to get the content (retract or get back what he has given). On the other hand, this is not a good process. It is not a good move as one is not acting in a consistent manner. As Dawson (1992: 78) has rightly indicated that others can be better persuaded by us when we act consistently; indeed others stay or keep away from us when we act inconsistently. Note that people do not trust (total) strangers as they do not know what actions may come from them; they ordinarily trust persons whom they are familiar with, and do not suspect them. They also trust those who display consistent behaviors and actions; they are comfortable and at ease in dealing with such persons.

Moreover, taking back what one has given to the OP is tantamount to winning the battle, but losing the war; it is not a wise move if one wants to build up the OP's trust in one. Since trust is "one of the cardinal underlying characteristics of fruitful

negotiation” (Zartman and Berman 1982: 27), one should think not only of one’s image and reputation, but also consider the issue of trust and one’s long-term relationship with the OP.

Here, the counter tactic can be simply to ignore OP’s request or demand to return what has been given, pretending that it never happened (Lum 2011: 171; Hawkins and Hudson 1990). Another counter tactic, and I would prefer this, is to be direct, highlighting that the fact that the OP has failed to keep up to his (her) words or promise. Cry foul! Shout that a service has become a disservice. If (s)he is a gentleman (lady), (s)he may feel embarrassed or ashamed of his (her) actions; yes, the idea here is to make him (her) feel bad and revert to the promise, the deal or the agreed price (package) as what one wants.

This can be a tactic as well as a counter tactic: Always make yourself BIGGER than your OP in terms of what you stand for. It is critical that as negotiators, we stand tall and OPs and others admire us for our principles, professionalism, values, moral courage and consistent behaviors. (This also gives us soft power—power that lies in attracting others, and making the world a better place. Low 2010c.) When one lives and stands for one’s values, one becomes very influential and well respected. I am sure that most of us, negotiators, are leaders too. If others, for example followers question their leaders’ honesty and integrity, leaders cannot be role models. If this were so, such leaders would have difficulties in motivating, let alone influencing and inspiring their people (Low 2001, 2006, 2010a).

Take Mahatma Gandhi, for example his non-violent values and methods were very well respected within India, and he gained high credibility by leading through example, acting consistently on his values and the principles of peace and non-violence (*ahimsa*) (Low 2010b).

If we are willing to take a stand for our principles and professionalism, especially if it appears we are risking financial loss, it builds trust in the OP/customers, and (s) he (they) love(s) us for it.

Let us now see a business example, let us say, you might sell or market training packages or programs, and you’ve got the courage to say to your customers, “Of course you’d like to save money. And I’d also favor it, if it were the right thing for you to do—but it is not. I know that you won’t be completely happy unless you get the 3-day training program which comes with the trainer’s book and the training follow-up. I’m sorry, this is best value-for-money and investment for your people, but I won’t sell you anything less”. They love you for that! Of course, it will raise a few eyebrows, but if you’ve done your homework and you’re right, you will have power with that customer. If you back down, how are they going to respect you?

#### 5.4.6 Appeal and Win Via Cuteness

I try to look cute all the time.—Sloane Stephens

Confidence is very sexy. You could be not cute at all and have such confidence.—Kirsten Dunst

When you look into a child's face, you have to say yes. When they blink their wide eyes, they look innocent, and you have to say alright to everything. Just like a child, simply act cute and appeal to that cuteness to get things done one's way. However, how can we, as adult negotiators, do that? How can we, as adults, make ourselves cute?

It can also be said that children are often cute, simple and innocent, and we trust them. We may not be physically cute, but we can build our credibility and reliability, walk our talk and up our trustworthiness. And let others trust us; in this way, we can appeal and win OPs through "cuteness", that is trust which is a precious commodity when negotiating with others. One respondent highlighted these, "cuteness as being positively reliable and able to attract the other party's (OP's) 'attention', that is, in building OP's trust of us. The OP should trust us to want to negotiate with us; and it's critical for one, as a negotiator, to be honest and upholds one's integrity. If one lies about the product and service quality when selling the product to the OP; and if the OP suspects and cannot trust one any more, then, one would fail in the negotiation. Even if one succeeds in the negotiations, one's image and reputation would be at stake during the delivery of the product and service as they actually fall short in terms of performance".

Another perspective of looking at and/or deploying the tactic of being cute in negotiations is the often-forgotten tactic of using humor. Humor in negotiations can be cute or the parallel of cuteness as in children. What's critical is that "humor can make it easier for individuals to let their guard down—it can be very humanizing". (Lum 2011: 172). And here, it is useful to note what Dawson (1992: 209–212) has highlighted, that is the majority of us know a funny joke when we hear one, but few of us know what makes it humorous. He then goes on to say that humor comes from five (5) ways: exaggeration, a pun, a put-down, silliness and a surprise; and the best tool of persuasion is witticism ("that spontaneous cross connection of two diverse thoughts"); so, skilled negotiator should indeed learn how to make it funny, practice and apply humor in negotiations to his or her advantage!

Humor really diffuses or lightens the tension; and laughing it off, reducing the seriousness of the matter. One can actually relate an amusing story or tell a joke at no expense to anyone, and create laughter. This can then create a more cooperative negotiating atmosphere between the two parties.

As a negotiator, one can adopt or adapt what children are good at. A child is often regarded as cute and appeals to others. And that cuteness can be the fact that the child is innocent; one Chinese saying has it that, "The heart of a little child is like the heart of the Buddha." Here, the negotiator can be kind, good-hearted and wanting to help others. In this aspect, cuteness in negotiators can also be viewed as being kind-hearted, caring and full of compassion as well as being cooperative and collaborative. And if the negotiator adopts such a stance, OPs would come to him or her. Like a child, others (OPs) are attracted to him or her; (s)he, in some ways, exudes or displays power and influence. It's soft power and is indeed attractive. "How true, a single tree cannot make a forest, and a single beam cannot support a big house" (Low 2010c: 41). In the same way, negotiators when they are collaborative, they are well-liked, easily getting the support of OPs and others.

### 5.4.7 Simply Cry

Cry. Forgive. Learn. Move on. Let your tears water the seeds of your future happiness.—  
Steve Maraboli

“Oh, so pitiful!”, “I pity them”, and “Poor thing!” These were several respondents’ comments and input. Parents can’t stand to see their children be sad. Even more—they can’t stand to see their kids cry; “it’s so sad”. Alder (2006: 21) speaks of this common child’s technique: “Just cry”. Children know they can get away with crying. But even if they didn’t, it wouldn’t matter because crying comes naturally to children. All of us know that this technique, like throwing a tantrum, is part of their nature.

Basically, when a negotiator cries, appearing helpless, (s)he wants the OP to have pity on him or her, and hence gives in.

It is good and appropriate to reflect here. Take a pause because what we need to ask ourselves: Should one apply such a technique? If so, why would one do so? Does it fit into one’s values system? Is it ethically correct to do so? Would it be taking advantage of the OP? And conversely, should one not use such crying tactic? Why? If one were to cry, would it not make one look weak? Or think about it, would it not make the OP wanting to help one? And one is able to get one’s goals? Overall, will it help, in the negotiations, to cry?

A curious but perhaps thought-provoking variant of the crying tactic can also be in the form, instead of crying, perhaps there’s no or little crying but admitting the wrongdoing and accepting responsibility for the mistake while showing that one would like to correct the situation. Then admitting the error or fault can be in a way of crediting or depositing some goodwill to secure the OP’s favorable response or likely assistance; the OP would respect one’s honesty and, in return, respond helpfully. This brings intangible benefits; if one is honest and sincerely admit one’s error, the OP learns to trust one, and that, more critically, establishes an appealing (especially to people-oriented negotiators) plus a solid foundation to the continuing relationships and future negotiations with the OP.

### 5.4.8 Make a Wild, Frightening Threat or a Cluster of Threats

Silence speaks so much louder than screaming tantrums. Never give anyone an excuse to say that you’re crazy.—Taylor Swift

It should be noted that instead of giving more options, threats are imposed. And threats can be seen as limiting the choices and options to the OP. Certainly, it is a competitive stance. Children, most of them, tend to be centred on their needs or what they want (“I want it, I don’t care! I just want it!”), and here, as an adult, there is a need to unlearn from this tendency, and learn to empathize with the OP and seen from this angle, threats should be avoided unless at the last, last resort.

Worse than “I don’t like mummy (daddy) or I don’t like to stay here!”, children can sometimes threaten to leave home [This is close to giving an ultimatum or applying threats]. They can sometimes scarily threaten to hold their breath till they turn blue in the face, drop dead? Sometimes people will give in rather than wait to see how far the child can go. It is said that this was the tactic Donald Trump used when he wanted to build Trump Tower higher than permitted under New York City’s zoning laws. He said if he did not get the height exception that he wanted, he’d build the ugliest building that he could possibly design, and locate it in a way that would outshine the historic, low-rise Tiffany’s building below. He showed the city planners a repulsive plan. While they may not have been sure he’d really do it, they decided not to risk it and gave in (Alder 2006: 19).

Civic groups or members of the public may also threaten to hold a protest unless the government gives up or hold an election as promised. Indeed, a variant of the scary threat tactic is simply to express the intention to behave in a way that will be detrimental to the OP’s interests unless the OP makes concession. Note that the danger of being able to inflict the threat can be reduced if one implies it, make it supposedly or theoretically rather than state it openly. Then it becomes a paper tiger. And effective negotiators must realize that ordinarily speaking, massive threats tend to be blocked out (Hawkins and Hudson 1990).

Interestingly, this brings to mind Don Corleone’s (Mario Puzo’s *The Godfather*) words “Never get angry. Never make a threat. Reason with people”. This author wishes to add that threats are not to be used as it can generate a lot of bad feelings such as anger, being hurt and others; besides, it sets a competitive negotiation tone or air between the two negotiating parties.

Words, untoward words once spoken are difficult to retract. Moreover, each party may stubbornly retain their positions and dig deeper into their respective grounds, not wanting to retract the threat(s); each fear of losing face, and thus the negotiations may come to a still or a deadlock.

Essentially, it is always good to focus on the key issues, know your needs and requirements, and know (if not, find out) the needs of the OP. Here, it is advisable to not to adopt a zero-sum game, but rather build a common ground, giving the treatment of a win-win situation for both parties (Low 2010) (see Fig. 5.2).

Harvey (2008: 92–93) speaks of enlarging the pie for both parties. For example, when considering your position under time (WHEN?), when can one finalize one’s position, and what is one’s timeline? And when considering both positions, when is the right time for both parties to talk about this and put it into effect? Also, one can consider (WHERE?) where one can be flexible, and where one can be rigid (one’s bottom-line) and for both parties, where can both parties be flexible and are the same things important to both parties? There is a strong need to note that even when a negotiation is purely financial, there may be other issues apart from the price tag, and that includes, for example warranty, repairs or delivery terms (Low 2010; Harvey 2008).



### 5.4.9 Section Conclusion

Alder (2006: 152) summarizes his book: *How to negotiate like a child* in a single word, it's "imagination". Akin to Alder's (2006) book, this article is about—expanding the negotiator's imagination and his or her ability to innovate, think on the feet, improvise and develop brand new solutions to vexing problems or conflicts. These techniques and tactics indeed need to be creatively applied and put into practice in the business way of life. Finally, the author urges you to think in whatever you can, and sharpen your saw. The skilled negotiator certainly needs an armory of techniques and tactics and expands his or her repertoire to be flexible. And be effective.

## 5.5 Checkpoint

### Think About It

You have just read about several negotiation techniques or tactics. Take a moment to reflect on the use of them.

1. Check the techniques or tactics you'd feel comfortable using in a negotiation.
  - Backscratching—"I scratch your back, you scratch mine".
  - Play the angel's advocate.
  - Brainstorming.
  - Be patient.
  - Get a prestigious ally or associate with a star.
  - Never criticise or reject your OP's position out of hand.
  - Tom Sawyer.
  - Put yourself in my place.
  - Share success stories.
  - Balance the team members.
  
2. For the items you did not check above, what makes you uncomfortable with them?

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### Checklist

How to negotiate, influence and persuade—negotiation techniques and tactics.  
 Everything is negotiable! Don't assume, ask.  
 Use negotiation techniques and tactics.

- Ask for what you want.
- "Ask and you shall be given, seek and you shall find it!"

- Ask. Use questions.
- You can use tactics to create the negotiation climate, some tactics build up a cooperative climate, yet some can be competitive, manufactured to allow you to get the outcome you want.
- Some techniques/tactics are:
  - Robin Hood or robbing Peter to pay Paul.
  - Time is on our side!
  - Stall for time.
  - Brainstorm.
  - Tom Sawyer or getting participation and involvement.
  - The good guy/bad guy.
  - Fait accompli.
  - Backburner.
  - FBI.
  - Ultimatums.
  - Acting crazy.
  - Get a prestigious ally or associate with a star.
  - The well is dry.
  - Whipsaw/auction.
  - Wet noodle.
  - Be patient.
  - Trial balloon.
  - Play the devil's advocate/angel's advocate.
  - Split the difference.
  - Wince or surprises.
  - The disappearing act or vanish.
  - Backscratching or helping one another.
  - Salami slicing.
  - Putting yourself in my place.
  - Ask for sympathy.
  - It's my fault!
  - Pilot studies or trial runs.
  - Share information and be open.
  - Be the expert.
  - Bring in the experts.
  - The humble paddy technique.
  - Use humour.
  - Promote positive benefits for the OP.
  - Argue special cases.
  - Be persistent.
  - Never criticise or reject your OP's position out of hand.
  - Inflict injury on oneself to win trust.
  - Give the silent treatment.
  - Credit where credit is due.

- Share success stories.
- Balance the team members.
- Keep the whole package in mind.
- Towards the greater good.
- Use verbal agreements judiciously.
- Conclude by complimenting the other side in the negotiation.
- Tactics can be countered by the same tactics, simply identified, belittled or ignored! Apply process!

*Case*

In the midst of your negotiations, your OP has just given you a set of false data and a piece of fake industry news; outline what would you do and the tactics and techniques you would apply?

*Checklist*

- How to negotiate like a child?
  - Present yourself as the little child, or better still, an orphan in need of help.
  - Appeal to sympathy and/or act forlorn.
  - Throw a tantrum or the stomping tactic.
  - Change the subject—as you wish.
  - Take back what you have given to other party.
  - Appeal and win via cuteness.
  - Simply cry.
  - a wild, frightening threat or a cluster of threats.
- How to negotiate like a child?

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What are the techniques and tactics that a child would use and these can be applied when negotiating?

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Your own pointers:

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