

Negotiation and the politics of change

Atlanta, July, 2018

Lee Bolman

**Southern Association of Colleges and Schools
Commission on Colleges**



Agenda

- Introduction
- Negotiation: basic concepts
- An example
- Reason and emotion
- Negotiation practice
- Advocacy and Inquiry
 - Tactical empathy

Negotiation and change

- Change by definition requires people to think and act differently
- When someone asks you to change, you wonder, “What’s the impact of this change for me? Am I better or worse off with this change? What do I gain? What do I lose?”
 - Loss aversion: humans put higher value on avoiding loss than on achieving a similar gain
- Implicitly or explicitly, change involves negotiation
- Negotiation is a process in which two or more parties engage with one another in search of agreements that respond to their respective interests

Preparing to Negotiate: Three Key Questions

- **Parties:** Who are the parties, and what are their underlying interests?
- **BATNA (Best alternative to a negotiated agreement) Assessment:** What will each party do in the absence of an agreement?
- **ZOPA (Zone of possible agreement) Analysis:** Given parties, interests, and BATNAs, where is the deal space? What does a good deal look like? Can a deal be sustained?

Thinking Through BATNAs: a Case Example



- Issue: Teddy Roosevelt's campaign prints 3 million brochures using a photo of TR without getting permission from Moffett Studios, Chicago, which owns the copyright.
- Campaign manager realizes the error: unauthorized use could cost \$1/brochure.
- Research suggests that Moffett is financially pressed, approaching retirement, and likely to be focused on money.
- What to do? Reframe?

Negotiating with the judge

- Mary Jackson ([Janelle Monáe](#)) is working at NASA as a “computer”
- One of her male colleagues sees talent in her, and encourages her to pursue an engineering degree
- Virginia in the early 1960s was still fighting a rear-guard battle against the U.S. Supreme Court’s 1954 ruling in *Brown v. Board of Education*. Almost all schools and universities in the state were still segregated.
- She goes to court to get authorization to enroll for the courses she needs, which are only available in a white school.
- The judge is a highly experienced white male
- As Mary Jackson, how would you approach the judge?



Reason and emotion

- Negotiation always involves substance (what we're negotiating about) and relationship (the interaction among the parties to a negotiation), raising the question: what's the balance between rationality and emotionality in negotiation?

Example: Offer and Respond

- O can offer R any share from \$0 to \$20
- If R accepts the offer, the money gets split according to O's terms
- If R rejects the offer, the \$20 returns to me
- O: write down your offer
- R: write down the minimum that you will accept

Example 2: \$ Auction Game (adapted from Martin Shubik)

- Auction off \$20 bill
- Bidding begins at \$1 and moves in whole dollar increments
- Highest bidder gets the bill at the bid price
- Second highest bidder has to pay her/his last bid, but gets no cash

Practice: World Series Tickets

Advocacy vs. Inquiry

- Empathy (Inquiry)



- Assertiveness (Advocacy)

Assertiveness (Advocacy)

- Expressing to the other side your interests, needs, and perspectives

Empathy (Inquiry)

- Asking questions and expressing to the other side your understanding of their interests, needs and perspectives

Tactical Empathy

- A powerful, under-utilized skill in negotiation and conflict-management
- Mirroring: reflecting words, voice tone, body language
- Why it works:
 - Other party feels understood and more positive about the relationship
 - Other party feels less pressure to defend positions and to push you to change
 - Other party more likely to communicate useful information about their interests and intentions
- Challenge: mirroring when other expresses views that you disagree with

Empathy practice

- Form a dyad or trio
- Designate a speaker, a listener, and (if a trio) an observer
- Listener: pick a “hot topic” on which you have strong opinions, and share your strong opinion
- Speaker: argue for the opposite point of view (take a minute to develop arguments if you want)
- Listener: Listen actively (inquire, paraphrase, reflect). NO REBUTTAL!
- Observer: observe how listener responds. Interrupt and coach if appropriate

Concluding thoughts

- Study the parties, their interests and their resources
- Know your BATNA and theirs
- Combine advocacy and inquiry
- Remember the 3 P's of change in higher education: patience, persistence, and process