

NOTES ON DEALING WITH AN AGGRESSIVE COMPETITIVE NEGOTIATOR (Especially If You Are Cooperative)

Teaching Note (long form)

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(with thanks to Professors Robert McKersie and Gerald Williams)

Many people avoid negotiating with someone with a very aggressive and competitive approach to negotiation. Such interactions can be particularly challenging if you personally have a cooperative and collaborative negotiating style. But with careful preparation, you may hold your own in a negotiation with an Aggressive Competitive Negotiator (ACN). Preparation is key.

1. Plan and Prepare

If you somehow find yourself in an important negotiation with an aggressive competitive negotiator (ACN), and you are not prepared, try to do whatever you have to do to make time to prepare.

Prepare to protect your interests. Do a standard analysis of the interests, options and sources of power for each actor. In addition, in the special case of negotiating with an ACN “Other” (party in negotiation), spend extra time on your own interests, options, and sources of power. Remember that thorough-going cooperatives may unthinkingly try to maintain relationships even at high cost. *If you know yourself to be very sensitive to relationships, think through what you will and will not give up for the sake of “relationship.”*

If you know that the Other is aggressive and competitive, think through your interests and resolve not to give in on important tangible interests without at least allowing yourself time to reflect. There are many tactics that will help you do this. Build in another person you will have to go back to, for confirmation of any proposals. Resolve that you will monitor yourself for any inner voice that says, “the Other is getting angry,” and prepare to deal with your discomfort about the Other’s anger. Mentally practice how to say, “I will have to get back to you later.” Catch yourself if you imagine yourself inappropriately explaining, apologizing, backing off, or complaining. Be prepared for the Other to be hostile or to make hostile statements. Look as well for the possibility that the Other might be very sweet just before making egregious demands.

You should be prepared not to give in prematurely on *tangible* interests. But prepare to deal, when you need to, with your intangible interests—that is, with emotional wishes for a kindly Other. Prepare emotionally and logistically to endure, if you are forced into it, a ritual of testing and intimidation and of slow, penny-by-penny bargaining by the Other. *Prepare to resist and move slowly all the way* if this proves to be the only option available. Think through carefully how you might appear to the Other—for example, if you make a unilateral concession, that you may immediately be perceived as weak and vulnerable. Go in with your facts and points all written down. Prepare to write down everything that the Other says and to maintain your doubts about the Other’s facts until you have checked the facts. *Do not assume that the Other’s demands are good faith demands.*

Remind yourself explicitly about the tactics that characterize a competitive negotiating

strategy—and look for them.¹ Prepare to look for such competitive tactics, look for them while you are negotiating, and review each round of negotiations afterwards with this analysis in mind.

Prepare a good BATNA (Best Alternative to a Negotiated Agreement).² *It is likely that no other source of power in dealing with an ACN will mean as much to you as a good fallback position.*

Prepare to negotiate the negotiation. As you prepare, try hard to think ahead of time what *principles* you would like to negotiate first—that is, the principles that will be the basis on which you might resolve any outstanding disputes. If you wish to try an integrative or mixed-motive negotiating strategy even though you will be negotiating with an ACN, you need to thoughtfully prepare for that.

Prepare to discuss with the Other—before the negotiation starts—the mode of negotiation the two of you will use. Present a plan to brainstorm *options*, to decide on the *principles* for decision-making, and to talk about *interests* rather than positions. Prepare, if appropriate, to “name” the Other’s ACN style and to ask the Other to be more cooperative. Prepare to discuss—and appeal to the possibility of—a long-term relationship. Illustrate what the relationship might mean to both of you in the future. Do not give up easily on introducing integrative elements like enlarging the pie. But, as above, be prepared for the possibility that that will not work out easily.

Prepare for when you might refuse to negotiate. It may help if you prepare to try, during the negotiation, to distinguish ACNs from negotiators who are just insufferably obnoxious. *Remember that people who are truly insufferably obnoxious are almost always unprepared*, and this is itself information you may be able to use. Therefore—as always, you yourself must prepare the *facts* with great care. In addition, do the standard analysis of *interests, options, and sources of power for each actor*. Prepare what you can imagine about the Other’s possible strategy and tactics.

If you are very well prepared and detect an Other who is insufferably obnoxious (and probably unprepared), then do not try to negotiate immediately. Just keep the lines of communication open until the Other is ready to deal politely; make it clear that you will be ready to talk when the Other is respectful. (Sometimes, with an Other like this, you can succeed in doing much of the preparation for both sides—becoming the source of facts and figures on which to base the negotiation. You may wish to work hard on this possibility since, if it works, it will be your figures and facts that set the stage).

If you think that an ACN may not negotiate in good faith, prepare how you will decide about whether and when to walk away. If you think you may personally be threatened or that an ACN may seriously attempt to injure or humiliate you or another, prepare *how* you will decide about walking away and how you can, in fact, walk away.

¹ See Mary Rowe, [“Is the Other Person Competing? Collaborating? Possibly Intending Harm? Ideas to Consider in a Negotiation.”](#) MIT Sloan Working Paper 6746-22 (Cambridge, MA: MIT Sloan School of Management, September 2022).

² Roger Fisher, William Ury, and Bruce Patton, *Getting to Yes: Negotiating Agreement Without Giving In*, 2nd ed. New York: Penguin Books, 1991.

However, until the moment you stop negotiating, try to make yourself believe in the possibility of a good solution. Many people have been misled to think it is not possible, in dealing with an ACN, to find a good solution. It is easy thereby to make the mistake of falling into avoidance, fights, or inefficient solutions.

2. Negotiating with an ACN

- Be reasonably formal and respectful—not cold, but respectful.
- Name at least some of the Other’s true interests as you understand them and acknowledge them.
- If possible, sit side by side, together addressing some representation of The Problem—on paper on the table in front of both of you. Ask: “How can we work together to find a solution to this problem?”
- If possible, start first by discussing any obviously reasonable areas of joint gains.
- Repeat the Other’s statements back to them, to gain time to think and to slow things down. If your mind goes blank, repeat reflectively what the Other just said, pause, and put up your hand in a gentle “stop” mode.
- Refuse deadlines or restructure deadlines in any way that you can.
- Demur—or say you may demur—with statements like, “What you say could be correct, but some people might raise the following problem...”
- Ask factual questions—and keep gently probing about what lies behind opinions (ask for facts) and positions (ask for underlying interests). If you are unconvinced about something, keep asking “Why?” or “Why not?” in a friendly and curious way. Maintain an attitude of very polite doubt where relevant. Write down any purported facts that the Other gives you and express your need to verify or disaffirm them: “Of course you would expect me to be checking this out carefully on my own.”
- Say “I might be wrong, but,” and then name the problems you have with the Other’s point of view or facts.
- Keep reasonable control of the airtime when it is your turn: “Please let me finish.” If necessary, talk right through the Other’s interrupting you. If necessary, stand up.
- Interrupt any escalating demands made by the Other, especially if they assume a drumbeat quality. Go back to the first demand, temporarily ignoring later ones, and address the first one. If there is name-calling or rudeness, interrupt it. (Spill a water glass. Drop your briefcase on the table or bang the table loudly—once).

- If the Other becomes extraordinarily unprofessional, refuse to negotiate until a later time. You can save face while doing this by adjourning “until we both have the facts (or authorization) we need.”
- Never meet hostility with hostility except in physical self-protection. Remember that perceived humiliation is a parent of destructive behavior—you do not want to face an ACN who is seeking revenge. Try *never* to humiliate an ACN.
- If the Other’s behavior looks like a long and detailed tirade, and you simply must keep on good terms with the Other at that moment, you could try saying absolutely nothing. Take careful notes with an alert, courteous, and interested demeanor but do not nod or affirm. Then, as soon as you can do so, ask detailed and specific questions—starting, if possible, with the Other’s earliest points or basic assumptions—and do not get pulled too early into talking about the Other’s final points.
- Except when abruptly interrupting a tirade, you can try speaking very quietly and formally. Sit or stand in a quiet, peaceful, and formal way. Some ACNs will not be able to maintain a shouting demeanor if you are quiet, attentive, and serene. Moreover, a generally quiet mode will make any interruptions you *do* decide to make more telling.
- If you yourself need to threaten, use reverse (inverted) threats, such as “We would not want this discussion to come to the point where I would have to break it off, but....”
- If the Other baldly commits to an unacceptable position, consider *naming* the unfair or disrespectful use of hostile commitment to their position. Sometimes it is possible to explain politely the nature of the use of commitment—and consider repeating the substance of the commitment or threat—politely and reflectively, as if of course the Other might not really wish to be taken seriously on this point. Or, alternatively, you can simply and completely ignore the Other’s unacceptable position as if this “commitment” had never been made. If you do this, do not be pointed or uncivil. Just ignore the commitment.
- If you finally do have to address the Other’s commitment to an unacceptable position, make an appeal to new facts, new laws, or changing circumstances. Speak up about a higher authority who now must be consulted—and *work very hard in this situation to save face both for the Other and for yourself.*
- If you suddenly realize that the Other is dishonorable, untrustworthy, and intends harm, find a way to pause the discussion and immediately go seek advice and support.
- Be truthful about the facts: Tell the truth even if it is not prudent to tell the whole truth. Be credible. Talk about fairness and respect and explicitly keep open the possibility of a long-term relationship. (Don’t say “Trust me...”) And, even under great pressure, be fair, trustworthy, and scrupulously respectful yourself. Be

worthy of a long-term relationship.

- Be prepared for the possibility that an ACN will, even sometimes suddenly, become reasonable, pleasant, and respectful. An honorable and effective ACN does not necessarily always behave aggressively and may change behavior in a remarkable fashion after coming to respect and trust you.