



Negotiation Strategies

How to See Through These 3 Hardball Negotiation Tactics

Know how to respond. **by Deepak Malhotra**

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In my new book [Negotiating the Impossible](#), I offer numerous principles and tactics for negotiating effectively when things get ugly — especially when you don’t have sufficient “money or muscle” to use as leverage. This could be a deadlocked deal, an escalating conflict, or any situation where there is mistrust, antagonism, or a seeming unwillingness to engage in good faith.

Many of the lessons are just as useful for knocking down the more common barriers people face in negotiation. Here are three common “hardball” tactics that the other side might use — and some advice on how to respond.

Tactic #1: “We will never...”

What You Do: My response to any ultimatum — regardless of the type of negotiation or how the ultimatum was delivered — is usually quite simple: I completely ignore it. I don’t ask people to repeat or clarify ultimatums. Why? Many ultimatums are not true deal-breakers. Sometimes people are just emotional, or trying to assert control, or using strong language in an attempt to gain advantage. In such these cases, it will be easier for them to back down later if you have not engaged with or legitimized the ultimatum. How so? There may come a day — a week from now, a month from now, or years from now — when the other side realizes that what they said they could never do,

they must do, or is actually in their best interest to do. When that day comes, the last thing I need is for them to remember me having heard them say they will never do so — because then they will not be able to say “yes” without losing face. Too often, people will escalate matters, and even sacrifice their own best interests, if that’s the only way for them to save face. If ignoring an ultimatum is not possible, you want to reframe their statement as a non-ultimatum before continuing. For example, if they say “I will never do this,” I might respond as follows: “I can understand, given where we are today, this would be very difficult for you to do...” This way, I’ve given them two ways out. This would be “very difficult”, not impossible, and their reluctance is “given where we are today,” not forever.

Tactic #2: “Just one more thing...”

What You Do: It can be really frustrating when people keep adding new conditions when you think a deal has been struck. When it happens, it’s important to distinguish between two (of multiple) possibilities. They might think you are too committed to making the deal and are trying to take advantage of this. Or, their additional demands are truly important to them and they need you to agree. You have multiple options, but here is something that I do often: I explain that if something is truly important to them, I want to understand why and work with them to accommodate their legitimate concerns. But I am not willing to negotiate an individual issue in isolation — especially at this late stage in the negotiation. If they need adjustments, we will also have to discuss what kinds of concessions they are willing to make in exchange. If this is really important to them, they should be willing to show flexibility on other issues of value to me.

Tactic #3: “Great! Now let me double-check with my boss...”

What You Do: One piece of advice I give often is to negotiate process before substance. For example: you've been negotiating for months, and just when you think the deal is done, they tell you that they need another six months, or that others need to sign off on it, or that they are now going to shop around your offer. Many of these problems stem from a failure of not having negotiated process before substance. In other words, before getting too deep into deal terms, you want to get more information about (and try to shape) the process — i.e. how you will get from where you are today to the finish line. This includes discussing questions such as: How long does it take an organization like yours to do a deal like this? Who are all the people who need to be on board? What might speed up or slow down the process? What will we discuss in the meeting next week, and when will we cover the other concerns we have? When you negotiate process before substance, you make it less likely that you make substance mistakes later on.

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