

Gender and the Shadow Negotiation

Being able to deal with conflict and negotiate effectively is a requirement for survival in the flatter and more fluid organizations of today. Conflict is nothing new in organizations. In the past, however, it was channeled into hierarchical structures, formal rules and procedures, ideologies of cooperation, and into the responsibilities of certain individuals, such as senior managers. In today's organizations, where responsibility inevitably exceeds authority to get things done, we must negotiate to achieve our objectives. Staff are operating more in teams and collaborative partnerships, functions are increasingly networked both internally and externally, and, with the global nature of organizations, staff are often working in culturally and gender-diverse environments. In these more fluid systems, negotiations are constantly being carried out with managers, team members, stakeholders, colleagues, and strategic partners over resources, authority, commitments, schedules, time, products, and services. We negotiate to improve performance, solve problems, strive for equity and fairness, and foster learning and innovation.

Approaches. Negotiation is a decision-making process involving two or more people who have issues over which they disagree and/

or resources to allocate and who have interests both in solving mutual problems and doing well for themselves. That process can resemble the prototypical market transaction where parties exclusively pursue their individual gain at the expense of the other. For example, I insist on a part-time schedule to accommodate my family needs and my boss rejects my proposal. I threaten to quit and he gives in. Or, the process can be one where parties pursue mutual gain, looking to *expand the pie*, so that both can obtain more of what each wants. I figure out what I need in dealing with my family issues and my boss figures out what her needs are with respect to the organization. Together we come up with a plan in which I go on a part-time schedule but agree to provisions that will ensure that my project continues to achieve good progress.

Mutual gains negotiations, or collaborative problem-solving, is a creative way to negotiate in today's organizations. Mutual gains negotiations are based on the premise (and observation) that it is possible, using a certain kind of problem-solving process, to transform win/lose situations into ones where there are mutual gains. The way to do that is to focus on inter-

ests, not positions, and then to be creative in searching for options that meet these interests. The process requires some open sharing of interests and then a search for agreements that meet both parties' needs. Based on an understanding of differences in interests and concerns, it is possible to make trade-offs and package agreements that benefit both parties.

Shadow negotiation. In the abstract, mutual gains negotiations are easy; you can often figure out creative options. But problem-solving does not take place in a vacuum. You have to manage the social as well as the substantive part of the negotiation. At the same time as you are negotiating over the issues and considering the kinds of deals that you can make, another negotiation is taking place in tandem. It is where negotiators are really negotiating about how they will negotiate even though they do not talk about it directly. This is what we call the shadow negotiation.

The shadow negotiation is where expectations and relationships are created. If, in the substantive negotiation, we are trading proposals back and forth to make a deal, in the shadow negotiations, we are bargaining over our relationship.

We are negotiating over whose needs and interests are more important, who should count more. Working this part of the shadow negotiation requires that both negotiators feel empowered, in a good position to effectively press for their interests and needs. Something else is also going on in the shadow negotiation. To make a good deal, there needs to be mutual collaboration. To build collaboration requires the skills of connection.

It is in the shadow negotiation, where we empower ourselves and try to get connected, that gender can come into play. It can come into play at three levels:

- at the *personal* level in terms of how we see ourselves as negotiators;
- at the *expectational* level where others set the context for our action;
- at the *situational* level, where we deal with inequities of power and position.

The following story illustrates how gender enters into the shadow negotiation.

Caroline and George are physicians in a small medical center. They share weekend and evening shifts and call schedules. Recently George announced that he had planned a fishing trip and it was booked for the last week in June. Caroline tells him that it is impossible because that is the week she has promised to move her mother from her house into an apartment. George claims that he cannot change his plans as his friends are

counting on him. Why, he wonders, can't Caroline change the week her mother moves. Caroline says she feels terrible, but she can't do it because her mother's apartment won't be ready until the first and she has to be out of her house by then. George suggests that Caroline's mother could stay with her for the week. Caroline rejects this idea and proposes a compromise. They could split the week. She could move her mother over the weekend, it would be hard, but then George could leave on Monday. George rejects the idea.

The two go round and round, each holding out for the week. George gets increasingly angry and begins to yell at Caroline. Upset, she starts to waiver. She hates it when George loses his temper. To cut off the growing hostility, she says she'll think about it. She not only thinks about it; she spends a sleepless night worrying. She decides that she could have her mother stay with her for the week, although it wouldn't be pleasant for either of them. But if she agrees to do it, she wants some compensation in return. Summer is coming, and she decides to trade first choice on the schedule for July and August. That seems fair to her.

The next day Caroline tells George he can have the week (he smiles). But when she tells him that in return she wants first call on the summer schedule, George stops smiling. He rejects the idea, claiming that the call schedule has nothing to do with vacation. He claims since she is willing to give up the week, she really doesn't need it. Caroline holds firm; if she can't have her choice on the

schedule, he can't have the week of vacation.

Gender dimension. What's going on here? Clearly, this is a problem that could be solved in a mutual gains fashion. But that is not the issue. The essence of the problem is that Caroline can not get George to negotiate with her. Although George and Caroline are talking about how to deal with the vacation, which is the substantive issue, it is in the shadow negotiation, where gender is being enacted, that they have the problem.

Gender gets enacted in the shadow negotiation.

Gender plays out in a number of ways in this negotiation. First, it plays out at the *personal* level. This reflects how much a negotiator identifies with the masculine or feminine view of themselves. George clearly exemplifies what we understand to be a masculine view of a negotiator. He is exclusively focused on his own interests. Caroline, on the other hand, acts in a more prototypic feminine way. She cares about her own needs, but also takes responsibility for George and how he feels. It is Caroline, not George, who worries that they can not agree. It is Caroline who, as a result, takes the burden for coming up with solutions that George rejects. When negotiators, either a man or a woman, take the feminine, caring position in a negotiation, they can be at a disadvantage if the other acts only in their own interest. While caring and concern are important, in a situation like Caroline and George, they can lead to a woman's exploitation. Ironically, Caroline's efforts to accommodate George signal to him

that she will not hold out for the vacation week. In a way her flexibility feeds his intransigence and makes it even more likely that she'll be the one to give in.

Gender can also play out at the level of *expectations*. Even though people behave in all kinds of ways, we have different expectations about how men and women are supposed to negotiate. We interpret their actions differently: he is aggressive and results-oriented, she is ruthless. He is rational and objective, she is calculating and manipulative. Further, we expect men to be more self-interested and women to be more caring and supportive, perhaps even to sacrifice their own interests for others. We criticize her if she does not. And, of course, that is what is happening with George and Caroline. He expects her to be the concerned one just as she expects him not to be. And these expectations are not benign. He gets angry when she does not give way. Because of these expectations, Caroline has to work harder to get George to take some responsibility for solving the problem.

Finally, the *situations* we negotiate in can also trigger gender effects. Our authority and influence in negotiations can come from many sources, but position in social structures is important. All negotiations take place in organizations that presuppose a set of hierarchical relationships that tend to be gender based. In the medical setting in which George and Caroline negotiate, men tend to hold more dominant positions. Thus, in this culture, men are deemed to be more powerful than women, even though, in this par-

ticular situation, George and Caroline are more or less equals. Several gender implications derive from this. Experience in low power positions is disempowering and can explain why people who lack power fail to recognize negotiation possibilities. Second, it suggests why Caroline may have difficulty getting George to negotiate with her – simply in this organizational culture, where he is both a physician and a man, he does not feel he has to. From a situational perspective, gender relations help us appreciate the challenge of negotiating when there are structural and/or symbolic power differentials.

What was the outcome?

George decided to bluff. He proposed a coin toss because he thought Caroline would rather talk things out than leave it to chance. But she agreed. They tossed a coin and she won. But then she felt terrible and asked him to give her a hug to show he forgave her. He did hug her, but several weeks later, when one of George's friends had a business conflict and the fishing trip was canceled, he never told her.

Challenges. In the shadow negotiations, gender is enacted in the relational by-play. Although Caroline and George are talking about how to deal with the vacation, how they see each other influences how they will deal with the issues. Their problem was in the shadow negotiation.

In these shadow negotiations, there are two important challenges negotiators face. One

relates to the tools you use to empower yourself so that you are in a position where you can effectively advocate for what you want and need. Caroline was not in that position. She could not get George to listen to her – she could not get him to the table. Empowering yourself involves the moves you make to enhance your situation and influence the other party.

There are three steps to empowering yourself.

- *You need to prepare yourself.* That means understanding how you get in your own way – what undermines your efficacy. Many of us focus on our own weaknesses and attribute strength and good position to our partners. When you empower yourself, you take deliberate steps to test those assumptions so that you can go into the negotiation knowing more or less where you stand. By taking sole responsibility for the problem, Caroline reinforced George's impression that she would be the accommodating one. As a result, her efforts at problem solving are interpreted by him as signals that she will give him what he wants. Caroline must recognize the implication of her actions if she is to be more effective.
- *You need to create incentives for the other side to negotiate with you and take your interests and needs seriously.* That involves using what influence you have to change the others' assessment of who will make concessions and how great they will be. Caroline has ceded that ground to George. She needs to exert some pressure to get him to reconsider.

- *You need to keep yourself in an empowered position.* Once into the negotiations, you may find that the other side tries to put you at a disadvantage – making light of your proposals, questioning your competence, saying something personal. To stay empowered during the negotiation requires that you recognize these moves so that you can come back from attempts to put you down.

The second challenge is to get connected to the other side so that you can work together on the problem. Caroline really wanted George to work with her in figuring out what to do. If she wants him to collaborate with her, she needs to *situate* him in such a way that he wants to participate with her to come up with solutions. So if empowering herself is meant to increase the pressure on him, connection is used to bring him into the process. Connection also has three dimensions.

- *Connection begins with a stance toward your negotiating partner.* It means being prepared to recognize that you cannot know what they are really thinking and feeling. You will need to open up a dialogue so that both parties can talk about what they want and need.
- *Connection continues with actions you take to make the other side feel that you understand and respect their interests and con-*

cerns. If they feel appreciated and heard, they are more likely want to work with you.

- *Connection involves what you can do to create a context for mutual problem solving.* Structuring the agenda so that people are involved, keeping the dialogue going, and working to get people to own problems together are connected actions in the shadow negotiation that make collaborative problem-solving possible.

Using her skills of connection in concert with the tools of empowerment, Caroline could bring George into the dialogue with her to find a way out of the scheduling conflict. She might increase the pressure first by suggesting that they invite the Center Director to join their discussions. An implied threat, this might create an incentive for George to reconsider his continued rejections of her offers. He does not want to be seen by the boss as a person who cannot work out a vacation schedule. But she could use this move differently. Rather than an implied threat, she could suggest it casually, but then reject it and move the conversation in a different direction. First, she might state the obvious problem – she is making all the suggestions. There has to be some reciprocity and she asks for it. But she could do more. George and Caroline need an opening so that they can talk about what is getting

in the way of their dealing with the issue. She might pick up on how upset George is and give him a chance to respond. What she hopes is that by opening up the dialogue, George will start to negotiate with her about the schedule.

Collaborative problem solving is a good way to deal with conflicts in organizations. But George and Caroline's dismissive actions towards each other, actions that reflect gendered assumptions in the shadow negotiation, interfered with their ability to solve a pretty simple problem. You can only have productive problem solving or mutual gains negotiations when all parties recognize their interdependent need to deal with each other. If we want to use negotiations to solve problems creatively, empowerment and connection need to be managed together in the shadow negotiations.

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