



Negotiating the Impossible: How to Break Deadlocks and Resolve Ugly Conflicts (without Money or Muscle)

By Deepak Malhotra

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Some negotiations are easy. Others are more difficult. And then there are situations that seem completely hopeless. Conflict is escalating, people are getting aggressive, and no one is willing to back down. And to top it off, you have little power or other resources to work with. Harvard professor and negotiation adviser Deepak Malhotra shows how to defuse even the most potentially explosive situations and to find success when things seem impossible.

Malhotra identifies three broad approaches for breaking deadlocks and resolving conflicts, and draws out scores of actionable lessons using behind-the-scenes stories of fascinating real-life negotiations, including drafting of the US Constitution, resolving the Cuban Missile Crisis, ending bitter disputes in the NFL and NHL, and beating the odds in complex business situations. But he also shows how these same principles and tactics can be applied in everyday life, whether you are making corporate deals, negotiating job offers, resolving business disputes, tackling obstacles in personal relationships, or even negotiating with children.

As Malhotra reminds us, regardless of the context or which issues are on the table, negotiation is always, fundamentally, about human interaction. No matter how high the stakes or how protracted the dispute, the object of negotiation is to engage with other human beings in a way that leads to better understandings and agreements. The principles and strategies in this book will help you do this more effectively in every situation.

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Editorial Review

Review

“Easily the best negotiation book I have ever read. If you are involved in high-stakes negotiation, *Negotiating the Impossible* will give you actionable nonintuitive ideas that will positively impact your future.”

- Bill Gurley, venture capitalist and General Partner, Benchmark

“Packed with practical principles and illustrated with compelling examples, *Negotiating the Impossible* is one of the most useful and enjoyable negotiation books you will ever read!”

- William Ury, coauthor of Getting to Yes

“*Negotiating the Impossible* delivers on its promise. By using historically significant, seemingly intractable negotiations as examples, Malhotra provides practical lessons for the everyday negotiations in your life—including the three surprising ‘levers’ at your service when the use of force is not a viable option. This book is magic for any deal maker.”

- Daniel H. Pink, author of Drive and To Sell Is Human

“Deepak Malhotra has done what few others could do: he draws upon the lessons of history to demonstrate that even the worst conflicts can be resolved. This book is especially significant because it gives both the inspiration and the tools you need to tackle extremely difficult negotiations.”

— David Gergen, Senior Political Analyst, CNN; adviser to four US presidents; and Codirector, Center for Public Leadership, Harvard Kennedy School

“If you want the best advice on how to negotiate when it looks like a deal can’t be done, then *Negotiating the Impossible* is a must. It’s filled with great strategies you can immediately put to use in your business and personal lives. It’s also an extremely entertaining, thought-provoking book that you won’t want to put down.”

- Tyra Banks, CEO, TYRA Beauty, and creator of America’s Next Top Model

“If only we could lock the world’s leaders in a room to read this book. Professor Malhotra’s analysis of how negotiators can achieve the best possible outcomes for all sides is revelatory. It also starkly highlights what’s missing in current negotiations—whether on refugees, on peace in Syria, or on Eurozone debt. This is a must-read for all practitioners of politics and public service.”

- Ngaire Woods, Founding Dean, Blavatnik School of Government, University of Oxford, and adviser to the IMF Board, UNDP’s Human Development Report, and Commonwealth Heads of Government

“Professor Malhotra is a rare academic with real expertise in the world of negotiation and diplomacy. He gets his hands dirty and has worked behind the scenes on some of the most difficult negotiations of our time. Professor Malhotra sees what others don’t see—and he has written it all down in *Negotiating the Impossible*.”

- Jonathan Powell, former Chief of Staff to Tony Blair; chief British negotiator on Northern Ireland; founder of Inter-Mediate; and author of Talking to Terrorists

“*Negotiating the Impossible* is a tour de force. Professor Malhotra is both a leading academic and an amazing storyteller; he has also been in the trenches and knows firsthand what it takes to tackle even the most difficult of situations. Whether you’ve done one deal or a hundred, this book will change how you negotiate. I will be

giving it to everyone on my team."

- Vinod Khosla, venture capitalist and founder of Khosla Ventures

About the Author

Deepak Malhotra is the Eli Goldston Professor of Business Administration at Harvard Business School. He teaches negotiation in the MBA program and in a wide variety of executive education programs. He has been published in top journals in the fields of management, psychology, conflict resolution, and foreign policy, and he has won numerous awards for both his teaching and his research. He does training and consulting work for firms across the globe and advises governments that are seeking to end armed conflicts. He is the coauthor of *Negotiation Genius* and the author of *I Moved Your Cheese*.

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INTRODUCTION

The Most Ancient Lesson in Peacemaking

Among the oldest peace treaties in history is the Treaty of Kadesh, which was negotiated between the Egyptian and Hittite empires over three thousand years ago, in the middle of the 13th century BCE. With neither party willing to continue incurring the costs of war, and with each side wary of looming conflict with its other neighbors, Pharaoh Ramesses II and King Hattusili III sought to negotiate an end to the conflict. Such attempts are difficult not only because the issues at stake may be contentious or complex, but because, often, neither side wants to make the first move. The side that comes asking for peace may look weak rather than wise or magnanimous, a signal that no leader can afford to send. And yet, a deal was reached. Despite having been drafted thousands of years ago, the treaty has many of the hallmarks of more recent agreements, including provisions proclaiming the end to conflict, the repatriation of refugees, an exchange of prisoners, and a mutual assistance pact if either side were to be attacked by others.¹

One other characteristic makes this accord similar to what we often see today—in peace treaties, commercial agreements, and successful efforts at resolving conflicts ranging from international disputes to arguments between spouses. This feature is apparent in the Treaty of Kadesh only because it was recorded in two languages: hieroglyphics (the Egyptian translation) and Akkadian (the Hittite translation). A comparison of the translations reveals that the two versions are, as we ought to expect, very similar. But there is at least one important difference. The Egyptian translation states that it was the Hittites who came asking for peace terms. The Hittite version claims exactly the opposite.

When it comes to deal making, diplomacy, and resolving disputes, it does not matter which culture you examine or what kind of negotiation you investigate. It does not matter why people were fighting or why they chose to settle their differences. Some things never change: the need for all sides to declare victory is at least as old as recorded history itself.

The Treaty of Kadesh also exposes a more fundamental insight about negotiation and peacemaking—one that lays the foundation for this book:

Even seemingly impossible deadlocks and conflicts can be resolved if we shed the assumption that our only sources of leverage are money and muscle.

This is especially important to keep in mind when you are dealing with a situation that seems hopeless. When even your most generous offers are being rejected, when your well-intentioned attempts at addressing the issues are being thwarted, and when you have little power with which to impose a solution, you need a different approach and other sources of leverage. This book provides such an approach and reveals those sources of leverage.

THREE WAYS TO NEGOTIATE THE IMPOSSIBLE

Some negotiations are easy. Others are more difficult. And then there are situations that seem downright impossible. These are ones in which you have little power and limited options. These are times when conflict is escalating, deadlock is worsening, and no one is willing to back down. These are situations where people are behaving in ways that seem irrational—or worse, with clearly hostile intent. These are problems without precedent, where even vast experience offers limited guidance.

But these are also the cases that, when handled skillfully, will become the stuff of legend.

This book is about such negotiations: deadlocked deals and ugly disputes that seemed completely hopeless. Until, that is, someone found a way to beat the odds without money or muscle. What might we learn from these stories and from those who lived them?

As anyone who has dealt with deadlock or conflict will attest, some of the hardest situations to resolve are those where your attempts at negotiating in good faith have failed and where you don't have the resources or power to bargain effectively. The reason people lose hope and begin to see the situation as impossible is that they have already tried their best to address the substance of the dispute—they simply have no more money or muscle left. But what if there were other levers you could use?

In this book, we will focus on three crucial levers that negotiators often ignore, underestimate, or mismanage, especially when they are accustomed to thinking of power in terms of money and muscle:

- The Power of Framing
- The Power of Process
- The Power of Empathy

In my teaching and advisory work with thousands of business executives and company owners, I have heard countless tales of deal makers who were negotiating against the odds. In my work for governments and policy makers who are trying to negotiate with terrorists and armed insurgents, I have many times encountered the feeling of despair that comes from tackling the seemingly impossible. And, in my observations of even ordinary conflicts of everyday life, I have seen people struggle with how to manage hostile people, difficult situations, and thorny issues. In all of these places, people sometimes make a bad situation worse—or a difficult problem seem impossible—by pinning their hopes on money and muscle and failing to appreciate the power of framing, process, and empathy.

What insights might we share with people who are dealing with nasty conflicts in business, policy, diplomacy, or everyday life? What lessons might they learn from the most harrowing case of nuclear brinkmanship in world history? How might they emulate a young man of little clout or stature who managed to dominate one of the most important meetings of the last millennium? What might they take from the text of the most ancient peace treaty known to be in existence? What principles might they glean from comparing multibillion-dollar sports conflicts that were handled masterfully with those that ended in disaster? And what strategies might they borrow from a wide variety of high-stakes business disputes and deadlocks that were overcome without flexing muscle or throwing money at the problem?

The premise of the book is simple: there is much to be learned from situations in which people negotiated the “impossible.” First, the stories themselves—from history, diplomacy, business, sports, and popular culture—are inherently interesting, and readers will learn about how people lived and fought and negotiated in times and places both near and distant from where we sit today. Second, the stories offer tangible lessons that can be applied by anyone who is dealing with his or her own conflict or deadlock, whether it is seemingly impossible or more ordinary. Throughout, I give examples of how the lessons could be applied in other domains—ranging from job offers, to business deals, to personal relationships, to negotiating with your children, to engaging with terrorists. Finally, if we were to strip this book of all its trappings, frameworks, and organizational structure, we would find that it is, at the core, a book about human beings trying their best to get along with each other in situations that are not always easy. My hope is that the book instills optimism and provides another lens through which the reader can begin to appreciate the sometimes puzzling, occasionally disappointing or even exasperating, yet often inspiring thing we call humanity.

RETHINKING “NEGOTIATION”

Before going any further, I will define negotiation as it is used in this book. In my experience, it is possible to think too narrowly about what negotiation is, what it entails, and when it is relevant—whereas I mean to use the word in its broadest possible sense. Too often, when people hear the word “negotiation,” they equate it with haggling or debating, or imagine people in suits hammering out a deal. They think of negotiation as something we do once in a while—or worse, as a daunting or unpleasant task that should be avoided if possible. We would benefit from thinking differently.

Having advised on multibillion-dollar deals, I can say with confidence that negotiation is not about dollars and cents. Having advised on how heads of state might manage peace processes that are on the verge of collapse, I can tell you that negotiation is not about lives lost or lives saved. Having advised on job negotiations and family disputes and strategic partnerships and cease-fires, I can assure you that negotiation is not about career trajectory, or managing emotions, or finding synergies, or stopping bullets.

In short, negotiation is not about any one currency. Negotiation, regardless of the context or the issues involved, is fundamentally about human interaction. However simple or complex the issues, however well-intentioned or malicious the parties, however familiar or unprecedented the challenges, the question we are always trying to answer in negotiation is this: How might we engage with other human beings in a way that leads to better understandings and agreements? It does not matter whether the agreement is to be written down, as in a contract or treaty, or whether its enforcement is to be trusted to newly established goodwill, redesigned incentives, improved coordination, or merely the hope that accompanies a shaking of hands. It does not matter whether the understanding is between individuals or organizations, ethnic groups or countries. Negotiation is always, fundamentally, about human interaction. Sometimes these interactions are easy. Other times, they are tougher. And then, of course, there are the negotiations that interest us most in this book—the seemingly impossible ones.

Negotiation, then, is the process by which two or more parties who perceive a difference in interests or perspective attempt to reach agreement.

The principles, strategies, and tactics that help us do so in extremely difficult situations are the focus of this book.

Deadlock and ugly conflicts

The book includes dozens of stories from many different contexts.³ In selecting the examples, I have focused

on the kinds of problems that people often admit to facing in their own lives: deadlocks and ugly conflicts. Deadlock is a situation where people are making incompatible demands and neither side is willing to back down. We will look at situations where the deadlock is so severe that it threatens the entire deal or relationship, but we will also tie the lessons back to less extreme situations. A conflict is any situation in which people have competing interests or divergent perspectives. Ugly conflicts are those in which people are facing formidable obstacles to achieving agreement—for example, mistrust, animosity, complexity, or a protracted history of hostility. We will see examples of each of these throughout the book as we extract lessons for managing conflicts of all kinds.

HOW THE BOOK IS ORGANIZED

The stories and lessons in this book are organized across three sections, each emphasizing and exploring one of the three levers: framing, process, and empathy. Which one of these levers will be the key to solving your problem—or, whether you will need to use multiple levers—will depend on the situation. Alone, each of these is extremely effective. Together, they provide a comprehensive approach to negotiating the impossible.

- Part I focuses on the amazing potential of framing. Effective negotiators know that how you articulate or structure your proposals can be as important as what you are proposing.
- Part II focuses on the decisive role of process in determining outcomes. Negotiating the process astutely can be more important than bargaining hard on the substance of the deal.
- Part III focuses on the tremendous power of empathy. A dispassionate and methodical approach to understanding the real interests and perspective of all relevant players can help to resolve even the ugliest of conflicts.⁴

Of course, not all problems of human interaction will be solved quickly or easily. Many of the worst conflicts require tremendous effort, strategic perseverance, and fortuitous timing. But there are also times when what is most needed is something a bit different: the ability to control the frame, to shape the process, and to unearth possibilities where others see none.

With that—I hope you enjoy the stories. I hope you find the lessons to be of value. And I hope the book encourages you to see every problem of human interaction as an opportunity for achieving greater understanding and better agreements.

Users Review

From reader reviews:

James Kostka:

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Elmer Dooley:

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