The Play’s the Thing: A Sense of Drama and Six Other Marks of the Veteran Negotiator

By

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These, then, are the qualities of my ideal diplomatist. Truth, accuracy, calm, patience, good temper, modesty and loyalty.... “But,” the reader may object, “you have forgotten intelligence, knowledge, discernment, prudence, hospitality, charm, industry, courage and even tact.” I have not forgotten them. I have taken them for granted. Harold Nicolson, Diplomacy, 1963

Introduction

I apply the tag ‘veteran’ to negotiators with a reputation among their peers for consistent success over many years in diverse transactions. Why do these people tend to do the job better than other negotiators? This question is perennial in our field and any response that tries to make definitive links between cause and effect is bound to be strained and simplistic. Yet I have identified seven interactive ‘marks’—skills, inclinations and other traits—that seem to be stronger in veteran negotiators than the rest of the field. I do not claim my veterans are successful simply because they have this particular set of distinguishing features; only that the marks are prominent in international negotiation interviews gathered over many years from informants in diplomacy, business and hostage release. In a brief essay I cannot examine all seven marks in detail, so I will focus on the mark of drama, the one that most helps me to see how the veterans apply the other six. I shall turn to it after summarising the others.

Seven Marks of the Veteran

The seven marks are anticipation, diagnosis, empathy, flexibility, opportunism, potency and drama. Their weight varies from person to person and case to case, and there seems to be no pattern associated with culture or nationality, or with personality traits such as introversion, extraversion, dourness, cheerfulness, flamboyance, and so on. The seven nouns capture diverse skills and tendencies that I attribute to the players based on what they told me about their experience as international negotiators. Other analysts, including the players themselves, might disagree with my list of marks and their application to particular cases, but all research generates arbitrary categories and labels that endure if
they make sense. My list is not exhaustive. It is intended to supplement, not replace, existing lists or sets of negotiator attributes.

**Anticipation** is the inclination to plan before and during a negotiation, based on foresight into the influences that might come into play and therefore the range of paths that a transaction might take. The astute negotiator prepares various strategies and tactics in advance, based on judgment rooted in experience and analytical skills. An attitude common to the veterans is to anticipate, but expect the unanticipated, with confidence in one’s ability to manage whatever arises.

**Diagnosis** is an inquisitive and analytical bent founded on high intellect and clear thinking, often applied after intuition has guided the veteran to a quick grasp of the essentials of a situation and possible ways of managing it. I prefer ‘diagnosis’ over ‘analysis’ because the former puts more emphasis on using knowledge and understanding to drive action, as in medicine. My veterans are dogged in their search for features that define the negotiation, and for ways to organise and react to whatever the search dredges up. As excavators they are always trying to dig beneath the surface, always trying to extract order from chaos, and always trying to respond to their discoveries with appropriate action.

**Empathy** is the inclination and ability to imagine the transaction from the point of view of other players. Or, as Reber says: “Assuming, in one’s mind, the role of another person [and] taking on [his or her] perspective” (p. 238). None of my veterans uses the word ‘empathy’ but the concept is strong in the interview transcripts and notes. The veterans try to project themselves into others’ minds and emotions to get a more systematic grasp of a transaction and its context. Strategic and tactical moves, including style adjustments, are made in response to this projection. Clutterbuck says: “The art of negotiation with an extortionist lies in seeing the crisis through his eyes” (p. 216). Ears, fingers, lives and more money than necessary can be lost if the negotiator cannot use the captor’s eyes to see the kidnap and negotiation. Hostage negotiators seem to be the most empathetic of the veterans, and also most wary of the human tendency to assume people are rational and therefore predictable.

**Flexibility** is the readiness to modify one’s strategies, tactics and expectations to match the changing demands and knowledge that flow from the open system of contextual forces and the complex interplay of the negotiators. It is the capacity to adjust one’s behaviour to the nuances of each negotiation rather than try to work to a preconceived formula or restrictive pattern.

**Opportunism** is about taking advantage of unanticipated incidents or information, before or during a negotiation. Rather than retreat from the unexpected, the veteran harnesses it. Sometimes the negotiator or an adviser discovers useful information before the negotiation and plans to use it if suitable conditions arise or can be created. This is a form of anticipation that does not have the spontaneity of opportunism as I define it, although the two are cousins. Anticipation is about discovering, predicting, planning and engineering; opportunism is extempore. Opportunism is a constructive response to surprise; it is about being alert for unexpected ways of finding a way into a negotiation or gaining control of it.
**Potency** is the capacity to control negotiation in the face of great complexity, belligerent counterparts, risk, uncertainty and constant contextual change. The veterans are all confident about being in control, even when talking about temporary setbacks, but they are not arrogant, and they consult insiders and outsiders as needed. Their ego is robust but not bloated. They know they are good at what they do and expect deference in much the same way as other top-class professionals; but they are polite and listen well—there is no fingers-in-ears omniscience. Some veterans criticise their performance but occasional self-deprecation does not dent their confidence in always regaining full control. They know where they go wrong from time to time, but rather than dwell on error they use the water under the bridge to help them learn to be even better controllers as they steer themselves and their counterparts towards agreement.

**Plays and Games: The Mark of Drama**

**Drama** is a sense of negotiation as theatre; it is the ability to create or change a script and perform one or more roles that suit the transaction. This mark connotes an objective grasp of the broad plot, an eye for sub-plots and nuances, a talent for persuasion, and meticulous preparation. Hostage negotiation expert John Griffiths says: “The negotiator is like an actor who, while immersing himself in a role to carry conviction, must keep a part of himself sufficiently detached to exercise the stagecraft necessary to the mechanics of the play” (p. 142). Jeffrey Rubin (2002) depicts the negotiator as a performer who becomes a different person between dressing room and footlights.

Perhaps the extreme negotiator-as-actor is the Japanese stylist portrayed by Bob March: “If you ask Japanese businessmen to describe the most typical Japanese method of resolving or avoiding disputes, they will most frequently answer ‘naniwabushi’” (p. 22). A negotiator makes a melodramatic plea based on the structure of ballads dating back to the Edo period (1600-1688). The pleader recounts the background to current difficulties, details critical events that illustrate deterioration, and concludes with “an anguished plea for leniency, embroidered with the dire consequences [for all parties] should the request be denied…. Naniwabushi is artful, premeditated, calculated—and in Japan it works. The more tragic and moving the story, the easier it is for Japanese listeners to forget contracts or commitments” (p. 23).

Tactical adjustment of personal style is a feature of my veterans’ dramatic repertoire. So too are role modification and extempore performance, like the play of musicians in a jam session. In keeping with the need to control rather than be controlled, the veteran attempts to direct the play as well as act in it. Script variation among actors may threaten such control; their performance may be unpredictable, and they may react against attempts to write or rewrite the script as the play proceeds. The negotiator as director tries to manoeuvre all the players towards a common script:

The very best negotiators … are game-changing entrepreneurs. They envision the most promising architecture and take action to bring it into being. These virtuoso negotiators not only play the game as given at the table, they are masters at setting it up and changing it away from the table to maximize the chances for better results. (Sebenius, p. 95)

This theme was most powerful in the interviews with diplomats who talked about complex multilateral negotiations; namely, Australian Ambassador Don Kenyon on the
Uruguay Round of the General Agreement on Tariffs and Trade in Brussels in 1990, and Australian Ambassador Meg McDonald on the greenhouse gases conference at Kyoto in 1998. In these cases every country seemed to have its own script, plot and sub-plots that had to be understood and massaged to create collective bargaining by groups of small players who otherwise would be overwhelmed by the big powers.

Don Kenyon said “I guess it’s like playing poker, isn’t it?” As a Texas Hold’em player I can readily see his analogy. Like negotiation as theatre, poker is dramatic in obvious ways at one extreme and subtle ways at the other. ‘Tells’ are hints, either inadvertent or deliberately misleading, given by players about their hand, and signalled by their demeanour and the amount and structure of bets. Some cards are face-up on the table; others are held close to the chest. Some players fold; others should fold but play on. Some bluff. Some are noisy and bumptious at crucial moments to distract their opponents; others are always reserved and polite. Some will make a bad bet to mislead others, to put them off guard as the deceiver draws them into creating a bigger pot to take through greater skill or because his or her backers have more money and can force the poorer players to withdraw as the risk grows. In these and other ways, negotiation and poker as drama are related in the process if not the broad objective, which is always win-lose in poker but not negotiation.

As Australian team leader at Kyoto, Meg McDonald was both actor and stage director, perhaps like a playing coach in a gridiron team that has players with skills he must exploit and coordinate but may not have himself:

I’d have people out there doing particular bits of the negotiation, and being able to keep all those things rolling on in a way which meant that you were coordinated and you understood how you were coming across. One [sub-transaction] was an incredibly complex negotiation that I couldn’t participate in because it was all being done at a technical level, and just went on and on in a very tricky, very intense atmosphere. My role there was to influence the timing, the tempo of our participation, the sorts of suggestions that our proposals were putting into it.

She had to steer the negotiation without always being in the spotlight.

McDonald sometimes combines images of sport and drama to explain the flow of negotiation:

When you have a whole lot of issues running you have to decide what your key issues are, who are the main protagonists, co-protagonists and antagonists, but keep in mind that your overall position is very important. You have to keep running with all the other [lesser] issues [if you are] building support for the main game, and keeping it.

It makes sense to invoke drama and sport because both are about controlled performance and coordination by experts who direct the action with authority and some licence.

Like McDonald, some other veterans who seem to equate negotiation with drama also draw analogies with sport, especially cricket. Early in my first discussion with Malcolm Lyon, Australia’s lead negotiator for the 1978 Torres Strait Treaty between Papua New Guinea and Australia, he relates aspects of negotiation to a famous Australian cricket captain and his team. Later he says:

And once we had got the first two of those [issues] done, we then set about number three in the order of batting. It wasn’t a [star batsman’s] flurry. It was a very tedious and slow scoring rate, to create a line that ran right away from where you met Indonesian waters right out into the Coral Sea.
In discussing border control negotiations between Hong Kong and China (long before the Handover), and the differences between the attitudes of British and Chinese negotiators to people who managed to sneak across, Sir Alan Donald, former British Ambassador to China and a few other places, refers to “a sort of British cricketing belief that if you could escape the notice of the umpire you could get through and touch base, and so you were okay.” In relation to the same case he says the cleverest thing he has noticed about Chinese negotiators “is that by their actions and by their words, they always leave a great deal of ambiguity. It’s like jujitsu [or poker?]. You make the enemy’s force destroy him by putting fear into the opponent’s mind about what you could do.” Never mind that jujitsu is a form of unarmed combat developed by the Japanese samurai. My interest is in Sir Alan’s sense of negotiation as drama illuminated by sport and other games.

More than any other informant, Sir Alan uses adversarial, game-based language even though his negotiating experience and attitude, as described to me, tend not to be combative. He refers to “opponents” in an amicable way, as if negotiation is like a game of chess between friends who drink a bottle of wine or a flask of Chinese spirits while they stalk one another. In addition to the influence of games, Sir Alan may use such language because he is a student of military strategy and sees parallels between theatres of war and negotiation as drama. He studied Sun Tzu’s *Art of War* in the 1950s, thirty-five years before the ancient text hit the airport bookshops during the Asia frenzy which preceded and perhaps created the crash of 1997. When he wants to make a point about negotiation he sometimes quotes Sun Tzu in the raised voice of an actor, with arm-sweeps and facial expressions to match.

Several years after our first meeting, I asked Sir Alan to unfold his allusion to metaphorical connections between negotiation strategy, warfare and the differences between the Western game of chess and the types played in China (Wei Chi) and Japan (Go). His response is worth quoting at length:

The Japanese and Chinese games are really the same, so the contrast is only between the Western and Eastern types of chess strategy. Western chess is based on a strictly limited number of squares—64—on a board, with the pieces ‘weighted’. The game ends with the death or capitulation of the King. It is a set piece battle-ground with rules and boundaries that suggest manoeuvring and out-manoeuvring the other side, with losses or exchanges of pawns (little value) or heavier forces (knights, bishops or castles). Khrushchev and Kennedy were playing a chess game over the Cuban missile crisis at the end of which the Soviet side accepted defeat. The Soviet ‘king’ was dead in that encounter. Both sides had tacitly accepted the Western ‘rules’ for the encounter. *We Chi* has a huge board of squares suggesting the vast spaces of a continent. Each opponent has a bowl of a very large number of beads, usually black and white, all of equal value, as many as the intersections on the big board. The players take turns to place a counter on the board. When one player has encircled a group of his opponent’s counters, he is entitled to remove all the ‘enemy’ beads within the encirclement from the board. The winner is the one with most captured territory under his control. It requires great skill in choosing where to put your ‘pawns’ on the ground and in what numbers, and also where to create threats in another part of the board. In my opinion, the Americans were playing at Western chess in Vietnam—carpet bombing and napalm and tanks, and so on (their heavily weighted pieces)—while the Vietcong were playing a game of encirclement with an unlimited number of equal value pawns on the ground, and often underground. The Oriental game arises from the condition of having vast populations and large tracts of territory.

A few lines from the Swiss military theorist, Baron de Jomini (1779–1869), capture much of Sir Alan’s attitude to diplomatic negotiation as a mix of pliable drama, simulated warfare, and game-playing influenced by culture: “Among other things, combats may be
mentioned as often being quite independent of scientific combinations, and they may become essentially dramatic, personal qualities and inspirations and a thousand other things frequently being the controlling elements” (p. 321).

Like victorious generals, elite athletes and great actors, my veteran negotiators have an extraordinary capacity to concentrate on their role, strategy, style and purpose. Several informants made the point in one way or another but Malcolm Lyon said it best as an understatement: “I think it is known that concentration is a limited gift and different [negotiators] have different powers of concentration.”

In keeping with the idea of negotiator-as-actor, about half of the veterans seemed to treat our interviews as performances, a much higher proportion than I had noticed in my other research projects. Perhaps this was to be expected from diplomats in particular because they spend much of their lives as role-players for their governments and their profession. Occasional requests for me to turn off the tape-recorder, or warnings that some statements already taped were off the record, were sometimes melodramatic. I saw some of these events as messages about who was really in control of the interview and others as attempts to get back to the veteran’s script, rather than mine, after deviations that were casual or engineered by me. At times I felt as if I were a negotiator, or an actor writing a dialogue with the other actor while we were both trying to direct the play. Several informants seemed to have an eye on the audience for any writing that might come from my research, just as some of them seemed to think of their principals, constituents and the international press as audiences during the performances they told me about.

**Conclusion**

Although my main concern has been to unpack the mark of drama, it is but one of seven elements in a dynamic system. The strength of each mark varies among individuals, and probably within individuals from one day and context to another. Some people do tend to be more empathetic than others; some have a stronger sense of negotiation as theatre, and so on. The interaction of some marks is stronger and more logical than it is between others. For example, empathy, diagnosis and anticipation are inseparable in the sense that an adept anticipator must also be empathetic and skilled at diagnosis. Opportunism implies flexibility. On the other hand, an empathetic negotiator might be a strong opportunist but not a great one.

I considered including a mark to highlight communication skills but decided it was too obvious as no one becomes a veteran negotiator without superior ability to listen to other people’s ideas and express their own. ‘Patience’ was in my original list but was also too obvious and straightforward to make the final cut. I considered ‘intuition’ but there were not enough data to justify it as a separate mark.

Although the seven marks are interesting in themselves, we can go further than interest and consider how we might improve our craft by examining the ways in which expert negotiators play out those marks, just as we might learn to become better tennis players by observing and attempting to apply the features of a Grand Slam champion’s game. Better understanding sets the scene for better play, even if we cannot all be champions at tennis or negotiation. Based on experience with many veterans, my recommendation is to use the seven marks as a framework to observe, talk to and learn
from strong players we know. Perhaps the best way to start is to think of them as actors and directors with an abnormal sense of drama.

References


Author Biography

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