

The Ethical Negotiator

There certainly can be legal issues that arise when negotiations take place. But there may well be ethical concerns that require attention, too.

Negotiators are charged with convincing "the other side" to accept the accuracy of information that will influence their decision. Generally, the initial positions taken are just the opening step in trying to make a deal.

Well-prepared, experienced negotiators know that the discussion goes back and forth as each tries to persuade the other that "this is my best offer," when in fact both know that it isn't. The fact that lying and bluffing may lead to an unwanted and improper result demonstrates how an unethical environment can lead a party or the parties astray.

An additional ethical question can arise when a negotiator on one side takes advantage of those on the other side who are needy, uninformed and/or insecure in their understanding of what is really at issue. Even if the results are not illegal, if they have been reached in an unethical manner, harm may have been done.

Writer and ethics columnist Steven Cohen has suggested that additional ethical issues in negotiating can be avoided if the following principles are adhered to:

Reluctant partners make undependable partners, so treating negotiation partners with respect and honesty simply makes common sense.

Negotiators need to recognize up front that the only reason to use negotiation to resolve a conflict, agree on a project, or conclude a sale is because other parties may be able to add value that an individual or a single company cannot do alone.

Transparency in the negotiation process is far more likely to bring about buy-in than are hidden agendas, tricky maneuvers or incessant lying.

Other parties have feelings that should be recognized.¹

A negotiator who treats others in a negotiation as he himself would want to be treated offers the potential of increasing the other parties' enthusiasm about negotiating as well as enthusiasm about the ultimate agreement.

Applying the Golden Rule, the ultimate ethical principle, *always adds value*, and this is especially so at the negotiation table.

¹Steven P. Cohen, *Negotiation Ethics: A Matter of Common Sense*

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