

Staying in the Game or Changing It: An Analysis of *Moves* and *Turns* in Negotiation

Deborah M. Kolb

As parties bargain over the terms of an agreement, they are concurrently negotiating their relationship. In this parallel negotiation, parties seek to position themselves to advantage by using a variety of strategic moves. In so doing the other party can be put into a defensive position making it difficult to advocate effectively. Turns, such as interrupting, correcting, questioning, naming, and diverting, challenge these moves. Turns can be used restoratively to move out of a defensive position or participatively, to engage the other in collaboration. Anticipating strategic moves and having turns in mind is part of preparing to negotiate.

Negotiation strategy and tactics typically cover how negotiators deal with the substantive dimensions of the issues in dispute. And it is convention to distinguish strategies and tactics that apply in distributive from those in integrative and mutual gains. In distributive negotiations, strategic thinking covers such matters as opening offers, the pattern of concessions, and the use of threats and commitments. Integrative negotiating strategy centers on learning about interests and needs, looking for opportunities for trades and developing creative options (Fisher, Ury, and Patton 1991; Pruitt and Carnevale 1993).

Deborah Kolb is professor of management at the Simmons School of Management and Center for Gender in Organizations, 409 Commonwealth Avenue, Boston, MA 02215; e-mail: dkolb@simmons.edu.

In a field where the lure of prescription is strong, the strategic advice on how to manage the process vis-à-vis the substantive issues can be very useful. However, our research with women suggests that it is an incomplete picture of the strategic repertoire a negotiator needs — incomplete because it ignores the issues of power and position so central to most negotiated interactions. Consider the following examples:

A self-employed consultant negotiates a contract renewal with a valued client, who claims that the consultant's rates are out line with what he delivers and threatens to hire a different provider.

The vice-president of global ventures is in negotiation with the vice-president of European operations to close down a nonperforming subsidiary. They agree that the VP Operations will take care of it, but nothing happens. When the VP Global Ventures questions him about the status, he tells her that she is overreacting and to calm down.

A director of marketing schedules a meeting to negotiate salary and bonus with her boss based on a profitable year and the extra work she has picked up in the face of increased turnover. Her boss reminds her that times are tight and that, in fact, she is lucky to still have a job. He asks her not to raise salary issues at this time and says he knows that she can be counted on to do this favor.

In each of these examples, one party is seeking to control the negotiation by challenging the others' claims to legitimacy and credibility. In a defensive position, it is difficult for the challenged party to advocate for his or her own interests and concerns. Contrary to best practice assumptions, mutual gain solutions are unlikely to be achieved in these situations. These are examples of strategic moves, actions taken by a negotiator to position him or herself in an advantageous light. These moves can have the effect, even though not necessarily intentionally, of putting the other party in a defensive or down position. Turns are the ways that negotiators can challenge a move.

The notion of moves and turns began with our interest in gender (Kolb and Williams 2003). As we were doing the research for the book *Everyday Negotiation: Navigating the Hidden Agendas of Bargaining*, women told us about some rather horrific experiences in negotiation. A travel agent had to keep her cool in a negotiation with a corporate travel planner who yelled at her when she refused to give him a rebate. "Look bitch," he shouted, "either you give me a rebate or the deal is off!" A labor negotiator had her proposal rejected when her counterpart said, "You think this is all a Zen experience; you can't really speak for the management group." A consultant, in negotiation with a client, was told to "take the deal back to your boss."

These women were being diminished and demeaned in their negotiations in ways that made it almost impossible for them to use the prescriptive advice about strategies and tactics no matter what type of negotiation

it was. What these examples suggested was that positioning in the negotiation was critically related to how competent and credible the negotiator was perceived. For a host of structural and cultural reasons having to do with race, class, status, and hierarchical position, negotiators can find themselves in a down position. Indeed, even people who hold power and influence in some contexts can find themselves challenged in others. It is important to emphasize, therefore, that these incidents are not just experienced by women.

Positioning is central to the idea of moves and turns, and indeed, to the notion of the shadow negotiation. In the first section of this essay, I will discuss the idea of positioning and root it in a number of different intellectual traditions. In the next section, I will concentrate on the concept of the shadow negotiation and how moves and turns fit within that framework. I want to suggest that moves and turns constitute critical moments in negotiation. They can be critical in a number of different respects. The next section proposes a typology of moves and turns and how each type can function as a critical moment. In putting forth these ideas, I will draw from a variety of case examples, my own and those of others.

Positioning in Negotiation

In the recent past, the negotiation field has been dominated by several perspectives: economic decision analysis (Raiffa 1982; Lax and Sebenius 1986); social psychology (Rubin, Pruitt, and Kim 1994; Thompson 2001); and cognitive psychology (Neale and Bazerman 1994). These perspectives focus on individual actors (as either principals or agents) engaged in transactional deal making. The best outcomes are achieved through the rational analysis of the game and the required strategy. In so doing, these rather technical negotiation models ignore the very social and political processes that make the kind of deal making they espouse possible. To focus, for example, on cognition and analytic prowess as major barriers to agreement minimizes the connection between how a negotiator is positioned (and continually positioning) in the process and his or her ability to engage the substantive issues in the ways the models suggest. For they presume a party has agency in the process, in the sense that she is positioned to advocate for herself, and that that agency is credited (Kolb and Putnam 1997). I suggest that agency is more problematic and is an ongoing accomplishment in the process.

The notion of social positioning is not a new one in the field, but it has not been central to either theorizing or prescriptive work in negotiation. For the most part, the perspective has been most developed in mediation and disputing scholarship (Mather and Yngvesson 1980-81; Silbey and Merry 1986; Cobb 1993) that draws on theories of social construction (Berger and Luckman 1966; Blumer 1969). This work views people as engaged in constructing their roles and identities in social interaction

subject to expectations and the constraints of the social structure they find there. This focus on the interaction as the nexus of analysis encourages us to see roles and the display of identity as quite fluid. Indeed, *role negotiation* is often a term that is used to describe these processes (Gerson and Preiss 1985).

In my work on mediation, I have argued that the roles mediators play shape how they see the process and its demands. The roles they play are very much negotiated and created in the context of the relationships they have with significant others — namely the professionals in labor relations with whom they work. Through the actions the mediators take, they seek to control and frame the process in such a way that they can effectively act within it (Kolb 1983). Managing impressions of their role is part of this process as well.

Translating these ideas to the negotiation context suggests that agency, a concept so central to the dominant paradigms in the field, is not a given, but rather is socially constructed in an interactive context. By focusing on these interactions, we must attend to the ways parties present themselves and their positions in ways that make them feel (and appear) competent and in control. This is the *face* they present in negotiations. To have these presentations challenged can, to a greater or lesser degree, undermine a negotiator's face, sense of herself (Wilson 1992), and ultimately the agency that she claims in advocating for her interests.

Discourse analysis nests these ideas in conversation. Rather than see a negotiator's strategy and tactics as a manifestation of a self-interested individual negotiator, a discourse perspective locates these ideas in an interactive conversation. The notion of position is central to this perspective (Davies and Harre 1990). Gherardi (1995) describes position as "what is created in and through a conversation as speakers and hearers construct themselves as persons: it creates a location through which social relations and actions are mediated."

Negotiators are concerned with constructing legitimate social positions for themselves (and others) in order for them to both create and claim value. From a de-legitimated or defensive position, it is difficult to do either (Cobb 1993). Therefore, one way to look at *moves* and *turns* in negotiation is to see them as the cocreation of structure or moral order in which the process can play out.¹

A discourse perspective underlies one way that feminist scholars look at gender. Although it is still pretty common to conceptualize gender in terms of binary categories, that is, to compare men and women and how they act, this essentialist and static conception is increasingly being challenged (Flax 1990; Gherardi 1995; Calas and Smircich 1996; Fletcher 1999). In the negotiation field, for example, studies of the differences between women and men have only two outcomes — women are either different from or the same as men. What this work does is generally highlight

women's deficiencies. It fails to take into account how social structures and the very knowledge base of negotiation may create these deficiencies. More recent work seeks to understand the conditions under which gender differences would occur, but they still take a rather static view of differences between men and women (Riley 2001; Gelfand et al. 2002; Babcock and Laschever 2003).

Feminists, who work from a postmodern perspective, highlight the fluid and contextual character of gender relations. By embracing discourse, these scholars shift from a focus on the rational, self-interested subject to looking at how subjective and objective positions are produced in language and conversations (Weedon 1987). Part of that project focuses on disciplinary knowledge and how it shapes power relations (Weedon 1987; Calas and Smircich 1996). Others, however, focus more on interactive settings where meanings about gender are produced. So when feminist scholars talk about positioning, they are interested in how women define themselves and are defined within a particular context.

Lorber (1994) describes the various ways that women in workplace interactions can have their positions undercut through, among other means, condescending chivalry, supportive discouragement, radiant devaluation, considerate domination, and collegial exclusion. While it is expected in such interactions that women will passively accept these positions, that men will do dominance and women deference, these choices are not inevitable. When Alcoff (1988) defines the concept of "positionality," she highlights how women can actively utilize their location to construct new meanings about gender roles and relations rather than simply take up ones that are assigned. This perspective highlights two things: that women have choices in the positions they take up in discourse and that predetermined positions can be resisted. While expectations might suggest that women take up a one-down position, a position that is consistent with gender identity, these expectations can be disrupted and destabilized (Gherardi 1995). And from such destabilization, new meanings about role and position can be constructed.

Another perspective that helps inform this work concerns different ways of looking at power. In negotiation, the dominant model of power has been Emerson's: the power of A to get B to do something that B would rather not do. Determinants of power in negotiation typically focus on degrees of dependence and independence (Bacharach and Lawler 1981). Thus, negotiators with good BATNAs are presumably in more powerful positions in negotiation. Obviously, other dimensions of power are also relevant — access to resources, hierarchical position, and access to influential others. However, as Lax and Sebenius (1986) note, positional power achieved in any of these manners is not determining — witness weaker parties who come out ahead. Scott (1987) calls these successful — and often low profile actions — the *weapons of the weak*.

Power is exerted in more nuanced ways in social interactions. Following the work of Michel Foucault, scholars observe how knowledge and accepted truths, which appear natural and neutral, serve to discipline action. Certain discourses become dominant and hold sway in ways actors do not necessarily recognize as exercises of power. Elsewhere we have argued that in the negotiation field, the discourse of individual psychology and economic decision-making privileges certain ways of being and marginalizes others and how this contributes to gender inequities (Kolb and Putnam 1997; Putnam and Kolb 2000; Kolb 2003). Feminist scholars have embraced this perspective with some important caveats.

The focus on the dispersion of power and its multiple modes of functioning has helped scholars focus on the microprocesses that construct gender in the workplace (Martin and Meyerson 1998; Fletcher 1999). It also serves to empower people in workplace interactions to resist these exercises of power (Meyerson 2001). By recognizing the ways social structures operate through microprocesses of power in commonplace interactions, individuals can act individually and collectively to change narratives that position them to disadvantage (Ewick and Silbey 1995).

In sum, this work on positioning suggests an alternative, yet complementary, perspective on how to describe what is occurring in a negotiated interaction. Although parties are focused on the issues, they are engaged in an interactive process. Elements of that process have been theorized and studied — the use of threats and bluffs for example or the challenges of dealing with difficult situations (Schelling 1960; Ury 1990; Stone, Patton, and Heen 1999; McGinn and Keros 2002). The concept of positioning in the negotiation gives coherence to these disparate approaches. It is that concept that the notion of the *shadow negotiation* attempts to capture.

Moves and Turns in the Shadow Negotiation

The *shadow negotiation* refers to the complementary and parallel dynamic that occurs as parties work on the issues that separate them. Our identities as negotiators, the legitimacy of our positions, the power and authority we claim, the import of gender and race, are always part of what is being negotiated while we are negotiating over the substantive issues. Of course, they are intimately connected. Establishing and maintaining visible presence and credibility are intended to influence how the other responds to our demands. The distinctions are not neat: At the same time as parties are focused on their issues — learning about them, putting out proposals and arguments, and making concessions — they are engaged in a shadow negotiation that is about relative positioning.

It is not that these two processes are separable, but rather that we can look at what is occurring from these two perspectives. We can focus on how parties are dealing with their issues and working (or not) toward agreement and at the same time, pay attention to how what they say and do also

represents a process of positioning (or challenges/acceptance of it). To look at negotiations from the perspective of the shadow negotiation is to attend to how parties manage impressions of themselves, how they claim and maintain legitimacy and credibility, how they assert what power and influence they have, and how they shape perceptions of what is possible (Kolb and Williams 2003). Central to the shadow negotiation is the idea of moves and turns.

Moves

Goffman (1969) developed the idea of a move in his application of game theory to social interaction, "A move, analytically speaking, is not a thought or decision or expression, or anything else that goes on in the mind of a player; it is a course of action which involves real consequences."

Goffman specifically does not define a move too precisely (1981). Rather, he uses it as a vehicle to capture streams of interaction and how they play out in various expression games. As Pentland (1992) observes, "Moves have the desirable properties of being meaningful to the interactants, related to structural properties of the situation, and yet under the willful control of the interactants." In other words, moves need to be looked at in terms of the action itself, how others respond ("ratifying" is how Goffman puts it) and their role in the overall game.

How do we look at moves in the negotiation game? Strategic moves are actions negotiators take to position themselves (and others) in the negotiation process. In making these moves, negotiators want to position themselves as competent and legitimate, in order to be credible advocates for themselves and their interests. In making their moves, negotiators try to project an image of themselves and what they want in the best possible light.

As part of the normal by-play of negotiations, negotiators use *strategic moves* to enhance their position.² These moves can have the effect of undermining or de-legitimizing the other party (Kolb and Williams 2003). Negotiators are most credible when they are positioned to advocate for their interests. When a party is challenged in ways that put them in a one-down (sometimes a gendered) position, they have a more difficult time pressing for what they need.

Moves that challenge a party's positioning potentially cover a wide spectrum of action. One type discussed widely in the literature are the so-called "dirty tricks" where negotiators employ some familiar tactics, such as good cop-bad cop, in order to throw the other negotiator off (Fisher, Ury, and Patton 1991). There are other forms of action that are so demeaning of a person that they verge on harassment (Kolb and Williams 2003). Undoubtedly these moves do occur, however, we are more interested in more routine, normal moves that stem from one party's efforts to advocate for him or herself.

In moving to put oneself into a good position, the effect of this type of advocacy is to challenge some aspect of the position the other negotiator is claiming. These are part of the normal interactive by-play of negotiation. The moves that are of interest are ones that challenge a negotiator's own presentation of self and/or puts him/her on the defensive so that s/he finds it hard to advocate credibly. Several of the most common moves are listed below:

Challenging Competence or Expertise. With these moves, claims of experience and expertise are called into question. In the contract negotiation mentioned earlier, the move — “your fees are way out of line with what you deliver” — calls into question the value of the product/service. The implication is that asking for higher fees is not possible.

Demeaning Ideas. With these moves, the ideas themselves are attacked in ways that give the proponent little room to respond. Saying something like, “you can't be serious about this proposal,” makes the idea and the proponent sound ridiculous. Obviously, these moves make it difficult to argue for what might otherwise be a reasonable idea.

Criticizing Style. Using phrases like “don't get so upset,” the person — who s/he is, and how s/he acts — becomes the subject of the move. To be challenged as overreacting or inconsiderate, positions a negotiator as an irrational person who cannot be reasoned with, or who is selfish or not nice. This move can call forth unfortunate stereotypes such as the hysterical female (Gherardi 1995). These moves can be unsettling as few of us think of ourselves as unreasonable or difficult.

Making Threats. Threats are used to try to force a choice on a negotiator: “Cut your rates or there is no deal.” As assertions of power, these moves can back a negotiator into a corner, making it risky to propose some other solution.

Appealing for Sympathy or Flattery. The moves described thus far have been critical of the person and his/her ideas. But in everyday negotiation in the workplace, appeals for sympathy and flattery also can be quite powerful. When people say, “I know you won't let me down” or “I really need your help on this,” they are counting on the move to silence you, to make it difficult for you to advocate and press for what you want.

Strategic moves like these five (and there are likely variants), can be seen as situated exercises of power meant to put a person in his or her place. In the interactive by-play, these moves are intended to position the negotiator in a one-down, defensive position. To have one's competence, motives, ideas, legitimacy, and style challenged as the other party presses for advantage, not only challenges the potential argument or claim a negotiator wants to make, it can also undermine the negotiator's sense of self-competence and confidence. In a one-down position, the other negotiator can have the advantage. Strategic moves present the recipient with a choice. She can make a defensive countermove or she can *turn* it.

Moves can be responded to with *reactive countermoves* which are comebacks in kind. For example, when somebody says, "Don't get so upset" a *reactive countermove* would be to respond, "I am not upset." Although such a *reactive countermove* is quite common, it is clear that it tends to reinforce the previous move. That is, the recipient of the *move* stays in the original, defensive position. One of the reasons that *reactive countermoves* are so common is because negotiators do not recognize that a *move* is being used as a tactic and so they respond emotionally and defensively.

Strategic moves can also be ignored. In a sales negotiation, for example, when the buyer of advertising from a TV station mentions the poor ratings of a show under discussion, the seller can just ignore the aspersion. Of course the move has been made and it sits there. It is not clear whether the seller agrees or not. When seriously demeaning moves are made about sex or race, to ignore them is potentially to collude in that positioning (Gherardi 1995; Kolb and Williams 2003). Remaining silent implicitly reinforces racist or sexist aspersions.

Moves can be resisted through the use of *turns*. Again we draw on Goffman who introduced the idea of a *turn* (1969). But his use of *turn* refers to the idea of turn taking; in other words, when it is your turn in the game, you can choose to make a move. We extend Goffman's idea of *turn* in a number of different ways.

First, *turns* are responses to *moves*. They are the moments of potential resistance, where the recipient of the move refuses to take up the defensive position in which she is placed (Gherardi 1995). Second, *turns* change meaning and so reposition the person. Turns shift the meaning of the move: they resist the positioning and reframe it. When meanings are unstable, as they are in an unfolding negotiation where two or more interpretations exist at any given moment, these indirect methods or *turns* can reframe how parties are viewed (Ferguson 1991; Gherardi 1995). A repertoire of *turns*, such as interrupting the action, naming a challenge, questioning the move, correcting impressions, and diverting to the problem, are means a negotiator can use to resist the positioning.³

Turns

Turns are actions negotiators take in response to strategic moves, moves that put them in a one-down or defensive position. The argument is that to accept that definition of oneself hampers the negotiator's credibility and sense of agency, giving some advantage to the *mover*. Turns are an effort to restore some parity to positioning. In my work, I have identified five turns:

- *Interruption*. Interrupting the action disrupts the move. Even the shortest break means that people are not in precisely the same position after it.

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- *Naming.* To name a move signals recognition of what is occurring. It suggests that the negotiator is not taken in. The *turner*, in other words, rejects the positioning.
 - *Questioning.* Questioning suggests something puzzling about a move. Rather than directly naming a move, to question it is to throw it back to the mover — implying one is not sure what prompted it.
 - *Correcting.* A correcting turn substitutes a different version or motivation to the one the move implied. Rather than just rejecting the positioning, a correcting turn constructs a different positioning for the *turner* that can neutralize the move.
 - *Diverting.* A diverting turn shifts the focus to the problem itself. It is a way of ignoring the implication of the move but also has the negotiator take control of the process.

There are some important points to make about turns before we analyze them in terms of critical moments. With the exception of interruption, I have emphasized the verbal. However, nonverbal actions, such as laughing off a comment or turning away, can also have the effect of turning a situation.

In a turn, tone of voice is as important as what is said. The use of humor, sarcasm, and irony can be most effective in naming or correcting a move. Gherardi (1995) uses a wonderful example to make this point in a kind of everyday negotiation. After returning from a conference, one of her senior male colleagues went to open the door for her, “Do you want me to open the door for you or will you react as if I’d grabbed your arse?”

Gherardi observes that she was put in a position of either a hysterical feminist or a sweet and docile lady who knew her place in academia as well as society. “I decided on sarcasm and told him emphatically that I formally authorized him to open that door and all the other doors and obstacles that might stand in my way.”

Gherardi’s turn points up another dimension of moves and turns, the degree to which they are accomplished in the moment or occur over time. The challenge of thinking on one’s feet to be prepared for a move can be daunting. We have argued that it is often possible to anticipate moves as one plays out several scenarios in preparing for a negotiation (Kolb and Williams 2003). However, such preparation can never be complete and one can always be caught unawares. It is here that interruption can be useful.

But moves can also be turned over time. Meyerson (2001) describes how people in everyday negotiation in the workplace pick their time to turn moves that previously happened. When a move is made in a public space, like a meeting, the target may judge that it is risky to raise the issue in the moment. Under those circumstances, it is more likely that the other will hear the turn and learn from it later in a more private setting.

Finally, it is important to note, that recognizing a *move* as such and acting to *turn* it is not always clear cut. I have observed how overtures intended to uncover interests and learn more about a party's situation can often be read as a *move*. For example, in a buyer-seller negotiation, one can ask about the success of the seller's product or service or what her aspirations are for how it will do in the future. This kind of inquiry can lead to the creation of contingent agreements (Bazerman and Gillespie 1999). However, it can also be read as a *move* to discredit the seller's service. Rather than being forthcoming about aspirations (a good thing), the seller gets into a defensive mode or tries to *turn* what they misread as a *move* (a bad thing).

How Turns Can Work: Implications for Critical Shifts

The concept of *moves* and *turns* gives us a lens into the political dimensions of the negotiation process. As such, *moves* and *turns* are critical moments in negotiation. But they can function differently. In this section, I want to take a preliminary look at how moves and turns might function as restorative and participative moments in negotiation.

Restorative Turns

Up to this point, I have used *moves* and *turns* in one particular way, as a means to create or restore some kind of equity in the process. For some time, I have been concerned with how negotiators (particularly women) who find themselves in a one-down or defensive position can turn moves to get themselves into a more proactive, agentic position. From that proactive position, they can more credibly advocate for themselves. All the examples I have used so far exemplify this restorative dimension of turns. Thus, when competence, ideas, or style are challenged, the negotiator turns the move in order to try to level the playing field.

*Restorative*⁴ *turns* are important from two perspectives. Restoring one's position to be in a more credible role is important to the progress of the negotiation. Without a negotiator who is equally able to advocate for her own self, there is little incentive for the other party to engage in the work of mutual gains negotiation or to claim value in distributive bargaining (Rubin et al. 1994). That is, the other party needs a credible advocate, not a defensive wimp, in order to engage.

Restorative turns are a means to promote mutual interdependence in negotiation. Moves that serve to disempower or put a party on the defensive can be seen as an action by the mover to assert power and control in the process. These moves signal that the mover sees herself in a one-up position and hence less dependent on the outcome of the negotiation. What follows is that the target of the move is seen in a one-down position and more dependent. By turning such moves, the target resists this definition. By turning the move, the turner encourages the mover to reconsider; they are more interdependent than the mover might want to acknowledge. In

this way, restorative turns are about how parties negotiate their relative power in the process. Returning to our earlier scenarios:

The self-employed consultant *turned* the move that challenged his competence. The client claimed that his rates were out of line with what was delivered. The consultant *corrected* the move by bringing in the fee schedules of other like firms. In response to the threat of using another provider, the consultant *named* the move, "You and I both know that will mean more work for you," implying that the threat was not taken seriously.

The VP of Global Ventures likewise *corrected* the move that positioned her as overreacting by saying, "This is serious. You know Jim (CEO) is looking very carefully at this. We are both under the gun." In turning this move, the VP of Global Operations, reframed the position she was put in — not out of control, but responding to legitimate pressure from the CEO.

Restorative turns are important because negotiators cannot effectively advocate if their legitimacy or credibility is being challenged. *Restorative turns* also disrupt the assertion of control by one party over the range of possible agreements. If the consultant stays anchored by the statement "your fees are out of line," it will be difficult for him to advocate for a fee schedule more to his liking. *Restorative turns* are most likely to occur in the early phases of a negotiation when parties are posturing for each other and testing the range of what is possible. As such they tend to restore the balance of power that existed; naming and correcting turns are most likely to accomplish this.

Participative Turns

Participative turns are intended to engage the other party. Whereas restorative turns can put the other party on the defensive, *participative turns* position the other party more as a partner. Turns are participative when they are phrased in such a way that they leave space for the other person to talk from her own legitimate, not defensive, position. Looking back at an earlier scenario, for example:

In her negotiation over salary, the director can turn the *appeal for sympathy* move, a move that could silence her, with a *correcting* turn, "I know you are in a difficult position and I'd like to do what I can;" or with a *questioning* turn, "I wonder how you could respond in my situation?" Or she could *divert* the move, "I know things are tight, but I want to explore some other ideas with you."

These turns acknowledge the problem but open up the possibility that both can talk about the situation. They can shift the negotiation from blaming and defending to an exploration of what may be possible in the circumstances. Notice that the turns in this example work differently from

the restorative examples above. In the fee negotiation, the *correcting turn* shows that the other person is mistaken. Although it restores the credibility of the consultant, it could result in a defensive response from the client. Likewise in the subsidiary example, the VP Global Ventures invokes the CEO to correct the move, which could invite backlash. In the salary example, the director talks about intentions and invites the boss to work with her. *Participative turns* not only resist the move, but do so in a way that has the potential to open up the dialogue in ways that *restorative turns* are not likely to do.

In an interesting example from the world stage, in trade negotiations between U.S. Trade Representative Charlene Barshefsky and her Chinese counterpart over intellectual property, Barshefsky used interruption and diverting turns *participatively* in response to a threat.

Menacingly, he (Chinese negotiator) leaned forward across the table toward Barshefsky and said flatly, "It's take it or leave it." Barshefsky, taken aback by the harsh tone, surprised her counterpart by sitting quietly. She waited 30-40 seconds — an eternity given the intensity of the negotiation — and came back with a measured reply: "If the choice is take or leave it, of course I'll leave it. But I can't imagine that's what you meant. I think what you mean is that you'd like me to think over your last offer and that we can continue tomorrow."⁵

Barshefsky's *participative turns* of the threat disrupted it and resulted in a major compromise the next morning. The *interruption* (her silence) was important; it enabled her to reassert control. Further, her *diverting turn* signaled her intention to revise the Chinese negotiator's offer, but did it in a way that gave him space to back down. In this case, her turning a threat, signaled that this tactic would not work and pushed the *mover* to reconsider.

Both restorative and participative turns have the potential to be critical in shifting a negotiation. *Restorative turns* can involve each party testing the other's mettle. Such posturing can move the negotiations along. Of course, it is also possible that this kind of posturing can result in backlash and impasse. *Participative turns* seem to be more likely to lead to positive transitions and even the possibility that some forms of transformation might occur.

Meyerson (2001) has used the concept of *moves* and *turns* in her work on tempered radicals. These are people who are successful in existing systems, but negotiate change, especially around identity group issues. Meyerson argues that *turns* can be moments of learning and transformation. Responding to a *move*, a negotiator can make a *turn* that does more than restore a balance or shift the discussion, it actually causes the mover to reflect on his or her action. And in so doing, the turn has potential as

a moment of learning for the individual mover and to advance the relationship between the mover and turner and may lead the negotiation in directions that could not be predicted (Putnam 2004).

Conclusion

This essay attempts to lay out some new ways of thinking about the negotiation process. Based on a number of different literatures in the social sciences — especially feminist postmodern work — I have suggested that negotiators are negotiating about their positions in the process while they are engaging their issues. *Moves* and *turns* is a framework I propose that can begin to unpack what is occurring in the positional by-play of the process. Finally, I suggest that *moves* and *turns* can function as different types of critical moments.

This essay raises more questions than it answers. First, the repertoire of *moves* and *turns* comes from our research on women (primarily) in the workplace and generally from their descriptions of what occurred. This limitation suggests several directions for future work including looking at *moves* and *turns* in other domains and having access to actual scripts of the process. Second, *moves* and *turns* as separable actions, is a fairly rudimentary approach to the process. Indeed, Goffman (1981) proposes that *moves* describe a course of action. Thus, a promising approach would be to try to identify various streams of *moves* and *turns*. Looking at restorative and participative turns might be an interesting beginning.

Finally, there is the issue of prescription. If *moves* and *turns* happen in the moment, how can we help negotiators become more adept at the “mindfulness” (Wheeler 2002) it takes to manage this complexity? I know from my students and from executive workshops I have given, that having confidence in one’s ability to both make moves and to turn them is a skill many want to enhance.

NOTES

1. Kathleen McGinn’s work focuses, in part, on how a conjoint or shared moral order is constructed in negotiations.

2. There are also situations where negotiators use appreciative moves that position the other party as legitimate and credible. From such mutual positioning, collaboration is more likely.

3. These are examples of what Sylvia Gherardi calls the postmodern tools of resistance. “This is a paradoxical form of communication, but it is quite normal in handling interaction situations comprising a double-bind and requiring, simultaneously a ritualistic form of communication which is ‘supportive’ of the symbolic order of gender, one that is ‘restitutive’ of the violation of that order and one that is ‘resistant’ to the domination it expresses.” (Gherardi 1995: 139).

4. I recognize that restorative may be a problematic term because it implies that there was some pre-existing situation. I use the term just to indicate that negotiators want to restore a face in the interaction that might be challenged.

5. *Charlene Barshefsky (B)*, Harvard Business School Case, 9-801-422 (Sebenius and Hulse 2001).

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