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Deception in negotiations Creating the vision of desired states

Diverse negotiation topics

Negotiations are a type of communication aimed at establishing positions in situations of disagreement, conflict, exacerbation, or contrary positions. Their point is to find a contract acceptable for the parties to the negotiations.¹ Each of those situations refers to the theory of exchange: I give you something and I receive something in return. However, is that exchange symmetrically satisfactory? Do both or all parties benefit proportionally to their input and expectations? Is it possible to apply the criterion of a fair contract? The course of communication and negotiating a contract can be diverse. To some extent, the negotiating parties reveal their true intentions, yet a major portion of those remain hidden. Mind you, both the motivation and the goals of negotiations are not simply divided into explicit and implicit; they spread over a long continuum from complete openness, through various degrees of implicitness, to completely surprising goals discovered almost after talks cease.² The subject of talks is not always simple or specific, as in the case

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1 Vide: *Negotiation, Decision Making and Conflict Management*, ed. M.H. Bazerman, An Elgar Reference Collection, Cheltenham UK, Northampton, MA 2005.

2 M. Skala, *Manipulacja odczarowana – 777 skutecznych technik wpływu*, Wydawnictwo Helion, Gliwice 2015.

of negotiating product prices or the locations of development projects. Sometimes, it is necessary to negotiate much less obvious topics, even some as cryptic as social status, educational service package or international natural protection rules and regulations. Uriel Foa and Edna Foa³ proposed a classification of notions subject to exchange into six values differing in terms of their quality:

1. **Money** – quite simple negotiations because their object is easily quantifiable and has an extremely finite nature, and negotiators often use precise tables of financial exchange;
2. **Goods** – barter is a bit more difficult because there is no identical value assigned to the products being exchanged. The legend of the Wild West still provides the example of success: white people offering a mirror in exchange for a bundle of fox skins caught and prepared by American natives. Today, barter is used in various communities where exchange needs are considerable, while financial resources less so, i.e. in poverty zones;
3. **Services** – an even more difficult object of negotiations as it is even less quantifiable. Consider this example: how can you compare the value of an hour of care for children with the service of cleaning a room, or help in farm work and help in doing homework? Just as in the case of “goods-for-goods” exchange, in many communities of the less affluent zones (slums, etc.) an exchange of services is the basis of social cooperation. Also, exchange of services for money or goods is much more difficult;
4. **Information, knowledge** – this kind of exchange applies to acquiring knowledge which can be used in activities undertaken, acquiring practical information (e.g. instructions), as well as to information – understood as constructing the image of the world, getting to know people, and describing physical, social, and ideological processes. Official channels of information exchange are mostly associated with education and the mass media, and in interpersonal channels – with personal confrontations between various communities, and sometimes with gossiping;
5. **Social status, prestige** – in this case, negotiations rather apply to the socially sensitive problem of respect, which is controversial when it comes to evaluation; to significance, and the position that people, but also organisations, states, and works of culture occupy within a community. The direct question to which negotiators respond may sound quite controversial: Who is more important? Who has a higher social position? What does employee equality consist of? Should the representatives of various races, nations, regions, cities and professions be treated equally? That issue also appears in intra-corporate

3 E.B. Foa, U.G. Foa, “Resources Theory. Interpersonal behaviour as Exchange”, [in:] *Social Exchange. Advances in Theory and Research*, eds. J. Gergen, M. Greenberg, R. Willis, New York 1980.

negotiations in the form of questions about which divisions are more important and have contribute most to the fulfilment of corporate goals. Even the most diverse aspects of social life become the subject of talks surrounding the issue: “who participates in major events: competitions, parades, events...” In short, a more or less hidden layer of negotiations consists of comparing the prestige of various political, social, cultural, sporting and community initiatives;⁴

6. **Feelings, emotional references** – being the vaguest object of negotiations, they are the most difficult topic. In whom, by what and when are positive emotions evoked, and what evokes negative emotions? Is the sympathy felt towards a partner reciprocated by that person? Is the sensation of happiness felt in contact with new works of art or with difficult professional tasks a personal experience or a socially-agreed experience shared by other participants of an event? How can one convince others to feel the same that one does (e.g. in terms of modern art)? Is it possible to negotiate the degree of mutual attachment or bond with children? Is it possible to replace time spent on playing with children with financial gifts? Sadly, that exchange is usually unsuccessful. Matrimonial, romantic and erotic negotiations, and negotiations on the degree of affection, are just as engaging. Within the professional context, the development of emotional bonds is supported by team building trips, for example. Their goal is to support formal relations with a system of mutual emotional bonds;
7. **Complications** – one should add complications when an exchange applies to negotiating different objects, not only in terms of individual values, but also between them. The greater the difference between the values is, the harder negotiations become. Thus, an exchange of money for goods is common in our everyday lives, but an exchange of money for feelings or prestige is quite controversial. By the same token, the fact of surrounding oneself with objects which suggest a high status may have many emotional associations, not only social, i.e. prestige-based ones. Every situation of this kind requires different tactics, yet the basis remains in compliance with the whole procedure of negotiations – the parties seek a solution which will be satisfactory or at least acceptable for them.

Negotiations that are thematically related to an exchange of goods may have one of three possible outcomes. Generally speaking, these are conclusion of contract, partial contract, or no contract. The disparity of positions is sometimes so great that parties suspend or terminate the talks. Normally, they should arrive at an agreement which is beneficial for both parties (a *win-win* situation), or which entails a gain for one party and a loss for the other (*win/lose*), or, in the worst

⁴ A. Szmajke, *Autoprezentacja. Maski, pozy, miny*, Wydawnictwo Urza Consulting, Olsztyn 1999.

variant, both parties lose. But even in the latter case, one can indicate that one party loses less than the other. In the extreme version, that is, during armed conflict, the winner is the one who destroys the resources of their opponent, their military potential, while retaining some portion of their own resources. There are also less drastic situations, such as when a quarrel, considered as an extreme variant of negotiations, causes discomfort for both parties, yet in emotional terms a bigger discomfort is triggered in the other party. This can be a reason for the relatively “victorious” party to feel a sense of triumph.⁵

The ambiguity of the meaning of *benefit* [benefit, advantage]

The most obvious conclusion about the mystery of meaning is that people can understand a single situation in various ways. What pleases some, bothers others; what is important for some, is meaningless for others; what amazes some, irritates others. The same applies to negotiations when one attempts to define what successful talks are. A single situation, but with three different meanings: successful because I won; successful because we both won; or successful because mine is bigger than yours.

That is exactly what studies associated with the concept of formal interpersonal games of the “Prisoner’s dilemma” type are focused on. The point of such games is to make decisions in situations where cooperative, competitive and individualistic motives are confronted. In life situations somewhat inferior to actual situations, study subjects are asked to choose one of two or three courses of actions acceptable in a game. The consequences of the choices made are strictly defined and indicated in numerical form in a table, so that both players know how much they will gain or lose, depending on the combination of both decisions – theirs and their partner’s. That combination of selected variants defines the meaning of an event, i.e. the consequences for both players. Even though this is a very simple situation (choose cooperation or one’s own advantage, measured in points), it perfectly reveals the differences in people’s social values, and their inclination to consider community meaning or just their own. Those are the two major social motivations. Consider one situation in which profits are conventionally expressed in numbers – profits are positive, losses are negative. In the game situation, numbers can be replaced by money, holidays, cinema tickets, etc. However, in the classical dilemma losses are measured in the number of days, months or years of imprisonment for presumed (suggested, alleged) felonies.

⁵ Z. Nęcki, “Zjawisko mobbingu w perspektywie psychologii komunikowania społecznego”, [in:] *Mobbing w białych rękawiczkach*, ed. R. Nęcek, Wydawnictwo Salwator, Krakow 2012, pp. 107–129.

The prisoner dilemma

Two people were arrested and placed in separate cells. They are suspected of having committed a serious crime. However, there is no irrefutable evidence of their guilt. They were both interviewed and presented with two options: admit their guilt and “snitch” on the other one (the police claim that they will soon get the evidence either way) or not admit their guilt, which is more beneficial in the short term, yet the eventual penalty will be higher. The sanctions are as follows:

1. Neither person admits their guilt: minor punishments for both (for example, 8 months each).
2. One of them confesses, the other does not: release for confessing, a severe punishment for the other one who did not confess (24 months).
3. They both admit their guilt: medium punishments for both (e.g. 14 months).

Therefore, if they both remain quiet, they both benefit to some extent, yet the temptation to “snitch” is considerable, as *my* punishment will vanish altogether (immediate release), although it increases for the other player. What should we do? It turns out that if the players are prevented from communicating, the non-cooperative strategy prevails (70%), i.e. “snitching” and hoping that the other will remain silent – so the individual benefit dominates. When the relationship is strengthened by allowing the “prisoners” to maintain eye contact, the level of cooperation (we both remain silent) increases to approx. 45%. After we introduce the players’ ability to hear (but not see) one another, cooperation increases to 60%, and in the case of full contact (eye contact and hearing, i.e. a conversation in normal conditions), the level of cooperation reaches 90%. Therefore, full contact changes how the situation is interpreted. If a person plays with a stranger, they mainly care about themselves (cooperation at 30%). When they get to know each other, the egoistic strategy becomes unattractive for 80–90% of players. That means that the intensity of contact impacts how the meaning of behavioural decisions is conceived, as does the temptation to gain an advantage and the looming risk of losses.

Relativity between meaning and comparison

It would be hard to overstate the importance of the function of comparison in defining the meaning of actions and the significance of a statement. Comparisons fulfil the role of the basic process when evaluating almost everything.⁶ A trivial

⁶ Vide: L. Festinger, “Theory of Social Comparison”, *Human Relations* 1954, issue 7, pp. 114–140; J.M. Suls, “Social Comparison Theory and research: an overview from 1954”, [in:] *Social Comparison Processes. Theoretical and Empirical Perspectives*, eds. J.M. Suls, R.L. Miller, J. Wiley&Sons, New York 1977, pp. 1–21.

yet convincing example is how the word “tanio” [cheaply] can be understood. It refers to all other terms which contain a strong evaluative component: expensively, efficiently, quickly, well, beautifully, far, wisely, loudly, etc. The meanings of those terms, which indicate attitudes, depends to a considerable extent on many extra-verbal contextual factors.⁷ The everyday practice of sales representatives whose objective is to make sales (i.e. their own profit by meeting targets) consists of presenting a product in such a way that, when compared to a similar one, it seems to be much cheaper and, of course, better. For that end they gather image and word-based dossiers of the documents being compared and their sales proposals. For example, the deception created by the spatial arrangement of a sales stand is effective: when a men’s suit priced at, e.g. 3,000 PLN, is compared to a men’s suit which costs 9,000 PLN, hung on a rack right next to the former, the cheapness of the former is clearly suggested. Yet, if another suit were added, costing 1,200 PLN, it would suggest quite the opposite: our 3,000 PLN garment becomes rather expensive. Similar processes occur when evaluating income, the quality of a car, a person’s beauty, the loudness of a radio, a text’s level of difficulty, student performance in exams, the quality of a hotel, the speed of a train, or even the distance from one’s home (“close” means something quite different when a person is on a plane, when they are walking or cycling). The theory of social comparisons suggests that even the physiological evaluation of pain is also subject to the laws of comparison – sensitivity to the same pain stimuli differs greatly from person to person.⁸

The two commonly applied approaches to comparison are, firstly, somewhat abstractly conceived ideal conditions, i.e. visions of the perfect nature of processes or final values of some objects (e.g. the vision of the extreme states of poverty or wealth). The second approach is empirical comparison with the actual conditions available for practical experience, i.e. with experiences, observations, and sensations. An example of this may be the ideal vision of a great salary vs. a comparison with the actual wages achieved in the environment of the person evaluating the working conditions. Also, the national average may be a point of comparison which generates the evaluation of a salary as high or low. The well-known bowl of rice in a situation when everyone else gets half a bowl constitutes relative wealth, yet in a place where people have two bowls of rice it becomes a symbol of poverty. Therefore, in this approach meaning and its mystery lie in comparison processes. Using forged data for comparisons is a tactical choice in negotiations which often introduces

7 C.H. Castore, J.A. DeNinno, “Investigations in the Social Comparison of Attitudes”, [in:] *Social Comparison Processes...*, pp. 125–149.

8 Vide: Ph. Brickman, R.J. Bulman, “Pleasure and Pain in Social Comparison”, [in:] J. Suls, R. Miller, *op. cit.*, pp. 149–186; W. Austin, “Equity theory and social comparison theory”, [in:] *Social Comparison Processes...*, pp. 279–307.

an unfavourable contrast or creates vagueness as to the actual value of the topic being negotiated. For example, with holiday hotels and additional attractions, one can provide competing prices in much lower offers. A deception is then formed often surrounded by elaborate images of palm trees, sun, and old wine barrels. Are those favourable offers real or feigned? Fantasy and imagination suggest many wonderful options, but at the same time fantasy and imagination also offer visions of a major failure. When negotiating major issues and complex enterprises, the area of vagueness increases considerably. For example, in the negotiation process regarding the construction of a crematory in Krakow (from 2002 to 2016, i.e. 14 years of negotiating the location for the facility), people in the citizen committees opposing the locations saw the crematory as constituting a source of soil, water and air pollution within a few kilometres around the facility. All the reports by experts and institutes which studied air pollution and indicated there were no harmful effects were rejected as being the products of *corrupt* authors/scientists. The experts were accused of conducting studies and writing their reports on pollution along the lines specified by their principals... So their expert statements were not trustworthy, were rigged, or were scientific cover-ups of actual detrimental effects.

One of the common ways of modifying meaning is semantic reframing, i.e. changing the “name of an issue” for a contextual shift or modification of the interpretative frame.⁹ Small discussions over a minor case are, for some, an insignificant dialogue, while for others they may constitute a severe quarrel over fundamental issues. The line between being miserly and thrifty is also conventional – no objective criteria are helpful and everyone knows that thriftiness is commendable while being miserly is evaluated negatively. Fluent transitions between diversely emotionally tinted notions applies to many areas, e.g. “courage vs. rashness”, “nosiness vs. curiosity”, “generosity vs. wastefulness”, and “originality vs. frenzy”. A perfect example is offered by the change of meaning of behaviour associated with support –if framed as “aid” it has a different meaning than if framed as “I help to gain control”. The verbal determination of everything which can be determined defines the final interpretation. Consider how drastic conflicts regarding the determinations of pride parades are in social life: lessons in tolerance or the promotion of deviation? Either framing triggers heated public negotiations.¹⁰ This notion is used in the concept of neuro-linguistic programming (NLP), which consistently develops the notion of influencing people by a careful choice of linguistic devices.

⁹ B. Gray, “Framing and Reframing on Intractable Environmental Disputes”, [in:] *Research on Negotiation in Organizations*, eds. R. Lewicki, R. Bies, B. Sheppard, Jai Press Inc., Greenwich, Connecticut, London 1977, pp. 163–188.

¹⁰ W. Kostecki, *Zaawansowane zapobieganie konfliktom*, Oficyna Wydawnicza ASPRA-Jr, Warsaw 2011.

Verbal deception. Neuro-linguistic programming

NPL is a comprehensive school of deception: the creation of temptation or warning.¹¹ The professional school of deception that NPL is may serve positive goals, e.g. psychological therapeutic support by elevating a patient's self-assessment, but also increasing sales by targeted marketing procedures based on communication "tricks".¹² The point of those would be to present a product in such a way for it to acquire compelling, tempting qualities in the eyes of a potential buyer. The approach assumes that the appropriate narration in the context of building temptation is based on words and friendly communication.¹³ Below are presented a few examples of such recommendations. They are direct suggestions of applying communications which "program" recipients' thoughts.

The best known example is the rigging of the impression evoked by a very important element of business, i.e. price. The price of 599 PLN for, say, clothes is a form of deception as the actual economic meaning is 600 PLN. Yet the initial 5 in 599 gives the impression of a much lower price. The remaining 99 disappear from a customer's perception. Not entirely, of course, but enough to mask the actual economic meaning of the purchase, and, in turn, to increase a seller's profit. Another recommendation is to develop the exceptionality of one's offer – contrary to the facts, a customer is convinced that the offer is well thought-through and meets their needs, that it is also exceptional. Such a deception also makes a good impression, and it builds a good relationship between the seller and the customer. Communication tricks also apply to the formula for increasing the sense of community, i.e. indicating a common enemy. This is no longer trade: it is politics. This truly connects various groups, increasing their coherence. Yet in real life, there are actual enemies, not some imagined or fictional opponents. That is similar to developing the sense of an exceptional moment, and an opportunity which will soon disappear. The slogan of "Sale only at the weekend" is well-known to everyone from many shops. And yet it does encourage people to buy, though what the situation really looks like is only known to those who put the products on sale (or leftover stock being sold as a huge bargain). The nature of suggestions indicating the possibility of manipulation exists in many other recommendations and, truth be told, publications of this kind are basically sales handbooks. Here are a few suggestions from those:¹⁴

¹¹ Vide: K. Hogan, J. Speakman, *Ukryta perswazja – psychologiczne taktyki*, Wydawnictwo Helion, Gliwice 2007; L. Derks, *Techniki NLP w tworzeniu dobrych związków z ludźmi*, Gdańskie Wydawnictwo Psychologiczne, Gdańsk 2003.

¹² R. Żak, *Nie myśl, że NLP zniknie*, Wydawnictwo MT Biznes, Warsaw 2016.

¹³ H. Dąbrowska, *Programowanie neurolingwistyczne – nowa technologia osiągania sukcesów*, Wydawnictwo Medium, Warsaw 1996.

¹⁴ K. Hogan, J. Speakman, *op. cit.* [unless indicated otherwise, quotations in English were translated from Polish].

- *The emotions play a huge role in shopping – evoke them. The mind gives way to them. Accentuate emotions.*
- *express admiration, recognize, praise your customer, show them a lot of respect;*
- *in narratives, introduce surprise, shock. That increases interest;*
- *to increase the recipient's attention, try to introduce hand gestures, bodily movements, change your body position while sitting.*

These examples present a methodical intellectual focus – deceptions of reality subtly conducted yet brutal in terms of meaning. Even minor actions such as a motion of the hand or a change of body position while sitting during a talk become a “trick” for increasing attention. Psychological findings support this effect. They are intended to create a sense of favourable offers and decisions compliant with the intentions of the sender, not with the benefits of the recipient. And, sure enough, they are successful. In negotiations, such an attitude can be widely applied if the main point is the economic benefit of the author of a statement, advertisement, announcement, appeal or advice, not the ethics of coexistence within a society.

Internal deception. Flexible cognitive system

Cognitive deceptions in terms of one's self image, or that of a partner, or relations, i.e. self-deception, constitute another area of deception. This time the point is how people manipulate their own points of view and their convictions to, generally speaking, elevate their own well-being and mood. It is a problem of self-deception. A person “fools” themselves for various reasons, mainly to maintain a good opinion of themselves, despite a (sometimes) questionable rationale. One of the most important terms in negotiations is a fair and just division, a contract which meets not only economical but also ethical standards. How does one define their behaviour from the point of view of the criterion of fairness or justness? What is fair and what is not?

The consideration of one's own opinion as fair is driven not only by ethical norms, but also by the presumption of one's own benefit and the related system of one's own interests.¹⁵ It is not a completely conscious manipulation. It is difficult to own up to it, as we are very convincing and fair in our own eyes. It consists of favouring those criteria which make a solution to a conflict or a contract favourable to us while our own engagement and conduct can be considered as fair. Consider the following examples of egocentric inclination:

1. Excessively high evaluation of one's own input in the achievement of the outcome of an action. For example, overstating one's own work in main-

¹⁵ R.H. Ruhleder, *10 kroków do sukcesu w sprzedaży*, Wydawnictwo Buyar Marketing, Warsaw 1991.

taining order in a flat, emphasising the effort put into work for fulfilling the official aims and projects of a company, or one's input in organising help for those in need.

2. Studies of the opinions of the participants of academic conferences have shown that they very often overestimate the importance of their own papers, somewhat depreciating the papers presented by other authors whose findings they treat as inferior. Most speakers consider their presentations as better than the presentations by others. Similarly, most drivers consider themselves as more skilled than other drivers, but it is impossible for most to be better than most.
3. The favouring of solutions beneficial to oneself when dividing profits, and only later applying related criteria of fairness ("it is just that our department received additional bonuses – we were effective"). So the situation is contrary to what it should be: first division criteria, then the division itself. Actually, sometimes a division favourable to oneself is made, and only after are the criteria selected to justify it.
4. So-called naive realism¹⁶ assumes the obvious justness of one's own rationale. If others were objective, they would have to agree with what we profess. If this is not the case and they do not want to agree, this is because of their bias and unreliability. Therefore, the system of convictions is closed by the sense of the obviousness of one's own views. An opinion different than ours is treated as the outcome of an erroneous perception and the "sick" thinking of those "others".
5. The greater the vagueness, the stronger the egocentric inclination, especially with dilemmas that pertain to the social environment. The vagueness of consequences, the multi-faceted nature of problems, and numerous controversial issues open considerable opportunities for egocentricism, e.g. the common question in the corporate context asks which issue is urgent and which can wait. As one might expect, My Issue is objectively (!) more urgent than others. This is the quite well analysed fundamental attribution error (FAE),¹⁷ which consists of blaming one's failures on the environment, but if a success occurs, one assigns it to oneself.
6. The asymmetry of positions in a conflict and the vagueness in the evaluation of who can control the distribution of goods in a situation destroy the sense of just allocation of goods and fairness, since everyone has a different

¹⁶ S.L. Robinson, M.S. Kraatz, "Constructing the reality of normative behaviours. The use of neutralization strategies by deviants in organizations", [in:] *Dysfunctional behaviour in organizations*, eds. R.W. Griffin, K.A. O'Leary, J. Collins, Jai Press Inc., Greenwich 1997.

¹⁷ Ph. Zimbardo, *Psychologia i życie*, trans. J. Radzicki, Wydawnictwo Naukowe PWN, Warsaw 1999.

estimation of their merits and economic, social, and emotional resources. It is a subconscious striving driven by the will to control conflict situations to ensure one is somehow treated fairly in them.

It is not only individuals who are subject to the mechanism. In public situations regarding community conflicts, the dark tint of “state-centricism” also emerges – or, to put it more bluntly, nationalism.¹⁸ Honesty, or the consideration of international arrangements as fair depends on the perceptions of one’s own interests. Therefore, fair criteria are those which favour our interests. For example, the build-up of carbon dioxide in the atmosphere should be limited by decreasing the pace of deforestation in Brazil – that is the American position. According to Brazil, though, that should be achieved by limiting unsustainable industrial production in the US.¹⁹ Similarly, when discussing the purity of the water in the Rhine, attempts were made to establish who is the river’s main polluter: Switzerland, France, Germany, the Netherlands, or Luxembourg? For whom did it have the most detrimental effect? Once again, each state saw the culprits in OTHERS. The Netherlands, located at the end of the chain of pollution, was the most vocal in its demands for a solution and cleaning of the waters. Countries closer to the river’s sources avoided the discussion, defining it as a minor problem. The egocentric perspective triggers self-deception: the same packages of information are interpreted selectively – not always consciously, as we quite consistently seek criteria favourable for our interests.²⁰

Dilemmas related to the surroundings sometimes have a much more tragic dimension in the event of natural or industrial disasters, and a search begins for accountable people and organisations. One drastic example of this is the case of the investments in the production of chemical substances (pesticides) by Carbon, an American company, in Bhopal (India, 1984). The company’s savings on safeguards in the production process led to a toxic leak (methyl isocyanate) which caused the deaths of over 3,000 people – the figure given in Carbon’s report. According to Greenpeace, approx. 20,000 people were directly affected, while another several hundred thousand suffered irreversible injuries. This was not just communication tricks but the crime of concealing facts and altering the actual course of events.

18 Cf. P. Balcerowicz, “Zasada sprawiedliwości w stosunkach międzynarodowych a przyczyny konfliktów etnicznych”, [in:] *Zaawansowane zapobieganie konfliktom*, ed. W. Kostecki, Oficyna Wydawnicza ASPRA-Jr, Warsaw 2011, pp. 63–97; W.F. Price, R.H. Capro, *Psychologia w badaniach międzykulturowych. Czy ludzie wszędzie są tacy sami?*, Gdańskie Wydawnictwo Psychologiczne, Gdańsk 2003.

19 Vide: Z. Pióro, *Przestrzeń i społeczeństwo. Z badań ekologii społecznej*, Książka i Wiedza, Warsaw 1982.

20 Cf. M. Watkins, *Breakthrough Business Negotiation*, Jossey-Bass, A. Wiley Company, New York 2002.

The example is clearly drastic, as it remains one of the biggest industrial disasters to date. The “culprits” are still under investigation and the company is currently compensating nearly 500,000 people in various forms. Until this day (30 years later!) many victims have yet to receive any compensation, and nobody has admitted guilt for the accident. Public justice in international relations is sometimes subject to similar mechanisms as the honesty of individuals. The mechanism of adjusting the criteria of honesty to one’s own benefit strictly follows moral judgement.

The basic type of issue to be solved is the division of various community resources: fishing quotas, distribution of water, logging, and forms of energy production. Who will manage to benefit the most? Those who are more important, and who have more power, i.e. who have more control. Many strategies are applied to mask that common issue. So what does “a just division of goods/natural resources” mean? In order to be fair, we try not to exploit our advantage. And yet an advantage leads to excessive, extraordinary profit, and the exploitation of goods.

The conclusion is quite clear: the vaguer a situation is, the higher the egocentric perspective will be, though there is much talk about community benefit, especially regarding dilemmas associated with the natural, social, professional, or national environments. The sense of guilt or embarrassment is easily offset by emphasising one’s own merits, the low harmfulness of one’s own egocentrism, and the development of common future benefits.

A similar process applies to the manipulation of own motivations in situations of extreme interpersonal aggression – not in the national context, but in very local terms – consider attacks on homeless people by housing estate hooligans [the so-called *blokersi* in Polish]. The ruthlessness of their assaults is easily justified using three mechanisms:

1. Bringing the world to order requires justice – he/they deserved it.
2. Dehumanisation of the victims, by referring to them as rats, dogs, trash, rags, etc.
3. Downplaying their own aggression by exaggerating other possibilities (“Well, we could’ve gone much harder on them...”).

So how one should search for a solution? Let us return to communication and building relations.

Communication focussed on mutual clarification of positions and discussion of the criteria of justice, open defining, specifying the premises at the level of behaviour, not some mythical norms of equality and democracy. Communication amplifies cooperation by:

1. Specifying the NORMS of mutual commitment; justified, required and expected mutual forms of cooperation;
2. Developing the sense of community and identity of a team or a community involved in the topic of conflict – a stronger WE than THEY;

3. Revealing one's own positions as proof of good intentions – this develops mutual trust;
4. Confronting views in a direct conversation illuminates the obvious fact that others have their reasons and positions, too. The multitude of reasons offers a chance of weakening the egocentric notion of the “highest reasons.”²¹

The environment of life is being destroyed together. Ecosystems and long-term programs shared by all parties offer a sensible basis for cooperative strategies devoid of deception, manipulation and unrealised or partly realised motivations driven by egocentrism.

Set of manipulation techniques in business practices

The above general considerations apply quite well to the everyday practices of negotiating in our Polish corporate reality. The following is a discussion of the results of interviews regarding the manipulations applied by medium and high-level management businesspeople. These were 50 people from two post-graduate MBA schools.

In general, the aim of negotiations was to increase the utility of contracts for oneself, i.e. to achieve the highest possible profit. Of course, sometimes manipulations are performed for the benefit of both parties, when the other party might not notice them due to their lack of knowledge or experience. An example of this is the introduction of obligatory lung X-ray check-ups at the university – it takes the penalty of revoking student IDs to motivate students to participate in the program, the aim of which is to promote the need to keep in good health. The benefit for students is clear, and there is the added social benefit of lowering the risk of an epidemic. When hiring a new employee, every modern company requires a health certificate, which is good for both parties, i.e. the employees and the employer.

Most of the study subjects admitted to using more or less sophisticated manipulation, feeling that it was necessary in their striving to achieve their goals. One of the major motivations justifying those “games” is simply profit, and this is the basic criterion for many companies. The following is a compressed summary of those techniques. They more or less correspond to the typology of the strategies presented in the study of negotiation tricks.²²

²¹ Cf. M. Watkins, *op. cit.*; S. Chełpa, T. Witkowski, *Psychologia konfliktów*, Wydawnictwa Szkolne i Pedagogiczne, Warsaw 1995.

²² Z. Nęcki, “Chwyty negocjacyjne – przegląd zagadnień”, *Acta Universitatis Lodzianensis. Folia Litteraria Polonica* 2018, no. 2(48), pp. 129–146.

Using time, obligations and trust

Postponing a corporate decision about taking a loan – the other party, i.e. a bank, is put in an inferior position as it has higher motivation to offer the loan – with the right balance of interests.

5. A non-standard supply of a valuable drug normally distributed as per a pre-established rule, i.e. “skipping the line”, i.e. doing someone a favour which obliges that person to reciprocate.
6. The whole concept of NLP fundamentally built on the erroneous assumption of trust of the other party, with the hidden intentions of success in fulfilling one’s own sales goals.

Activities within the framework of BATNA and the context

Mentioning in passing of the option to purchase a fleet of cars at more favourable terms from another company on the market. That is a direct indication of a competitor, which is supposed to weaken the position of the offering party.

7. The laying down “by mistake” of the offers (documents) of other suppliers of the same goods, i.e. the indication of having a good and real alternative. The documents are sometimes fabricated to evoke the desired effect.
8. Market survey and intentional development of an alternative through the knowledge of the current situation in the market of specific goods. Presentation of the competition and knowledge of the situation in the industry in its entirety.
9. Revealing a part of the ‘plan B’, i.e. readiness to make other moves if the talks fail. So, once again, indicating other possibilities (as, e.g. in 2019 in Poland there was the idea to use commune heads instead of teachers for holding the high school graduation *matura* examinations).
10. Selfies and other indications of contact with the representatives of the competition, their documents on the desk, seemingly not visible yet laid out in such a way that the interested party could notice them. The trick consists of emphasising other options in the negotiations.

Tinkering with the point of reference/comparison

Referring to the mean market price in the event of excessive demands. It appears as a normal fact, yet the choice of the right moment for such a reference reveals the underlying motivation – putting pressure on the other party.

11. An estimation of the size of the expected margin or discount within the notion of “our justified profit.” Expectations regarding profit are stated almost

immediately at the beginning of negotiations, when in fact it should be a separate subject of the negotiations.

12. Demanding additional car options while accepting the price of the basic model. These tactics, known as the “final bite” or “salami-slice” strategy, consists of landing minor advantages right before the conclusion and signing of a contract.
13. Negative point of reference – “threatening” with the consequences of a lack of contract, i.e. explicitly stressing future losses if a contract is not signed. Realistically, this is always doubtful and vague. Higher or lower losses and their doubtful or doubtless nature always carry significant risk. Estimations are only accurate in very few cases.
14. Displaying an extremely expensive product to evoke a high contrast comparison. Then even a relatively high price is viewed as considerably lower. Placing a bookshelf with a staggeringly high price in a furniture shop display helps the prices of other pieces of furniture (at much lower prices) create the sense of cheapness.

The opinions of decision-makers, people not present, “the padlock”

1. The opinion of the chairman, the actual decision-maker. That is an almost natural form of padlock as it sounds very reliable. Superiors have a deciding voice regarding the choice of acceptable options – but have they really formulated such limitations? To what amount? For how long a period? Can they be negotiated?
2. Past events, “we’ve gone through this before...”, i.e. the precedent tactics. References to past experiences, events, or instances are powerful tactics. It is difficult to argue with facts which remain in the memory of a company or an individual. However, one can doubt whether this is what really happened, or maybe those are just scenes concocted for the benefit of the current negotiations.
3. Everyone does that – the social standard procedure. In this case, the point of reference is the procedure accepted in a community or company. “The manager makes such decisions here,” says a sales rep seeking to maintain their offer without any option to change it, as that would require the application of the procedure defined in standard 178/17. Clearly, there is no place for negotiations.
4. Bringing a VIP (chairman, boss) to talks in the event of a deadlock. Despite agreeing upon the negotiators earlier on, the introduction of strong authority figures shifts the negotiating balance and enables a decisive defining of requirements.

5. Summoning an expert, a specialist in the topic, e.g. another mechanic: a car specialist estimated the repairs much higher, so my estimate is a truly favourable offer... This applies not only to prices – an expert may propose another location for a troublesome investment project or a different course of investing. An expert has the power of knowledge. This is a major advantage in our complex world full of complicated devices.

Techniques for building the company image and the image of the negotiator

In this type of deception, the role is played by both the actual negotiators and a much broader array of marketing activities, both direct and indirect. The point is to present a negotiation position and business stance which help reach a specific additional set of advantages. This may indicate the company's excellent, stable and favourable situation (audit report, press releases, recommendations, etc.) One can also gain more "points" by highlighting the position of the company within the specific industry, by indicating its leading role, and its advantage over other industry organisations. That builds trust and has a convincing effect.

A common trick is to "promote" the company's own sales reps in such a way as to make sure their positions seem prestigious. For example, a specialist's assistant gets the business card with the title "Director of Operations", a sales rep can be promoted to the position of "Marketing Manager", and a technical assistant to "Specialist Expert". The fact of using professional or academic titles, as well as industry-specific titles, is a useful social custom which enables people to structure relations. Yet in the case of a less ethical attitude, one can use titles to make up for one's lack of professional or expert stature. New Ph.D.s, chairpersons and deputy chairpersons are cropping up all the time.

Another mode of shaping the desired impression consists of showing former successes through the display of medals, cups and diplomas received in various disciplines, starting with state awards, all the way to the sports commendations achieved by employees. This also creates a positive impression, though its reliability is somewhat unclear. In this category, one should also include activities in the virtual space – websites full of beautiful images, clips, scenes and documentation of an emphatically triumphant nature. Many of those are actual documents so they cannot be discredited. Only the moment in which one's attention is directed to those elements is a factor which might be considered as tinkering.

In a compressed form, the eight tactics are as follows:

1. Elements of physical appearance: kind of watch, pen, etc.
2. Stern tone of voice and cool treatment, though gentle.
3. Appropriate business attire: a neat suit, accessories.
4. Professional titles and academic degrees, honorary diplomas.

5. The beauty and subtle eroticism of a female company representative.
6. Building the image of a stable and reliable company in a good situation.
7. Added maximum competences within an industry.
8. Details and numerical details in the exposure of objective data.

Emotional techniques, shaping feelings – negative and positive

The emotional side of negotiations is sometimes treated lightly, since rational analysis and a logical assessment of profit and loss balance should decide about the choices being made. Yet in some situations, the emotional side, that is, the taint of interpersonal relations and the emotional tone, constitute significant factors influencing the course of talks.

One of the direct and extreme versions of emotional action is crying, which is an expression of extreme despair. In micro negotiations between a parent and a child regarding the purchase of a toy at a store, a child's loud sobbing creates quite a considerable form of influence. But even in the case of job talks, there are moments of despair when a refusal to continue someone's employment or a decision to terminate an employee's position are the subject of serious talks. Crying is a pure emotional expression – and yet it works, as it evokes compassion, though rationally it is a display of weakness, not an argument. At the opposite extreme, there is the introduction of a negative form into negotiations, i.e. aggression, anger, irritation, and hostility. That demonstrates power and decisiveness. The advantage of a position is sometimes used both in intra-company negotiations and in negotiations with a party which is considered much weaker. In this case, what is particularly noteworthy is the disrespect conveyed in verbal forms, or in behaviour expressing that meaning. A classic example of this is to force the other party to wait a long time for talks to start, despite the fact the time of the meeting had been established much earlier. Minor gestures also convey disrespect – consider the act of tossing offers on a desk instead of handing them over politely. In extreme cases, tossed documents may end up on the floor, which is not only disrespectful, but a confrontational challenge combined with humiliating the interlocutor. That is how it is interpreted in our culture. The various forms of workplace mobbing also include a strong emotional component. The main five in Leyman's classification²³ are: blocking communication, a deterioration in one's professional position, harmful environmental factors, and isolation within the departmental community.

The positive forms of emotional activity include all forms of praise, admiration, and recognition. The broader expression of recognition is the correct and normal form of social coexistence, yet the same may be a case of false behaviour intended

²³ Vide: Z. Nęcki, *Zjawisko mobbingu...*

to mask the truth, aversion, and reluctance. Expressions of recognition are valued highly, but only when they are genuine, since they become form of flattery when they are insincere and false. How should one differentiate between them? It is extremely difficult if deception was used skilfully. The only way of reliably differentiating between them is to consider the subsequent course of events which reveal the actual motivations. The truth usually is revealed later, yet sometimes it is far too late. In Eric Berne's theory of transactional analysis, honest words of admiration are the basic notion of interpersonal exchange, the so-called *stroke*.²⁴

In short, the most commonly applied emotional techniques include:

1. A person being laid off crying (or a child crying in a shop as pressure to purchase).
2. Dulling others' watchfulness by playing the "Lieutenant Colombo" card – someone lost and quiet.
3. Emphatic display of dissatisfaction, aggressive demands.
4. Expression of sadness, despair with crying – pressure to gain concessions.
5. Demonstrating lack of interest in a contract.
6. Admiration, praise, emphasizing the pros – paying false compliments.

Techniques for building bonds. Negotiations strongly accentuating relations

Many deceptions are related to the manner of building economic interests through a seeming deepening of friendship and personal kindness between negotiators. Emphasising shared hobbies, the similarity of values, emphasising similar life's experiences, the same social clubs – those are once again the strong foundations of friendship, provided they are honest. Yet faked or forged, i.e. deceitful, building of non-existent similarities is just an efficient form of deception. And for people we like we are willing to offer much bigger concessions than for people that are neutral to us, let alone those we dislike. Kindness triggers a soft style of negotiations and obligingness. That, in turn, may lead to accepting unfavourable contracts. Is it worth playing the friendship card? The data suggests that often this strategy is effective.

In a compressed form, the tactics indicated by businesspeople include:

1. Network of friendly relations – for further business.
2. A minor favour which builds an obligation.
3. Acquiring many pieces of information about **Other Side**. to better develop contacts.

²⁴ Vide: E. Berne, *W co grają ludzie. Psychologia stosunków międzyludzkich*, Państwowe Wydawnictwo Naukowe, Warsaw 1986.

4. Diplomatic approach: concealing intentions, selection of words.
5. Direct meetings instead of telephone calls and e-mails.
6. Seeming concessions (“the Trojan horse”) – to later reveal previously hidden rather unfavourable conditions. It is better if they are not initially visible.

Conclusion

The multi-layer phenomenon of deception permeates personal, group, and corporate conducts. Those can be studied at the level of individual techniques, and the strategic plans for developing the desired images or visions. So where is the meaning of those activities? It is carefully hidden under the mask of tricks and in an endless series of techniques for creating deception around the actual state of affairs – in its entirety, or in a large or small part. Yet the goal is always the benefit of the negotiator (variously understood), though that can be a shared benefit of a similar size for each party, or asymmetric, i.e. with one party having an advantage, or completely unequal, when only one party acquires favourable solutions while the other has to accept solutions which are unfavourable for them. That is necessary, sometimes.

Over 90% of people think it is a good thing to be realistic. Over 80% of people think it is a bad thing not to be realistic. In their naive psychology, people often think that the realistic approach is a valuable approach, one which is adaptive.²⁵ That may be true, but it is also true that the realistic approach is not always an approach which facilitates life choices. Actually, deception or illusion about oneself and about one’s own situation can better serve one in various situations.²⁶

There are three main forms of illusion:

1. An unrealistically positive attitude towards oneself.
2. An excessive sense of control.
3. Unfounded optimism.

Empirical data indicates that self-deception is the source of greater happiness, contention, greater care for others, more efficient mental functioning thanks to a good mood, stronger motivation and resilience.²⁷ In this context, deception is a positive and calming mechanism of negotiating. Somewhat like a drug, it has a supportive effect in a given moment. So what happens next? Well, the moment of “awakening” is sometimes difficult, so one can subject oneself again to a milder version of self-deception or optimistic variants of events.

²⁵ S.E. Taylor, J.D. Brown, “Illusion and well being: A social psychological perspective on mental health”, *Psychological Bulletin* 1988, issue 103, pp. 193–210.

²⁶ Cf. *ibidem*.

²⁷ *Ibidem*.

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Zbigniew Nęcki, Szymon Nęcki

Negocjacyjne mistyfikacje – kreacja wizji stanów pożądaných

Streszczenie

Artykuł zawiera analizę tematyki negocjacji poczynając od najbardziej konkretnej (finanse) do najbardziej abstrakcyjnej (status i uczucia), a następnie analizuje wieloznaczność terminu „korzyść”, która w negocjacjach ma trzy sensy: moja, twoja albo wspólna. Jednak szacowanie korzyści wymaga procesu porównania z idealnymi oczekiwaniami albo z empirycznie dostępnymi innymi rodzajami dóbr (korzyści). Wszędzie tu można modyfikować wizję sytuacji poprzez manipulację, a nawet systemowe mistyfikacje obrazem punktu zakotwiczenia, wartości krańcowej. Szczególnie koncepcja Neurolingwistycznego Programowania zawiera bogaty zestaw werbalnych manipulacji, które mogą odzwierciedlać ukryte intencje jednej z negocjujących stron. Nawet w systemie poznawczym jednostki pojawiają się tendencje do manipulacji obrazem prawdy tak, by uchronić dobre mniemanie na swój temat. W drugiej części artykułu omówiono siedem strategii manipulacji, które są wykorzystywane w polskiej praktyce biznesu.

Słowa kluczowe: negocjacje, manipulacja, Neurolingwistyczne Programowanie

Deception in negotiations. Creating the vision of desired states

Summary

The article offers an analysis of the topic of negotiations, from the most concrete area (finances) to the most abstract (status and feelings), and then an analysis of the many meanings of the term *profit*, which in negotiations has three areas: mine, yours, or shared. Yet the estimation of profit requires a comparison with the ideal-situation expectations or with other empirically available kinds of goods (profit). In all these, it is possible to modify the vision of a situation through tinkering or even systemic deception via the image of an anchor point, the extreme value. The

concept of neuro-linguistic programming in particular includes a rich set of verbal manipulations, which may reflect the hidden intentions of a negotiating party. Even in an individual's cognitive system, there exist tendencies for tinkering with the image of truth in order to protect the person's good opinion of themselves. In the other part of the article, the authors discussed seven strategies of manipulation which are used in Polish business practice.

Keywords: negotiations, manipulation, neuro linguistic programming

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