

New Wave Feminism: Gender and Negotiation in the 21st Century

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Several years ago, I authored an article called, "Negotiating Like a Woman: Strategies for Successful Negotiation with Members of the Opposite Sex". It drew upon stereotypes in style, communication and behavior to reach some conclusions as to "typical" differences between men and women as they negotiate. But times are still changing, the research has evolved and my own observation of men and women negotiators at the mediation table has compelled me to revise my thinking.

This article will look at the context of the negotiation and the negotiator, together with gender stereotypes to help predict and improve upon the outcome and experience of both men and women at the bargaining table.

The Stereotypes

"In politics, if you want anything said, ask a man; if you want anything done, ask a woman" Prime Minister Margaret Thatcher

The bargaining table is stereotypically thought to be a male domain. In fact, some would have said that the bargaining table "is no place for ladies". Men, according to neurological research, seem to be hard-wired for more aggressive, competitive behavior. Even the presence of certain hormones (testosterone) suggests that men have a greater sensitivity to aggression, domination, risk taking and competition.

Women, on the other hand, seem to have a more vested interest in relationship building and sustaining. Thus, they are typically seen as more cooperative and empathetic. We see this in communication styles, where women will attempt to develop a "rapport" through speech, which ends with the rhetorical question, for example. Whereas men will tend to "report" in their speech, making declarative statements even in the face of inner uncertainty. Women will also use a linguistic technique known as "hedging", where they will downplay certainty of a particular outcome. Men, on the other hand, will tend to downplay doubt in the same situation.

In speech, women will often be heard to adopt self-deprecating humor, whereas men will more often be heard to take the "one up/one down" criticism of others approach. Finally, (perhaps in their attempt to gain consensus) women will tend to employ "insertions" into conversation in order to both develop empathy and show support or validation. Men may find this annoying "cross-talk" and instead may tend to demand they be listened to without interruption. Indeed, Deborah Tannen's seminal work on different conversational styles revealed that men seek independence through their conversational interactions whereas women seek intimacy and consensus. (Tannen: "You Just Don't Understand: Women and Men in Conversation")

Women traditionally have been thought to be more accommodating, and

consequently more submissive; men are thought to be stronger, more dominant in negotiations. While women may display more emotionality, as they demonstrate concern for others, men tend to rely upon more independent, system-oriented rational assertions.

When viewed in the context of negotiation styles, the stereotypic behavior would predict that men tend to be more competitive; whereas women would be expected to be more cooperative. As I noted in my prior article, men enjoy the ritual of the fight. Women, on the other hand, adopt rituals of apologizing for things that are not their fault. The example I referenced is the mother who apologizes to her children when it rains on the day of a planned picnic. Typically, a man will apologize only as a show of accepting responsibility for an act. A woman may apologize from the back of the elevator when the door closes before everyone gets in!

How do Gender Stereotypes Affect Modern Negotiation?

Recent research has demonstrated that because the stereotypical behavior of men and women is so well known, a gender belief system essentially permeates virtually all aspects of the negotiation process as people conform to their preconceived expectations or react with sensitivity to the traditional cues.

Thus, women are highly sensitive and reactive to the interpersonal aspects of their relationship with the other. Although this translates into a generalized diminished outcome for themselves in negotiation (see: Babcock and Laschever: "Women Don't Ask: Negotiation and the Gender Divide"), women end up achieving a better outcome than their male counterparts when they represent another person in an agency relationship.

Men, who tend to orient themselves towards maximizing their own earnings, will often employ a competitive strategy when it's warranted, but now know that if necessary to maximize their earnings, can easily adapt to a more cooperative approach. Moreover, because of their more competitive nature and often quantitative prowess, men will often achieve a higher value in negotiations. But beware: when there are mutual trade-offs involved, the superior verbal skills of women may result in a better outcome through integrative solutions.

Of course, the outcome in any negotiation is also tainted by the particular orientation of the parties and their representatives. In other words, it is rarely an objective "win" in the case of a mediated dispute. Accordingly, women are seen to care more about, and therefore more often achieve a result that is "justice-based" or ethical, reflecting fundamental, care-based rights, and preserving relationships as well as personal integrity. Women enter negotiation presuming there will be future interaction between the parties, which leads them to adopt a rule of equality in the division of finite resources. Men tend to promote only the rights based approach, which often leads them to give up the negotiations far earlier than a woman, anticipating, instead that their clients will need a Judge to dictate who is right.

In recent studies, this translated into a finding that men mentioned money earlier in a negotiation than women and perhaps as a consequence reaped a better distributive

outcome than their women counterparts. Men set higher goals and were less apprehensive about engaging in negotiation, expecting to outperform women as well. On the other hand, women, according to one study, worked longer, completed more work and had higher accuracy rates than men did.

It was interesting to me that women maintained stricter standards for ethical negotiation. That is, men were more willing to intentionally misrepresent facts to their bargaining opponent than women and even more willing to display false negative emotions for tactical purposes.

All of this suggests that not only behavior, but also outcome is different amongst the genders in certain types of negotiation. But the context of the negotiation and the particular dispute are equally salient variables.

Context Matters

“Ginger Rogers did everything that Fred Astaire did. She just did it backwards and in high heels.” Governor Ann Richards

The more powerful party in a negotiation generally achieves the better outcome, irrespective of gender. Moreover, power is not absolute, but rather depends upon the individual's view of themselves in many instances. I have observed this in many mediations in which the negotiator, because of a lack of experience, for example, undervalues a case or his own ability to prevail against a more experienced litigator. Nonetheless, in a 2004 study, Kray, Reb, Galinsky and Thompson found that when women had more power in the negotiation, they outperformed men. The opposite was also true.

Biology and developmental psychology do suggest that little boys tend to resolve disputes through coercion or physical aggression, while little girls have a greater tendency to negotiate to resolve their disputes. Negotiating is, after all, a relatively cooperative option. Still, an interesting finding suggests that boys and men are more coercive when their counterpart is another boy or man than a girl or woman. Perhaps, this study concludes, chivalry is not dead!

Yet another study established that women obtain a better result than their male counterparts in two instances: where they are in an agency relationship (representing a client, as opposed to themselves), or where the situation is ambiguous, instead of clear. The heightened sense of relationship would seem to predict in both situations that a better outcome would be achieved when the negotiation is being conducted on behalf of another.

The understanding of gender stereotypes cuts two ways. It may on the one hand enlighten both men and women to resist conformance where the situation dictates. Yet it may also serve to underscore expectations of behavior as the negotiation in a mixed gender dynamic environment unfolds.

Hope for Future Interactions:

"If the world were a logical place, men would ride side-saddle." Rita Mae Brown

While it appears that oftentimes the stereotypical behavior of men and women has an impact in their behavior and outcome of negotiations, there are many opportunities to alter these perceptions depending upon the context of the dispute. Neither gender's negotiating ability is fixed. Men may outperform women in a monetary based negotiation, but women will see to it that relationships are better preserved with a goal or achieving a more balanced, fair outcome. And beware the woman who is negotiating on behalf of another! Women are often highly successful in harnessing gender stereotypes to gain advantage of a particular negotiation.

The studies continue to evolve as women continue to attain positions of power and influence at the bargaining table and in the boardrooms and seats of power in government. Recognizing that gender is not a fixed attribute which can accurately predict behavior, but a fluid variable which shifts and changes in different contexts and at different times may be a better predictor of the negotiation behavior we can expect in the future.