

Negotiating via Email

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Editors' Note: Email is typically the first technology people think of when they start to imagine negotiating using a computer. By now, this is a common practice, at least for parts and phases of a typical negotiation. Yet few practitioners or students pause to consider how the technology affects what is said, how it is said, and when and how it is heard. Reviewing what is now a substantial body of research, the author finds seven major challenges in negotiating via e-mail, most of which are as yet poorly understood. He goes on to provide practical advice on each one.

Introduction

Negotiation interactions are increasingly taking place through channels other than face-to-face encounters. Negotiators find themselves communicating with each other online, using a variety of e-communication channels. This chapter will deal with one particular medium that, given its ubiquitous use across professional as well as personal contexts, warrants special attention: negotiation via email. Once a seemingly static mode of communication, email has, of late, become a moving target, with changes in its software, hardware, and modes of use. This chapter aims to provide a roadmap for negotiating via email. [Other applications of technology to support negotiation are discussed in NDR: Ebner, *Texting*, NDR: Ebner, *Videoconferencing* and NDR: Ebner, *Other Technologies*. Ethical issues raised in these processes are discussed in NDR: Rule, *Online Ethics*]

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Negotiation—All Around, and Online Too

Given the broad definition granted to the term “negotiation” in this field’s literature, and the many types of interactions and relationships we now conduct online, many of us are often engaged in online negotiation. This is especially true in the business world. Two lawyers email offers and counteroffers late into the night as they attempt to settle a case before a court hearing; a purchaser in New York emails her Australian supplier, requesting a discount; a landlady informs her tenant of a rent increase, should he be interested in extending his lease; a team leader sends out a group message asking his team to work longer hours. All are engaging in negotiating via email. Does this choice of medium matter?

Email Negotiation is Unavoidable—and Very Different

As opposed to several years ago, when students and clients would regularly inform me that they would never negotiate anything important by email, today this statement is rarely voiced, and with good reason. In today’s world, we cannot avoid finding negotiation messages in our inbox even if we wanted to—so we need to understand this mode of negotiation, and learn how to conduct it well. That, in a nutshell, is the purpose of this chapter. [Further thoughts on when to *prefer* email for negotiation, or on how to fit email communication in amongst an array of channels used in a negotiation can be found in NDR: Schneider & McCarthy, *Communication Choices*.]

Before we delve into the nuts and bolts of email negotiation, though, we need to lay two pieces of groundwork. The first is an understanding of the effects that different communication media have on the content and dynamics of communication conducted through them, known as “media effects”. The second is an investigation into just what type of communication medium email is, in order to put those effects into context.

The Medium Affects the Message: A Theoretical Model

The communication channel through which negotiations are conducted is neither passive nor neutral; it affects what information negotiators share, and how that information is conveyed, received and interpreted (Carnevale and Probst 1997; Friedman and Currall 2003).

Intuitively, we know that some information is easier to communicate face-to-face, whereas other messages might be hampered by a face-to-face setting and would be better off written in an email. Similarly, we might respond to a message one way in a face-to-face setting—and completely differently when reading it in an email. What underlies these differences? Zoe Barsness and Anita Bhappu (2004) ascribe them to the effects of two dimensions of communication media:

Media richness: A communication medium's capacity to convey "contextual cues". Body language, facial expressions, tone, etc., account for a significant proportion of a message's meaning. Supporting all of these, face-to-face communication is a "rich" medium. By contrast, email is a "lean" medium: it transmits neither visual nor audio cues. We cannot see the other's gestures or facial expressions, or hear their tone of voice.

Denied these contextual cues, negotiators both transmit and receive information differently. On the transmitting side, this affects both presentation style and content. Email negotiators rely more heavily on logical argumentation and the presentation of facts, rather than on emotional or personal appeals (Barsness and Bhappu 2004). They are more task-oriented and depersonalized than those engaged in face-to-face interactions (Kemp and Rutter 1982). The ability to transmit visual, audio and verbal cues face-to-face, meanwhile, provides for more immediate feedback, which facilitates communication of information of a personal nature (Daft and Lengel 1984).

Message receiving is also affected by media richness. Information exchanged in email tends to be less nuanced than information exchanged face-to-face (Friedman and Currall 2003; Valley et al. 1998). Communicating through lean media, negotiators focus on the actual *content* of messages (Ocker and Yaverbaum 1999; see also Sokolova and Lapalme 2012), lending much more salience to the words that are chosen, and their interpretation.

Interactivity: The potential of the medium to sustain a seamless flow of information between two or more negotiators (Kraut et al. 1992). Interactivity has two dimensions. The first is the *synchronicity* of interactions. Face-to-face communication is synchronous. Each party receives an utterance just as it is produced; speaking "turns" tend to occur sequentially. Email is typically *asynchronous*: negotiators can read and respond to others' messages whenever they desire—and not necessarily sequentially. Minutes, hours, or even weeks can pass between the time a negotiator sends a message and the time their counterpart reads it, and reading messages out of order is a common cause of misunderstandings.

The second dimension of interactivity involves *parallel processing*—a medium's capacity for simultaneous message transmission. Face-to-face communication includes overt parallel processing; in the heat of an argument, or in a rush of creativity, both negotiators might speak at the same time. Email also permits the simultaneous exchange of messages—but negotiators might not *know* that this is occurring, giving rise to the common phenomenon of "crossing messages," and the confusion this entails.

These two characteristics of email—asynchronicity and allowing for parallel processing—have been found to have significant effects on the way messages are transmitted and the way they are received. On the transmission side, the use of asynchronous media may accentuate analytical-rational expression of information by negotiators, as opposed to

an intuitive-experiential mode (Epstein et al. 1996). This favors individuals who tend to rely more heavily on logic and deductive thinking, and to engage in developing positions and reservation points, logical argumentation, and fact-presentation. By contrast, individuals tending towards appealing to emotion and sharing personal stories (Gelfand and Dyer 2000) may be put at a disadvantage. On the receiving side, email imposes high “understanding costs” on negotiators. Negotiators’ understanding is challenged by the lack of contextual cues. The timing and sequencing of information exchange further hamper negotiators’ efforts to accurately decode messages they receive (Clark and Brennan 1991). In addition, the tendency of email negotiators to “bundle” multiple arguments and issues together in one email message (Adair, Okumura and Brett 2001; Friedman and Currall 2003) can place high demands on the receiver’s information-processing capabilities.

In summary, these two elements, media richness and interactivity, account for important differences across media in the structure, style, and content of information exchanged (for more detail, see Bhappu and Barsness 2006; Ebner et al. 2009). However, before we go on to explore how these elements significantly alter negotiation dynamics—and what we can do about it—we must take into account the sands shifting under our feet: Email is changing, and these changes will affect any insights or suggestions we might offer regarding its use for negotiation.

Using Email: A Moving Target

Only a few years ago, the notion of communicating via email conjured up a more-or-less uniform picture of a person seated at a desk or in her home office, typing on a computer, or perhaps seated at a café table working on her laptop. Indeed, the research literature reinforced this image by discussing it as a monolithic, defined, communication tool or medium, used in certain ways in defined contexts to mediate communication between users sitting behind their computer screens. However, email has already known many variations, in terms of the software used for accessing it, of the hardware upon which it is read and composed, and of the culture or policies within which its use is embedded (for discussion of all these, see Ebner 2014).

The most significant shift affecting negotiation via email over the past few years has been an upheaval in the realm of hardware: the advent of the smartphone. In the age of the smartphone, we are “unleashed”—no longer bound by a physical connection to a static modem. Most emails are now read on mobile devices, not on computers. Emails are now read and written on buses and trains; while watching the kids at the playground; during classes, rock concerts and movies; and even (though most of us would never admit to this) while driving. And, lest this not be clear, we can replace the words “Emails are now read and written” with the words “We now negotiate...”

This revolution has significantly affected our negotiation habits. The smartphone has introduced new elements of accessibility, distraction, environment, timing and technical limitations to email communication. Some of these will be discussed below, presented as particular challenges or advantages related to email negotiation. One overarching shift, though, relates to the interactivity aspect of email's nature as a communication channel. Previously, email has always been considered a form of asynchronous communication. With the current degree of smartphone saturation, most people now walk around carrying their inboxes in their pocket, hyper-alert to notifications of incoming messages (so much so, in fact, that most people now experience phantom phone vibrations leading them to constantly check for incoming calls and messages; see Rosenberger 2015). As a result, email has become a "semi-synchronous" communication medium (Ebner 2014). Specific exchanges or rounds of conversation might be categorized as synchronous or asynchronous, but our perceptions and expectations of the medium must be more complex than any such dichotomy would allow.

Just so we don't get too comfortable, we will end this section by noting that future disruption to our currently evolving negotiation habits is already in the works, as smartwatches, and other wearable technology giving access to email, reach the market. This reinforces the importance of remaining mindful of change, and of shifting media effects, as we consider email negotiation.

Negotiating Through Email: Seven Major Challenges

We now move on to delineate seven areas in which interacting via e-mail affects elements or dynamics of negotiation. A discussion of the challenges posed by the medium in each area will be followed by a set of practical recommendations for negotiators with regards to that area (with the usual caveats regarding "tips" and "recommendations" in negotiation, of course). These areas are:

- 1) More contentious, and less cooperative, process
- 2) Fewer, or less, integrative outcomes
- 3) Diminished trust
- 4) Increased attribution and increased misinterpretation
- 5) Diminished privacy
- 6) Diminished negotiator focus
- 7) Diminished negotiator commitment and investment

1. More Contentious, and Less Cooperative, Process:

In online communication, parties tend to be even less inhibited than in face-to-face communication, due to physical distance, reduced social presence, reduced accountability, and a sense of anonymity (Griffith and Northcraft 1994; Weisband and Atwater 1999; Thompson 2004). The lack of social cues causes people to act more contentiously than they do

in face-to-face encounters, resulting in more frequent occurrences of swearing, name calling, insults, and hostile behavior (Kiesler and Sproull 1992). E-negotiators are more likely to threaten and issue ultimata (Morris et al. 2002); to lie or deceive (Naquin, Kurtzberg and Belkin 2010); to confront each other negatively; and to engage in flaming (Thompson and Nadler 2002).

Another media effect, deriving from email negotiation's lack of synchronicity, involves what Anne Marie Bülow has dubbed a "double monologue" style of interaction: Parties cherry-pick pieces of the conversation that they wish to relate to, ignoring others; they relate to these issues in long, argumentative statements. One result is that communicating through email, negotiators tend to *work simultaneously to persuade each other that they are right*, rather than *explore ways to work together*. This precludes questioning, so less information is shared. It also precludes uptake—I'm too busy rejecting your stance to relate to the information itself—so information the other has shared might not be discussed, clarified and expanded. Finally, to the extent that queries are used, they tend to be short and specific—extracting specific information but not opening the door to other information. As a result, one might extract a factual detail from one's counterpart, but not the interest underlying it (Bülow 2011).

All the above can easily result in a lack of process cooperation, as parties focus on the person rather than on the problem, and as they do so, the potential for effective information-sharing decreases. Parties may not elicit, or may ignore, important information the other has conveyed, as well as relational cues. The use of email may, therefore, accentuate competitive behavior in negotiations (Barsness and Bhappu 2004). Not only do parties to email negotiation act uncooperatively—they feel *justified* in choosing this pattern of behavior (Naquin, Kurtzberg and Belkin 2008). Couple email's high tendency for contentious behavior and its low tendency for information sharing with the comparative ease of walking away from an email negotiation process (see below), and we are faced with a recipe for overall diminished process cooperation.¹

In practice:

- 1) Context: Take advantage of email's "lean" nature: Use email, when you feel that transmission of visual and verbal cues might set people off (see, e.g., Bhappu and Crews 2005) rather than facilitate constructive conversation. Similarly, consider preferring email's use over richer media for exchanges in which you think your voice, or the voice of someone else in the conversation, might go unheard, or if you think you are at risk of suffering from the impact of conflict-triggering unconscious biases, such as gender, race, accent, national origin, etc. (Greenwald, McGhee and Schwartz 1998). Email reduces the salience of social group differences, providing a conducive medium in which

more people can, and do, participate (Bhappu, Griffith and Northcraft 1997). Over email, parties cannot shout each other down or interrupt.

- 2) **Unmask yourself:** The mutual invisibility inherent in email negotiation facilitates adversarial, contentious behavior. It is easier to cause damage to a faceless other—particularly when one feels protected by a shield of anonymity and physical distance. This can cause people to assume that they can get away with this behavior, and lower any moral inhibitions they might have against doing so (Nadler and Shestowsky 2006). By adopting a proactive agenda of unmasking ourselves—making ourselves human, present, and real in the other's eyes—we can protect ourselves from these dynamics. Share personal information, build rapport, and reduce the perception of distance through shared language, or shared geographical or cultural references. Or, even, have a phone call once in a while—or a meeting! (See below.)
- 3) **Unmask the other:** Remember, there is a person behind the other screen as well, whether they have had the foresight to engage in unmasking themselves or not. They are not computers or inboxes; rather, human beings who will respond to your messages on emotional, cognitive and behavioral levels which you must deal with (see Mayer 2000).
- 4) **Interaction pace:** Use email's semi-synchronicity to your advantage; vary the interaction pace, always answering at the pace that works best for you. This will allow you to avoid getting “emotionally hijacked” into conflict escalation (see Goleman 1995), or otherwise suffer the consequences of a knee-jerk response (see Bhappu and Crews 2005). Read a received message twice instead of banging out an angry reply—and delay sending what you've written, to read it again a little later. Be particularly mindful on this front while communicating via smartphone; the fact that you *can* now answer instantly in more cases than ever before doesn't mean that you should!
- 5) Use interest-related language intentionally, and often, when discussing your own position and inquiring about theirs. Use process-cooperative language overtly, and try to set the tone for others to do so. This might give process-cooperation a much-needed boost.
- 6) If your counterparty relates to some of the issues you raised in a letter, but not to other issues raised, do not always assume that this is a deliberate, contentious omission—it may simply be information overload, or inadvertent cherry-picking. Consider calling their attention to this as an oversight, before assuming there is some underlying meaning in the omission.

- 7) Some people may find writing long, well thought-out messages on the small screen and keyboard or touchpad provided by a smartphone to be a daunting task; cooperative, information-sharing messages may sometimes fall into this category. Rather than discard such opportunities, you might give more careful thought to the question of which machine you would best type your message on. Choose to wait to write a longer message from home, versus typing out three words on your smartphone and considering the response complete.

2. Fewer, or Less, Integrative Outcomes

The potential for email negotiation to result in lower rates of integrative outcomes is partially connected to the previous challenge of reduced process cooperation. As process cooperation diminishes, so too does information exchange. We've noted how information shared in email negotiations is likely to be constrained, analytical, and contentious. Even if process cooperation devolves no further, this information is hard to work with, which might explain an email negotiator's reduced accuracy in judging the other party's interests (Arunachalam and Dilla 1995). Such reduced accuracy would reduce negotiators' ability to accurately assess differential preferences and identify potential joint gains. In turn, this might reduce their motivation to engage in cooperative information sharing; yet another vicious cycle reveals itself.

Indeed, many experiments measuring these two elements—process cooperation and integrative outcomes—illustrate significant challenges. First, e-negotiation appears to entail lower rates of process cooperation, and lower rates of integrative outcomes, when compared to face-to-face negotiation (Arunachalam and Dilla 1995; Valley et al. 1998; see also Nadler and Shestowsky 2006. For contrasting research, see Galin, Gross and Gosalker 2007; Nadler and Shestowsky 2006; Naquin and Paulson 2003). Second, in email negotiation the potential for impasse appears to be greater than in face-to-face negotiation (Croson 1999; Bülow 2010).

These findings, though, don't clearly explain just *why* email negotiation results may be less integrative. Is it an outcome of reduced process cooperation? Of increased contentiousness? Of diminished rapport? Of reduced trust? Or, perhaps, of a combination of some or all of these elements? This crucial issue—which determines if email negotiation might be, inherently, a value-*diminishing* playing field—continues to intrigue researchers. Recent writing on this issue has suggested that negotiator orientation towards cooperation or competition determines whether the outcome will be integrative far more than the communication channel affects this issue. People with cooperative orientations will generally be able to convey and implement this despite any challenges that constraining communication channels pose to them (Swaab et al. 2012). Parties mindful of this should take care to demonstrate and pur-

sue this orientation through value-creating behaviors and a tendency toward more, rather than less, communication overall—behavior which has been shown to increase joint gain in email negotiation (Parlami and Geiger 2015).

In practice:

Most of the suggestions made above (regarding process cooperation) apply here as well. In addition:

- 1) Choose wisely: The research indicating that email is not as good a playing field for reaching integrative agreements is not conclusive—but it is not dismissable. If you face a negotiation in which an integrative outcome is not only beneficial, but absolutely *crucial*, consider picking up the phone, or getting on a plane.
- 2) Paint a picture: Consider using the multimedia potential now available in e-mail in order to portray integrative offers or ideas. Charts, graphs, presentations—all easily attached to an email—are powerful tools for overcoming the challenges of lean media.
- 3) Bundle: Email negotiators tend to bundle multiple issues together in one letter. Use this in order to create relationships between issues, through logrolling and prioritization; this might well result in integrative agreements, in a manner that separate discussion of each issue might not.
- 4) Frame: In email negotiation, every message is an opportunity to set a new frame around the interaction, much more so than rapid-fire statements and reactions in face-to-face processes. Intentional and repeated integrative framing might have an effect on the outcome.
- 5) Talk more, talk cooperatively: If you are worried about whether you might not be communicating enough, you probably are not; more communication often translates into higher joint gain. Email's lack of synchronicity allows for reflection and for careful, overt use of cooperative language, which may increase the odds of reaching an integrative outcome.

3. Diminished Degree of Inter-Party Trust

Trust has been identified as playing a key role in enabling cooperation, problem solving, integrative solutions, negotiator effectiveness and dispute resolution (for a review of the literature on the topic of trust in negotiation and how it is affected by the online environment, see Ebner 2012). [See also NDR: Lewicki, *Trust* and NDR: Lewicki, *Trust Repair*]

Communicating via email, negotiators must cope with threats to trust that are inherent in the medium and in its use (Ebner 2007). Email negotiators trust their counterparts less than negotiators in similar face-

to-face interactions, at all stages of the process. Before the process's inception, e-negotiators report a comparatively low level of trust in their opposite. This low trust-level persists throughout the course of the negotiation, resulting in diminished process cooperation and information sharing (Naquin and Paulson 2003). Even after reaching deals with their opposites, e-negotiators trust their opposites less than participants in face-to-face negotiations, manifesting in lower degrees of desire for future interaction with them (Naquin and Paulson 2003). Why do people distrust each other online—or, more to the point, what is it they are worried about? It may be that they are specifically concerned about intentional deception. There is little research available on lying in e-negotiation, although it has been suggested that people may have more tendency to act deceptively when communicating through lean media (Zhou et al. 2004). This gives cause for concern, given that we are considerably less skilled in intuitively detecting deception online than we are in face-to-face settings; while more deliberate methods for picking up on textual cues are being developed, a great deal of technical sophistication is required to successfully conduct such analysis in the course of a real-life e-negotiation (see Farkas 2012). To compound the issue further, research has shown that e-negotiators are more likely to *suspect* their opposite of lying, even when no actual deception has taken place (Thompson and Nadler 2002). As negotiators, then, we are suspicious of our counterpart's honesty—but our suspicions rarely target the true liars out there. Given that in lean media we tend to react strongly in retaliation to perceived lying, we may damage a relationship irreparably over an erroneous judgment—or our counterpart may do so, over their judgment of our own veracity.

In practice:

The following practices are helpful for building trust in email interactions (for more on these and other methods, see Ebner 2007):

- 1) Build rapport: Bonding—building an ad hoc relationship with your opposite—is always important in negotiation, for building rapport and trust. Light, social conversation does not come as naturally by email as it does face-to-face, but that does not render it superfluous. Even minimal pre-negotiation, socially-oriented contact, such as preliminary email introductory messages, can build trust, improve mutual impressions, and facilitate integrative outcomes (Morris et al. 2002; Nadler and Shestowsky 2006).
- 2) Mix media, when possible: In situations where interparty trust does not exist, consider whether the negotiation, or even just the first part of it, might be conducted by other methods. This is even more relevant in cases where parties actually distrust each other. Holding a preliminary face-to-face meeting can assist in setting the stage for a trust-filled e-negotiation. (Rocco 1998;

Zheng et al. 2002) Meeting face-to-face in the middle of the process, or using the smartphone you are reading an email on to call the other party in response, may also positively affect trust.

- 3) Show e-empathy: Displaying empathy for a counterpart serves multiple purposes in negotiation, including trust-building. E-negotiators who show empathy are trusted by their negotiation opposites more than those who do not (Feng, Lazar and Preece 2004). Don't neglect this just because the medium seems to be cold, formal or impersonal. Email allows you to use language thoughtfully to intentionally show empathy (see Ebner 2007).

4. Increased Attribution and Increased Misinterpretation

Communicating through lean media increases the tendency toward the fundamental attribution error: parties perceive negative actions or statements on their opposite's part, and interpret these as outgrowth of the other's negative intentions and character—rather than as unintended results of circumstance. Reduced social presence and few contextual cues lend a sense of distance and vagueness to the interaction. People tend to overestimate the degree to which they communicate clearly over email. Subtle elements of communication, such as sarcasm or humor, are particularly vulnerable to such overconfidence (Kruger et al. 2005). The media richness element of interactivity compounds this: E-negotiators ask fewer clarifying questions than face-to-face negotiators—leaving more room for assumptions to form and take root (Thompson and Nadler 2002). Attribution dynamics will cause these assumptions to tend toward the negative. Analysis of failed email negotiations shows that they tend to include unclear messages, irrelevant points, and long general statements (Thompson 2004), each of which provides ample breeding ground for attribution.

In practice:

- 1) Increase your social presence: constantly remind the other of the real person opposite them. Use physical imagery in your writing, to reinforce this issue—for example, mention the city you are in, your surroundings at the time of writing (your office, hotel), a place you went to, a physical sensation, etc.
- 2) Write clearly, taking into account negative interpretations. Clarify *much* more than you would face-to-face. Here are several rules of thumb for enhancing email clarity:
 - a) Avoid unnecessary length—don't overload your opposite.
 - b) Use "In summary" sentences to highlight your main points.
 - c) Use the subject field intentionally. This introduces your letter (preparing your opposite for the content), provides a frame through which it will be read (diminishing negative

- interpretation), allows your opposite to find it when they want to review it for clarity before responding, and helps organize messages bundling multiple issues.
- d) Avoid use of emoticons—particularly in early message exchanges. Later, when you have a better sense of their capacity to successfully convey shared meaning between you and your counterpart, you can consider their appropriateness.
 - e) If you are writing your message on a smartphone, be alert to the changes this causes in your writing style. If it causes you to respond in short messages, or constrains the way your email is laid out, consider how that might look through the eyes of your negotiation opposite. You might hold off and respond on a different machine, or simply let them know that you are responding to them via smartphone, which will explain issues of style and help stave off negative attribution.
- 3) Even as you mind your own writing style and framing, try not to read too much into stylistic issues in your counterpart's email. They may not be mindful, or skilled with the medium. The length or brevity of their writing should not be overanalyzed either. Many factors affect the length of your counterpart's emails that have absolutely nothing to do with you or with the negotiation itself—including age, gender, the device they open the email on, the day of the week, the time of day and their email traffic volume (Kooti et al. 2015).
 - 4) Waiting and perceived delay cause anxiety, which is conducive to negative attribution. Manage both sides of this cycle: Don't expect immediate answers to your own emails, while doing your best to provide prompt responses to your counterpart's (see Thompson and Nadler 2002). Many of the same factors that affect email length affect email response time as well; don't read too much into what seems to you to be a slow or quick answer. Consider how smartphone use may have affected your expectations (as well as your counterpart's) on this issue. Remember that you and your opposite might use multiple machines for email, each with its own nature with regards to message reading, message writing and other timing issues.
 - 5) Be careful with the jokes: Humor has been shown to be a valuable tool in online negotiation, leading to increased trust and satisfaction levels, higher joint gains and higher individual gains for the party who initiated the humorous event (Kurtzberg, Naquin and Belkin 2009). However, humor is often misunderstood, misinterpreted and misattributed—and can easily backfire. This is particularly true when your counterpart comes from a different culture.

- 6) If you are concerned that all this mindfulness and caution might not suffice, learn to recognize situations in which you need call your counterpart or meet with them in person. As said above, think about the medium being used to communicate.

5. Diminished Privacy

Maintaining privacy in a negotiation process is never an easy task. In face-to-face negotiation, parties can, and do, share information about the negotiation with their friends, families and colleagues, and occasionally with wider circles. However, parties can, at least, meet in a private setting, close a door on the world, or lower their voices—eliminating real-time “sharing.” In email negotiation, by contrast, you never know who is “in the room” with you. Your opposite may have showed your email to their boss, their colleagues or your competition, before responding to you. The messages you transmit are forever archived somewhere beyond your control. The information you share might reach people with whom you had no wish to share it. Your counterpart doesn't have to be malevolent in order for this to happen. It might be you who unintentionally clicks “reply all” instead of “reply,” sending your private message into a public domain!

In practice:

- 1) Consider each address field carefully. To whom should a message be sent? Should anyone appear in the “cc” field? Do you want anyone invisibly lurking in the corner of the conversation, from the “bcc” field?
- 2) Use the lack of privacy to your advantage: Archive the interactions, return to them when things become unclear, and relate to them when it seems the other party is being inconsistent. Share messages with anybody you feel you need to share them with, and consult—often—about the process. Consulting with others is an excellent way to reduce many of the challenging media effects of email noted in this chapter. Email provides recorded messages—allowing us to consult optimally. Receiving email on our smartphone makes this easier than ever, as we can show someone the original message on the spot—“Here, look at this”—without forwarding it to them, lugging a laptop around, or calling them into our office.
- 3) As individuals' online activities are increasingly becoming public, widespread, sought out by future opponents and admissible in court, be very cautious of what you write in an email, particularly before significant trust is established.

6. *Diminished Party Focus*

Communicating via email, negotiators are likely to suffer media-related effects including confusion, low cognitive retention of previous messages, and diminished concentration. This is due to several factors, including time passage between information exchanges, the tendency to answer emails in spurts and sections rather than finding the time to write full messages, and the tendency to answer emails in less-than-optimal surroundings and circumstances. In addition, email is often not something we train our full attention on, but rather something we do as part of our media multitasking. We check our email as we surf the web, and we surf the web as we read or reply to our email—perhaps holding in-person or phone conversations at the same time.

In general, research suggests that in the digital age, human attention span is decreasing. The explanation that we are now “multitasking” provides no relief, given the research indicating that we are not as good at multitasking as some of us like to think we are. Heavy multitaskers suffer a range of shortcomings as opposed to “focusers,” many of which are pertinent to negotiation: They are not good at filtering out irrelevant information, and are easily distracted. They tend to have low detail recall, and despite their tendency to switch between tasks rapidly, they are not skilled at this, as their brain is always somewhat focused on the task they are *not* doing (See Ofir, Nass and Wagner 2009; Microsoft 2015). Negotiators suffering from any of these, due to their multitasking tendency, work surroundings, or email-management habits, might be confused and unfocused. So, too, might be negotiators communicating via smartphone in noisy or crowded environments without taking care to consider the effects their surroundings may have on their capacity to focus. In particular, the multi-screen environment presented by many home, work and entertainment venues primes our brains to latch onto new stimuli (Microsoft 2015). Negotiators who multitask while they are negotiating, in the form of reading messages on a smartphone while negotiating face-to-face, have been found to achieve lower outcomes (Krishnan, Kurtzberg and Nauqin 2014). Without social norms holding us back from reading that message that just came in, we are much more likely to allow ourselves to let attention slip in this way. [For more on attention and negotiation in the digital age, see NDR: Newell, *Digital Generation*]

In practice:

- 1) Stay focused: The greater the importance of the negotiation to you, the more it pays to concentrate on it. Read and write messages in an environment that allows you to concentrate. One simple rule of thumb to follow would be to close your internet browser while reading and writing email. Another is to finish your response to one email before moving on to reading another.

- 2) Don't trust your memory: Mindful of the distraction we all suffer from, make a point to read all of the email you are responding to, and carefully, before you reply. Did you take a break in the middle of your answer, to deal with other urgent multitasking such as checking your other email or social media? Read the email again, *and* the written part of your own response, before continuing to write.
- 3) The costs of distraction: Negotiating via email on your smartphone might seem like a good way to make the most of your train ride into the office in the morning—but you may be setting yourself up for poor negotiation performance. Align email tasks suitably to the environment. For example, clearing your junk email in noisy places is probably fine; thinking carefully about a response might not work as well.

7. Diminished Party Commitment and Investment

Parties to e-mail negotiation might be less motivated than face-to-face negotiators. They have not displayed the minimum commitment of getting up, getting dressed and coming to the table; indeed, they might not have any sunk costs at all. Smartphones have compounded this issue by reducing even the value of the time invested in writing the email; people can now do this during low-value time—while commuting, waiting for someone to show up, during lunch, etc. Email allows people to easily initiate low-investment “shot in the dark” approaches. This might partially explain reports of higher impasse rates in email negotiation (see above), as well as the phenomenon of email negotiations evaporating, with one party simply dropping out of the conversation.

In practice:

- 1) Stay on top of things: Provide regular contact, keeping your counterpart engaged—without getting pushy (see Shipley and Schwalbe 2007, for some guidance on this balance).
- 2) Bridge time gaps: Try to create the experience of an ongoing, flowing conversation. For example, write “As I wrote you...,” and then copy and paste a quote from your previous letter. Use time-markers, such as “Last week, we discussed.”
- 3) It could happen to you: The implications of this section are not only about roping in and maintaining contact with your opposite. You, yourself, might be prone to underinvestment and a low level of commitment. Email negotiation tends to confuse us in this regard; keep a constant eye on your motivation level, and make sure to match it to your commitment and the resources you invest. In low-motivation situations, the temptation to “ghost” your counterpart (i.e., to disappear without notifying the other you are shutting them out) can be strong, particularly for

conflict-averse people. Beyond manners and etiquette, you might consider whether you might *need* this relationship, in some way, in the future, as well as how this might affect your reputation.

Conclusion

Already a challenging medium to negotiate through, email has recently developed into a semi-synchronous communication channel, and continues to evolve rapidly. Communicating by email, negotiators face a rougher playing field, a likely more contentious opposite, and numerous process challenges. The good news is that, armed with some knowledge and a healthy dose of awareness, negotiators can navigate these challenges, and even turn the medium to their advantage.

Notes

¹ It would be interesting to see some of the research recounted in this section replicated today and at different points in the future. It may be that our acclimatization to the online environment in general, in addition to individuals' accumulated body of experience with any particular medium, might cause some of these negative effects to diminish.

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