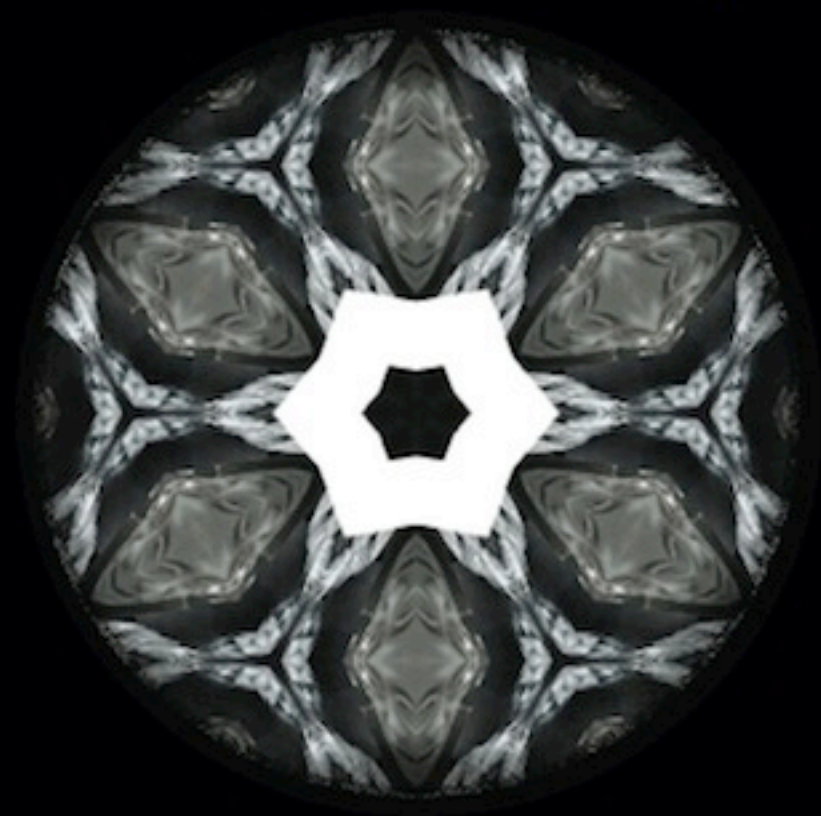
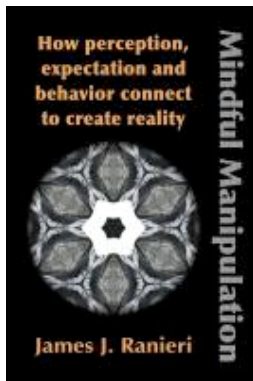


**How perception,
expectation and
behavior connect
to create reality**



James J. Ranieri

Mindful Manipulation



Mindful Manipulation is not what you think. It is the thoughtful practice of understanding the Other's perceptions and expectations, then influencing and shaping them through civil, consistent and purposeful behaviors to create advantageous negotiated results. It's not sinister or devious, but honest and at the core of the human condition when it comes to securing what you need. Mindful Manipulation is the pragmatic, humane and elegant methodology for achieving that balance of what and how.

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First Edition

Introduction

***“If I am not for myself, who will be for me?
But if I am only for myself, what am I?”***

- Hillel the Elder

What does a relatively enlightened, second generation Italian-American, leading edge baby boomer, dyslexic, former military aviator, engineer, sales executive, global business director, husband, father, son, brother, adjunct professor, who has taught and practiced negotiating for over 35 years know about the topic? Plenty. To understand and appreciate what I have to offer you might want to know a little more about me and what shaped my thinking.

I grew up, like most, very trusting and naïve, which was a result of a combination of youth and my hard wiring. Watching my father, Dominic, deal with street vendors, wrestle with car salesmen and even bargaining with the local grocers, I was both fascinated and horrified with his behavior and style. Dad was not an educated man in the traditional sense, but he was definitely street-smart. In fact, my three brothers and I knew he could buy a new car at a better price than anyone else’s father in Chicago Heights, Illinois. He knew how to work a deal even when buying a suit for my eighth grade graduation from the school that served San Rocco Parish.

Needing a new suit meant a trip to Chicago’s Maxwell Street, which at that time was dominated by Jewish garment merchants where the price tags were for the unknowing goyim (gentiles). To my father, the price tags meant nothing. He’d find a suit we both liked then launch a fierce bargaining with the proprietor. Once he had a good price, he said to my brothers and me, “OK, let’s get the Hell out of here,” and we walked out with the storeowner in hot pursuit, offering a lower price.

This tactical maneuvering was repeated time after time whether he was shopping for a car, clothes or washing machines. Occasionally, his haggling intensified when, with a boisterously loud voice, he used

name-calling, insults and off-colored remarks. Mortified, my brothers and I tried to hide in a corner or escape out of the store. But I learned some valuable lessons from these adventures with my dad. One lesson was that life is all about winning an advantage.

My family lived in Chicago Heights during the height of its prosperity. We lived in a small, but comfortable, ranch house. My dad, a master diesel mechanic, helped build the interstate highway system while Uncle Nick, who lived one block south of our home, worked for Ford Motor Company as a crane operator at night and owned and operated a small grocery by day, all to finance his son's education. Nick was the absolute opposite of my dad. To Dominic's brashness, there was Nick's gentle diffidence. Soft and kind, he was always the first to help without any consideration of what was in it for him. From my observations of and interactions with him, I learned a different lesson. For Uncle Nick, the relationship was the ultimate prize.

As I grew, I recognized that even though both men had very similar backgrounds, their personalities were completely different and were key to how they behaved in a bargaining situation. I now understand that winning and building relationships are not opposite approaches to negotiating. Winning and relationship are, in fact, inextricably linked toward closing a deal. Also, I now understand the personality of individual negotiators is a critical factor on the process and outcome.

The lessons learned from my father and uncle were seminal, but were only the beginning of my quest to understand how to deal with people. I was a typical middle class kid who grew up in the 'Happy Days' of the 1950's. Being active in sports and somewhat popular, I became fascinated by how some of the kids who were in the same social circles were more dominant and others more submissive. I observed that dominant kids tended to get their way much more than submissive kids. I questioned whether they were born that way or if personality is a function of their environment.

I have a learning disability called dyslexia. When you have dyslexia, it takes longer to make some connections and it's difficult to match the letters you see on the page with the sounds those letter combinations

make. And when you have trouble with that step, it makes all of the next steps in learning harder. Reading, particularly aloud, is difficult and transposition of numbers and letters occurs all of the time. Dyslexia is caused by something not working normally in a region of the brain. As with most afflictions, my having dyslexia was both a curse and a blessing. It was a curse through my entire formal education, kindergarten through an MBA. I tried to make myself invisible or fake a coughing spell so the teacher would not call on me to read aloud. I would hide behind the kid sitting directly in front of me, or avert my attention to something else in the room. Reading was not only difficult, but time consuming. The dyslexia also impacted my psyche. I grew up in an era where learning disabilities were not fully understood. I stopped counting the number of times I heard, "Jim is a bright boy, but he just doesn't apply himself." It was much easier for my teachers to assign laziness as the cause of my substandard performance relative to my exceptional brothers.

Because my reading ability was so poor, I was forced to find other ways of learning. I discovered that I was highly conceptual and unafraid of experimenting. So, I began learning by doing.

During college I became involved in campus politics. The major lesson I learned as a novice politician was how to make deals with others. I learned to trade with people who wanted something from me and had something to offer in return. After college, I joined the military and became an aviator. I travelled extensively, was exposed to different cultures, value systems and world-views. I learned that people in other places lived differently from the way I was raised. Marriage and children taught me many more life lessons that furthered my skills in how to read people.

After the military I entered the world of business. I started my career selling for a global petrochemical company. It was there that I learned a name for what I had been subconsciously studying my whole life: negotiating. I was empowered to represent the chemical company and negotiate innumerable large and small deals, ranging from multi-year; seven figure international deals to the starting salary for a new hire. I taught my business colleagues how to negotiate using win-lose methods. I became a master process facilitator and problem resolver, skilled in both the heuristic and

rational methods. I was trained to administer and interpret psychometric instruments. I found two of these tools, DiSC and the Myers Briggs Type Indicator (MBTI), to be particularly applicable to negotiating.

That's my story. On the surface my career and life experiences may seem to be a collection of unrelated events. But in my mind they all connect. I've studied, practiced and refined the craft of negotiating all my life. In this book I present theories, best practices and a bunch of do's and don'ts. I have lived what is written here. I have keenly watched how others negotiate and learned from their successes and failures. I have practiced negotiating by trial and error. I have learned from my many mistakes, adjusted and tried again. I have learned the vast majority of the don'ts by failing, sometimes miserably. Reality and experience have been fabulous teachers.

I hope you will learn from my failures and successes, but before you read on I want to share this; the classical methods of negotiating are old and tired. All of these theories have big pieces missing and at their core are suboptimal. I truly believe as stewards of this planet and our future that we should strive for equity in negotiations. That is no trivial task. The first half of this book deals with ways of achieving equity. Since not everyone shares the noble equity goal, we need to be pragmatic and prepare ourselves to defend our self-interests, securing what we need and deserve. The second half of the book deals with protecting those interests. Recognize that striving for equity and protecting self-interests are not independent variables. They are not mutually exclusive, but complement each other. In today's world they can and must coexist, so that we can have a chance at doing the same. So, let's start the journey with a bit of history, lest we repeat it. History provides context and therefore meaning.

The Classics

“For every complex problem there is an answer that is clear, simple, and wrong”

- H. L. Mencken

Negotiating has been practiced in varying degrees on this planet for about 200,000 years. Scientists believe that’s how long modern man has been here. Man has negotiated as a way to trade, conduct commerce, execute agreements, buy or sell, make treaties, secure services and a plethora of other transactions. Civilized man has been negotiating fundamentally same way during that all time. Sure there have been variants and improvements to the process (science and technology have been added to the mix), but at its roots it is the same dance. So, unless the collective man is totally illogical or suffers from a serious mental defect the processes and tools we have been using must work, or do they?

Before I present a solution to a very ill defined problem, let’s consider how we currently negotiate and what the shortcomings and consequences are of using these conventional methods. There are four classic approaches or theories to negotiation—structural, strategic, process and integrative. All of them are largely positional and tend to drive toward a win-lose outcome. They remain viable and relevant and are the price of entry. So, you would be wise to recognize these classics, both their advantages and disadvantages, to help you respond efficiently and intentionally with your negotiating partner. They have worked quite successfully in the past and will continue to be used in some variant by practitioners in the future. Some experts include Dr. Chester Karrass, Gerard Nierenberg, Roger Fisher, William Ury, Saul Alinsky and, of course, Niccolo Machiavelli. As promised, the kaleidoscope image on the cover contains the faces of Machiavelli and Alinsky.

Each draws on their traditions, assumptions and practices. To navigate a negotiation successfully, you must understand and apply the traditional, time-tested practices of the classics. Keep in mind, that while the classics are tactically efficient, strategically they fall short of having efficacy and sustainability in a complex, dynamic environment that requires relationship building as well as myriad types of gain.

The ***structural*** approach is based on the distribution of power between two negotiating parties. Structure can be derived from tangible, hard power or leverage, (such as capital) or social, soft power (such as legitimacy, authority, affability). There may be either balanced leverage (power-symmetry) between parties, or imbalance leverage (power-asymmetry) between a stronger and a weaker party. There is rarely perfect power-symmetry between the parties in a negotiation. This approach to negotiation predicts that the strongest will always win. History has demonstrated that those who have more power in a negotiation will only lose to those with substantially less leverage. Clearly, power is not necessarily the sole advantage in a negotiation. The structural approach also does not account for the emergence of a disruptive technology, a break-through strategy, such as rural Arkansas-based Wal-Mart's use of distribution infrastructure to dominate the retail industry, or a flawless tactical execution.

To illustrate, IBM owned the information technology market with its mainframe computers until the 1980s when the personal computer (PC) was introduced. It changed not only the market, but also the power structure with in it. Viewed as a disruptive technology, the PC threw IBM into chaos and facilitated the emergence of Microsoft, Dell, Apple and other industry giants. Another example of the flaws in a structural approach comes from the automotive industry. The Big Three (General Motors, Ford and Chrysler) reigned supreme in the automotive market after World War II because of their infrastructure and the size of the U.S. market. With the rise of the Japanese automotive producers, the industry experts predicted that the powerful Big Three would win the competition. History demonstrates the clear winner. With a strategy of providing products that worked at an affordable price, the Japanese manufacturers gained a foothold and eventually dominated not only the U.S., but also world automotive markets. It also demonstrates that the reliance on power

inherent in the structural approach ignores other relevant variables including a cultural drive to compete or a technological superiority.

This approach also features the soft structural assumptions of power. For example, a young university professor walked into a Toledo car dealer with money to buy a car. Having done meticulous research on every aspect of the car including color, accessories, model and price, the professor felt empowered to know what would be the best price. Meanwhile, a salesman on the showroom floor knew the limits of how much he was authorized to sell the vehicle, but needed to discover what the buyer was willing to pay. The negotiation failed because the salesman assumed that because the professor was a woman, she would know nothing about the car or price--he foolishly thought he had power over her. Because of the salesman's assumptions the process was thwarted and he didn't even get to haggle.

The **strategic** approach considers how both parties, through each successive negotiating event (or games), can choose to be cooperative or competitive. Trust, as a degree of certainty about expected behavior of each negotiation partner, is always tested. Depending on the level of trust, people will cooperate to optimize the outcome (individual or collective) or not. While cooperation of both sides might yield a desirable result, the parties can never be certain that each will cooperate because each side works independently to optimize their own gain. This uncertainty emerges from two potential obstacles including 1) that decisions can be made simultaneously and 2) that concessions of one side might not be reciprocated. Thus, the parties have contradicting incentives to cooperate. If one party cooperates or makes a concession and the other does not, the non-cooperating party might gain more. Through repetitive interactions or games there emerges a reliable pattern of behavior, such as reciprocity. These patterns either serve to build trust or destroy it. The only way both parties can win (equal gain) is through cooperation built on trust. As kids learning how to play games, we quickly realized whom we could trust. We also learned that in many games there is always one winner and one loser. Both military strategist and economists have adopted this approach. The strategic approach, or Game Theory, often results in win-lose. A simple example of how game theory can be applied to everyday life is the game of chicken. Based on previous interactions two people enter into a contest to see who blinks. Both begin by

thinking that the other will capitulate, but as the pressure builds one person blinks. The Cuban Missile Crisis was a real life example of a game of chicken with huge consequences and luckily, the Soviet Union's Nikita Khrushchev, did blink.

During the height of the Cold War (1947-1991) the Soviet Union had established a strong military presence in Cuba, which had declared itself as a Communist state and aligned itself with the Soviet Union. United States photoreconnaissance intelligence had proven that missile launch areas were being readied on Cuban soil. Further, shipments of Soviet built missiles were confirmed to be on the sea headed for Cuba. This posed a major threat to the United States security and reaction time to launch a retaliatory strike. In response, the U.S. Navy established a blockade of Cuba and readied for a possible nuclear response if the Soviets chose to run the blockade. At the last second, the Soviet fleet carrying the missile and purported nuclear warheads diverted, avoided engaging U.S. warships and returned to Russia. A multitude of reasons were speculated for the Soviet's decision not to run the blockade, including Khrushchev's concern that President John F. Kennedy did not fully understand the ramifications of his actions. Khrushchev blinked, the Russian missiles returned home and Kennedy won the day.

Haggling, also called horse-trading, best characterizes the **process** approach. Typical examples of this approach include buying or selling a car, dealing with a street merchant selling designer knock-offs on New York's Canal Street or getting your children to clean their rooms. The parties start from two opposing points and converge through a series of concessions. This process of discovery is called haggling. The process unfolds between fixed points, starting with divergence and ending in convergence. One party starts by making a high offer and the other responds with a low offer. Eventually, they meet somewhere in between the initial offers. The process approach is not always sustainable in complex negotiations because it is driven by concession-making ability and the relative power of the parties involved. The knowledge and practice of tactics and countermeasures weighs heavily in favor of those who have the greatest command of them. It is the practice that people most commonly and mistakenly associate as negotiating.

Haggling works when the price and the accompanying terms are not fixed. It attempts to discover both parties' realities by a series of offers and counteroffers. The practice of haggling can be at the expense of maintaining a good relationship. My father was a great haggler. It is an art form, in that you cannot simply bulldoze your way to a great deal, particularly if you need to buy or sell to the person with which you are engaged on a recurring basis. To be effective you need to be able to finesse the deal by determining the other parties' point of indifference. Haggling in some cultures is a way of life. In the U.S., it's not part of our DNA. The venues for haggling are somewhat limited to buying cars, houses, antiques, art or garage sale treasures.

The ***integrative*** approach divides the process into successive stages, from the pre-negotiation, first contact 'selling' stage to the final settlement. This "Tayloresque" approach is a formalized, scientific approach designed for negotiators to optimize their position in each stage. The outcome is analyzed by evaluating the performance of the actors at each stage. If sustainability of relationship and the agreement requires that the needs of both parties be satisfied in a negotiation, then this approach will not be desirable. By definition, this approach optimizes one party's position while the other party's position is subjugated.

Studying the classical negotiating theories I concluded that choosing the correct approach was not an either-or but an all-of-the-above decision. Further, I discovered that all of the classical theories are missing the same critical elements. This is the basis of the Principles of Mindful Manipulation and the secret to effective negotiating in the 21st Century.

A Case for Change

Most negotiations draw from ancient traditions, practices and assumptions embedded in classical theories. What worked in the past, however, no longer have efficacy and sustainability in a global community. Unless you suffer from psychosclerosis (hardening of the attitude, which causes a person to cease dreaming, seeing, thinking, and leading) or are a member of The Flat Earth Society, you surely recognize that the world of commerce is markedly different than it was

even two decades ago. Companies are no longer either competitors or customers. Today, a competitor in one situation is a partner in tomorrow's situation. A seller is also a buyer and vice versa. Every negotiation event impacts future relationships as well as subsequent transactions. The demands are such that we must change the way we negotiate.

“There is nothing that is a more certain sign of insanity than to do the same thing over and over and expecting the results to be different”

- Albert Einstein

Furthermore, we now know that despite our global economy, humans remain culturally influenced and individually complex. It follows, then, that our negotiation behaviors must address the intricacies of both our new environment and the people that live in it. To do that, I'm arguing for change in assumptions, principles and practices of negotiations. Specifically, I'm arguing for a more civil, humanistic approach that philosophically grounds negotiating based on four distinct principles. Don't think that I'm advocating a soft approach to negotiating. What follows is as tough and as practical as it gets.

The practices that I offer represent the best of classical, conventional schools of thought on the topic of negotiations that remain viable today. Think of the practices as the content for a survival skills course in negotiating. If you are not grounded in the practices, then attempting to use the principles will have a high likelihood of backfiring. A negotiator must use these practices to recognize if the Other (a reference to another party in the negotiation) is playing a win-lose game. The twist is that these practices are philosophically congruent with the principles.

This book is driven by the demands for new and better ways to negotiate, a renaissance of sorts. Based on insights gleaned from nearly forty years of industry experience, successful negotiation practice and teaching, theoretical applications drawn from negotiation, personality and human communication theories, this book confronts these new realities with new tools. I believe that the time has come for a fifth theory of negotiating, Mindful Manipulation, with its principles

and practices that are in sync to navigate the commercial and personal issues we all face in the 21st Century.

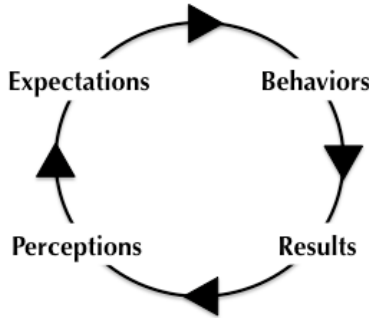
The remainder of this book follows a logical sequence for learning and doing. In Part One I make my biases, suppositions and assertions transparent. Part Two discusses each of the principles in great depth. Part Three defines the still relevant classical practices. Here's my promise and my warning to you. If you are a skilled negotiator and appropriately apply these principles, you will create more durable and equitable resolutions to your future negotiations. If you are a negotiating novice and apply these principles without an understanding of the classical practices, you may make yourself easier prey to someone to exploit you.

What's Different?

The problem with the old ways of negotiating is that the people involved were largely treated as interchangeable parts. Any discussion as to variability in perceptions, expectations and behaviors as they relate to negotiating were either non-existent or simply mentioned in passing. The old schools fail to identify what the true trade offs are when we negotiate. The conventional theories about negotiations focus on the results and ruses while completely avoiding the how, the methods and the means to achieve those results. But the manner and method of achieving results is much more significant than acknowledged. The 'what' and 'how' need to be balanced. Lastly, they tend to lead people to believe that everything is negotiable. That, in fact, is not true.

I have developed four counterintuitive, unconventional and avant-garde principles and a set of time-tested traditional negotiating practices that will enable you to be successful in any situation where negotiation is applicable. I call it Mindful Manipulation. In this context, mindful means being aware, wary and thoughtful in a negotiation. Manipulation means to influence, navigate or maneuver the negotiation process. The word manipulation has a negative and sometimes sinister undertone, but that is not intended here.

Mindful Manipulation is the thoughtful practice of understanding the Other's perceptions and expectations, then influencing and shaping them through civil, consistent and purposeful behaviors to create advantageous negotiated results. Graphically, it looks like this.



Mindful Manipulation is the caring, pensive and considerate art of shaping perceptions and expectations. It is not sinister or devious, but honest and at the core of the human condition when it comes to securing what you need. Mindful Manipulation is the pragmatic, humane and elegant methodology for achieving that balance of what and how. It's far different than anything else you may have read about negotiating. It is an effective way to practice negotiations regardless of the intent of the Other. Mindful Manipulation is a significantly new, counterintuitive, value driven approach to negotiating. It is a twist on Teddy Roosevelt's adage, "Speak softly and carry a big stick," but applied to all negotiating, not just diplomacy. The principles will guide you to speak softly, while the practices are a big stick available should you need it. Said differently, the implied strategy is if you mess with me, then I'll mess with you. Practicing Mindful Manipulation ensures that you will get what you really need in an ever-changing world regardless of the game that the Other plays.

So What

In addition to the four new principles, Mindful Manipulation also equips you with a self-defense arsenal of weapons should you need them (i.e. the big stick). In the pages that follow you will come to

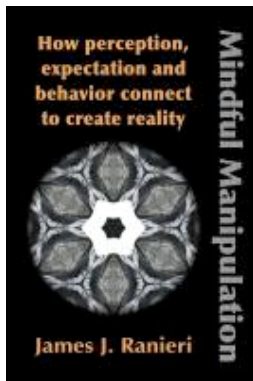
understand your negotiating self, learn how to mitigate your vulnerabilities and capitalize on your strengths. You will learn how to read people, mindfully manipulate their weaknesses, expectations and behaviors, play into their comfort zone, build trust and neutralize their power, not necessarily to exploit them, but to build better, more balanced agreements.

I'll help you understand that winning cannot be accomplished without impunity. There are always consequences and trade offs. I'll make you consciously aware of the trade-offs that you are making in terms of risk and reward, gain and relationship. I will make the connection between your cognitive preferences, particularly your innate basis of decision-making and your negotiating default 'soft' wiring.

I will provide you with a philosophy and a framework to facilitate the process of how to conduct negotiations that is both pragmatic and humane. I'll share a philosophy anchored in remaining calm and focused, acting with civility, persuading by engaging, and staying on the same page. Additionally, you will be exposed to a flexible problem-resolving model, and some key facilitative behaviors and actions.

I will define the domain or turf where negotiation is applicable and appropriate so that you will not waste your time trying to achieve the impossible through the negotiating process. By understanding what types of issues are appropriate for negotiation and which are not, you will be able to avoid the frustration created by impasse and deadlock.

Lastly, I will share with you the best of what is relevant from the traditional classical theories of negotiation to act as a negotiating survival manual. I'll discuss the behaviors, tactics and countermeasures that work before, during and after a negotiation. Time tested and powerful, these actions will keep you from being exploited. The book will enable you to read the negotiating situation and respond effectively and efficiently. Practicing Mindful Manipulation will allow you to increase the upside and minimize the downside when you negotiate.



Mindful Manipulation is not what you think. It is the thoughtful practice of understanding the Other's perceptions and expectations, then influencing and shaping them through civil, consistent and purposeful behaviors to create advantageous negotiated results. It's not sinister or devious, but honest and at the core of the human condition when it comes to securing what you need. Mindful Manipulation is the pragmatic, humane and elegant methodology for achieving that balance of what and how.

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