

FROM SIGNAL TO SEMANTIC: UNCOVERING THE EMOTIONAL DIMENSION OF NEGOTIATION

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I. INTRODUCTION¹

How should a negotiator navigate the subjective complexities of negotiation? While many scholars study the role of emotions in negotiation, I have pursued a research program to elucidate the *emotional dimension* of negotiation. At one level, all of us experience emotions, the discrete phenomena that manifest in response to internal and external stimuli. We feel anger, frustration, happiness, or disgust. Emotions proper are the *result* of a variety of cognitive, behavioral, and relational processes—a signal about our relationship to the world within and around us.² On another level, however, we experience a much broader and deeper subjective terrain than just the discrete emotions we feel or express. This *emotional dimension* comprises the relational texture of human interaction, the pulls and pushes and prods that tempt us, connect us, and alienate us from one another. Emotions come and go, but the emotional dimension is a constant.

Roger Fisher and I created the *Core Concerns Framework* as a pragmatic model to help people address the emotional dimension of negotiation.³ Dealing directly with the variety of emotions that arise in a negotiation can overwhelm our cognitive capacity, especially in a high-stakes context, where there are mul-

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¹ My deep gratitude goes to Professor Len Riskin, a luminary in the field of mediation who has inspired my continued thinking on the Core Concerns Framework. For many years now, Len and I have co-taught a course on negotiation at Northwestern University, during which we have integrated ideas on mindfulness and the Core Concerns Framework. As the years have gone by, I have found that our understanding of the subject matter has grown deeper, which merely means that we now have many more unanswered questions than we did when our collaboration first began. This paper represents my attempt to distill some of those essential questions. My deep appreciation also goes to Roger Fisher; our work on *Beyond Reason* was, from start to end, a collaboration in the fullest sense of the word. ROGER FISHER & DANIEL SHAPIRO, *BEYOND REASON: USING EMOTIONS AS YOU NEGOTIATE* (Viking 2005).

² RICHARD S. LAZARUS, *EMOTION AND ADAPTATION* 21-23 (1991); BRIAN PARKINSON, *IDEAS AND REALITIES OF EMOTION* 170 (Anthony Manstead ed., 1995). Although emotion is commonly understood as a personal and individual phenomenon, I argue that the most important aspects of emotion are social.

³ In *Beyond Reason*, we explicitly discuss the core concerns as a way to deal with *emotions*. FISHER & SHAPIRO, *supra* note 1. In the present Article, I describe how the core concerns framework has broader utility in that it addresses the more expansive *emotional dimension* of negotiation.

multiple layers of communication, processes, and substantive issues.⁴ Therefore, we suggest that negotiators turn their attention to a subset of motives—what we call *core concerns*—to illuminate and navigate the emotional dimension of negotiation.

In the *Nevada Law Journal* symposium on mindfulness and the core concerns, Professor Clark Freshman calls into question how “core” the core concerns are. His critique provides an opportunity for me to provide a fuller explanation of the bases for the Core Concerns Framework. In this Article, I review the Core Concerns Framework, explain its universal and cross-cultural applicability and particular utility within the context of negotiation, and conclude with commentary on the importance of *chunking* and *habit* as effective tools for integration of emotion-focused strategies into a negotiator’s repertoire.

II. THE CORE CONCERNS FRAMEWORK: OVERVIEW

The Core Concerns Framework provides a robust system to understand and deal with the emotional dimension of negotiation. Core concerns are fundamental motives that press for satisfaction, especially in the context of negotiation. These core concerns can be used both as a *lens* to understand the emotional dimension of negotiation and as a *lever* to stimulate positive emotions and collaborative behavior. A motive can be classified as a core concern if it: exists across cultural and organizational contexts; holds relevance across professional and personal relationships; offers practical utility in negotiation; and is supported by empirical research. Research from numerous domains points toward five such core concerns⁵:

- Appreciation (recognition of value)
- Autonomy (freedom to feel, think, take action, or decide)
- Affiliation (emotional connection to others)
- Status (standing compared to that of others)
- Role (effectiveness and meaningfulness of job label and related activities)

The Core Concerns Framework is the result of extensive laboratory and practice-based research. My own study of the emotional dimension of negotiation began in the early 1990s, prior to the negotiation field’s general acceptance of emotions as “important.” I researched and developed a conflict management curriculum with a substantial component on dealing with emotions.⁶ In the mid-1990s, I conducted some of the earliest quantitative laboratory work on the role of emotions in negotiation and conflict.⁷ More recently, I developed Rela-

⁴ *Id.* at 12-14.

⁵ A brief review of supporting research follows. *See infra* notes 9-20 and accompanying text.

⁶ DANIEL SHAPIRO, *CONFLICT AND COMMUNICATION: A GUIDE THROUGH THE LABYRINTH OF CONFLICT MANAGEMENT* (Fran Donelan et al. eds., 1995).

⁷ Daniel Shapiro, *Beyond Chess: The Effects of Anger on Person Perception* (May 1997) (unpublished M.S. thesis, University of Massachusetts, Amherst) (on file with W.E.B. Du Bois Library, University of Massachusetts, Amherst); Daniel Shapiro, *The Extended Nature of Conflict: The Varying Impact of Instrumental and Affective Satisfaction during Conflict on Working and Post-Conflict Relationship Quality* (1999) (unpublished Ph.D dissertation, University of Massachusetts, Amherst) (on file with W.E.B. Du Bois Library, University of Massachusetts, Amherst).

tional Identity Theory (RIT), a model for understanding the relational and emotional dimensions of human interaction. RIT integrates theory on the core structures and functions of emotions, relational aspects of negotiation, and the role of identity in conflict resolution.⁸ Roger Fisher and I spent five years developing the Core Concerns Framework, a pragmatic variation of Relational Identity Theory. As part of our research, we analyzed the emotional dimensions of our practical experiences as negotiators, mediators, and advisors in real-life negotiations and conflict situations. We drew on experiences that included consulting for world leaders such as Nelson Mandela and Jimmy Carter, business executives and managers, lawyers from large and small firms, doctors, military officers, mental health professionals and patients, academics, and disputing ethnopolitical factions.

III. THE FEASIBILITY AND UTILITY OF THE CORE CONCERNS FRAMEWORK

Let us now analyze the feasibility and utility of the Core Concerns Framework. Feasibility refers to the extent to which it is practical for negotiators to implement the framework. Utility refers to the extent to which it produces an efficient negotiation process and increases mutual gains.

Is it feasible to deal with core concerns in a negotiation? Yes.

Two questions must be answered in order to determine whether it is feasible to deal with core concerns in a negotiation. First, are the core concerns universal—ensuring that they have pragmatic value regardless of cultural or individual differences? Second, can a negotiator practically utilize the framework?

1. Evidence for the Universality of the Core Concerns

Substantial psychological evidence supports the universality of the core concerns. By universality, I mean that these motives are hardwired into the human motivational system and, therefore, influence emotion and behavior, albeit moderated by culture and idiosyncratic neurobiological structures and tendencies. Although a full review of the literature is beyond the scope of this paper, consider some illustrative research findings. Many scholars view the first and second core concerns, autonomy and affiliation, or variations on them, as core dimensions of the human experience.⁹ Freedman and colleagues distin-

⁸ Relational Identity Theory is a model of interpersonal and intergroup conflict that focuses on the relational fluidity of identity. See Daniel L. Shapiro, *Negotiating Emotions*, 20 CONFLICT RESOL. Q. 67 (2002) (describing seed ideas giving rise to relational identity theory). I have elaborated on the basic assumptions and utility of Relational Identity Theory in a forthcoming article in the *American Psychologist*.

⁹ E.g., ANDRAS ANGYAL, FOUNDATIONS FOR A SCIENCE OF PERSONALITY 172-81, 240-41 (1941); DAVID BAKAN, THE DUALITY OF HUMAN EXISTENCE: ISOLATION AND COMMUNION IN WESTERN MAN (1966); EDWARD L. DECI & RICHARD M. RYAN, INTRINSIC MOTIVATION AND SELF-DETERMINATION IN HUMAN BEHAVIOR (1985); John Benjafield & Eleanor Carson, *An Historicodevelopmental Analysis of the Circumplex Model of Trait Descriptive Terms*, 17 CAN. J. BEHAV. SCI. 339, 339 (1985); Jerry S. Wiggins, *Agency and Communion as Conceptual Coordinates for the Understanding and Measurement of Interpersonal Behavior*, in 2 PERSONALITY & PSYCHOPATHOLOGY: THINKING CLEARLY ABOUT PSYCHOLOGY 89, 89-97 (William M. Grove & Dante Cicchetti eds., 1991).

guish between dominance/submission and affiliation/hostility;¹⁰ Gilligan highlights justice and care;¹¹ Staub contrasts autonomous/individualistic identities from relational/collectivistic identities;¹² Kolb and Williams illuminate the importance of advocacy and connection;¹³ Mnookin, Peppet, and Tulumello emphasize the “tension” between assertiveness and empathy;¹⁴ Fromm contrasts a separate identity from oneness with the world;¹⁵ Brewer highlights distinctiveness and inclusion;¹⁶ and Edward Deci and colleagues have illuminated the impact of self-determination on emotions and behavior.¹⁷ The third core concern, appreciation, is the subject of an impressive set of psychophysiological studies at the Institute of HeartMath, which reveals the impact of appreciation on emotions, cognitive ability, and performance.¹⁸ In terms of status, Kemper demonstrates its impact on emotions.¹⁹ Finally, the emotional power

Additionally, Sandra L. Bem’s research into masculinity and femininity was a groundbreaking empirical exploration into what I term autonomy and affiliation. Bem’s classic research deconstructed gender roles and demonstrated that masculinity and femininity are complementary domains of human attributes and behaviors. See Sandra L. Bem, *The Measurement of Psychological Androgyny*, 42 J. CONSULTING & CLINICAL PSYCHOL. 155 (1974) (developing a sex role inventory that does not treat masculinity and femininity as inversely related and allowing for three categories of sex-role identification: masculine, feminine, and androgynous). She argued that a truly androgynous personality, holding both high levels of masculinity and femininity, contributes to the most effective and healthy human functioning. See Sandra L. Bem, *Sex Role Adaptability: One Consequence of Psychological Androgyny*, 31 J. PERSONALITY & SOC. PSYCHOL. 634, 642 (1975) (positing that androgynous individuals are better able to engage in situationally effective behavior than individuals who adopt masculine or feminine sex roles because androgynous individuals are less constrained by sex role stereotypes).

¹⁰ Mervin B. Freedman et al., *The Interpersonal Dimension of Personality*, 20 J. PERSONALITY 143, 150-152 (1951).

¹¹ CAROL GILLIGAN, IN A DIFFERENT VOICE: PSYCHOLOGICAL THEORY AND WOMEN’S DEVELOPMENT (1982).

¹² Ervin Staub, *Individual and Group Selves: Motivation, Morality, and Evolution*, in THE MORAL SELF 337, 337-58 (Gil G. Noam & Thomas E. Wren eds., 1993).

¹³ See generally DEBORAH M. KOLB & JUDITH WILLIAMS, THE SHADOW NEGOTIATION: HOW WOMEN CAN MASTER THE HIDDEN AGENDAS THAT DETERMINE BARGAINING SUCCESS (2000).

¹⁴ Robert H. Mnookin, Scott R. Peppet & Andrew S. Tulumello, *The Tension Between Empathy and Assertiveness*, 12 NEGOT. J. 217, 218 (1996).

¹⁵ ERICH FROMM, ESCAPE FROM FREEDOM 39-55 (1941).

¹⁶ Marilyn B. Brewer, *The Social Self: On Being the Same and Different at the Same Time*, 17 PERSONALITY & SOC. PSYCHOL. BULL. 475 (1991); Marilyn B. Brewer, *Ingroup Identification and Intergroup Conflict: When Does Ingroup Love Become Outgroup Hate?*, in SOCIAL IDENTITY, INTERGROUP CONFLICT, AND CONFLICT REDUCTION 17, 17-41 (Richard D. Ashmore et al. eds., 2001). Note that, unlike optimal distinctiveness theory’s hypothesis that inclusion and differentiation are “opposing needs,” *Id.* at 29, the Core Concerns Framework—and RIT more broadly—see autonomy and affiliation as two distinct dimensions of human experience.

¹⁷ EDWARD L. DECI, THE PSYCHOLOGY OF SELF-DETERMINATION 3-17, 73-101 (Lexington Books 1980).

¹⁸ See R. McCraty, D. Childre, *The Grateful Heart: The Psychophysiology of Appreciation*, in THE PSYCHOLOGY OF GRATITUDE 230-255 (Richard A. Emmons & Michael E. McCullough eds., 2004).

¹⁹ Theodore D. Kemper, *Social Models in the Explanation of Emotions*, in HANDBOOK OF EMOTIONS 45, 46 (Michael Lewis & Jeannette M. Haviland-Jones eds., 2d ed. 2000).

of having a fulfilling role is supported through substantial psychological inquiry dating back at least to the work of Viktor Frankl.²⁰

The Core Concerns Framework transcends cultural differences. As with any cross-culturally relevant model for dealing with emotions, it accounts for the fact that human beings have universal commonalities and cultural and individual differences. Accordingly, the Core Concerns Framework takes a three-pronged approach to reconciling this tension. First, at a descriptive level, the five core concerns represent five universal motives driving behavior, cognition, and emotion. Individuals and groups across all cultures desire affiliation, autonomy, appreciation, status, and fulfilling roles. Second, in terms of prescriptive advice, the Core Concerns Framework offers cross-culturally robust strategic guidance. Appropriately respecting the core concerns will tend to stimulate positive emotions and cooperative inclinations. For example, Baumeister and Leary conducted a massive review of research on the need to belong—what we term affiliation—and concluded that (1) there exists a fundamental motive to bond, (2) strong negative emotions are associated with broken bonds, and (3) stable bonds produce positive emotions.²¹ Third, and here is the twist: at a tactical level, operationalizing the strategic advice varies across cultures and relationships. That is, *how* a person or group effectively builds affiliation, respects autonomy, or addresses one of the other core concerns becomes a matter of cultural and individual calibration.

Thus, the robustness of the Core Concerns Framework derives from the distinction between strategic and tactical advice. For example, Clark Freshman miscasts the Core Concerns Framework's recommendation to "build affiliation" as a tactical suggestion that one blindly implement, rather than as an overarching strategy that must be tactically calibrated to the specific situation.²² In contrast to Clark's assertion, it makes no sense to suggest that a core concern such as affiliation can "backfire."²³ In and of itself, affiliation is simply a motive calling for satisfaction. Motives do not fail; they simply exist. *How* one responds to a core concern will determine its efficacy. If one intends to build affiliation (the strategy) but uses thoughtless tactics that alienate self from other, the problem is not with the strategy, but with the tactic of implementation. In this case, it is not the core concern that has backfired, but the tactic itself. Building affiliation with an extrovert requires different tactics—different words and actions—than building affiliation with an introvert. In either case, affiliation is an important concern, but the manner in which one addresses it will vary across individuals, groups, and cultures.

Consider another example. Roger Fisher and I offer the strategic advice to "respect autonomy" in order to stimulate positive emotions and cooperative

²⁰ See VIKTOR FRANKL, *MAN'S SEARCH FOR MEANING* (1946).

²¹ Roy F. Baumeister & Mark R. Leary, *The Need to Belong: Desire for Interpersonal Attachments as a Fundamental Human Motivation*, 117 *PSYCHOL. BULL.* 497 (1995).

²² It may be that, ultimately, Clark and I agree that the most effective use of the core concerns is through calibrated use, in which case I agree with Clark that awareness of the Basic Emotions becomes one among many sets of tools for doing so.

²³ Clark Freshman, *Yes, And: Core Concerns, Internal Mindfulness, and External Mindfulness for Emotional Balance, Lie Detection, and Successful Negotiation*, 10 *NEV. L.J.* 365, 382-84 (2009).

behavior. Clark erroneously suggests that “autonomy may sometimes backfire and trigger negative emotions. ‘Widely reported research on choice overload suggests that ‘we’ are often less satisfied when . . . given ‘too many’ choices.”²⁴ As with affiliation, the problem is not with autonomy backfiring. We do not operationalize respect for autonomy as the provision of unlimited choice. To the contrary, we note that “a great deal of autonomy can be overwhelming.”²⁵ Again, there is a need to distinguish strategy from tactic. Respect for autonomy should not be equated with giving an individual or group unlimited freedom to do whatever they want. That *can be* overwhelming. Indeed, there are rules, laws, and policies that constrain everyone’s freedom, no matter the culture, but these constraints are often welcome. The question is how best to respect autonomy given cultural and individual differences. Sometimes, respecting autonomy means reducing someone’s choice rather than enhancing it. The strategy remains true—respect autonomy—but its tactical implementation depends upon the relationship and cultural context.

2. *Calibrating Core Concerns to Respect Cultural and Individual Differences*

Negotiators face a dilemma in dealing with the emotional dimension. On the one hand, they need external data to calibrate the core concerns to individual circumstances. On the other hand, dealing directly with every emotion that arises in a negotiation can be overwhelming.²⁶ Therefore, I propose that negotiators acquire external emotional data by distinguishing between emotion and feeling—with a primary focus on the feeling.²⁷ I define emotion as a distinct type of experience that is in response to our appraisal of matters of personal significance and that usually involves a unique subjective feeling, cognitive activity, physiological arousal, and action tendency.²⁸ Emotion responds to our

²⁴ *Id.* at note 121 and accompanying text (citing BARRY SCHWARTZ, *THE PARADOX OF CHOICE* 200-201 (2004)).

²⁵ FISHER & SHAPIRO, *supra* note 1, at 81 (“Sometimes the problem is not that we lack autonomy, but rather that we feel overwhelmed by having too many choices and too many decisions to make.”).

²⁶ In *Beyond Reason*, Roger Fisher and I argue that dealing directly with emotions in a negotiation is overwhelming. Clark Freshman disputes this assertion. FISHER & SHAPIRO, *supra* note 1, at 5-6. The point of difference ultimately boils down to terminology. Clark Freshman conflates “recognizing emotions” and “dealing directly with emotions.” Freshman, *supra* note 23, at 378-79. Recognition of emotional expression is only one of numerous steps in dealing directly with emotions, which also includes labeling the emotions (both Ekman’s seven “basic emotions” and the socially constructed ones), understanding their causes, deciding how to act, and evaluating the effectiveness of the action. I agree with Clark Freshman that a negotiator would be well-served to execute all of these tasks, and to the extent that awareness of emotions is feasible, it is advisable. Yet at a practical level, the considerable resources required to deal directly with each and every emotion suggest the need for a complementary strategy.

²⁷ I initially raised this distinction with Roger Fisher while we were writing *Beyond Reason*. We articulated it in FISHER & SHAPIRO, *supra* note 1, at 210.

²⁸ *Subjective feeling* refers to the internal experience of the emotion, whether feeling “a weight on your shoulders” or “butterflies in your stomach.” *Cognitive activity* is of two kinds. First are the thoughts that arise in conjunction with particular emotions. When angry, we tend to think angry thoughts; when sad, our thoughts are depressed. Second, emotions tend to impact the way we process information about other people and our relationship with

appraisal of matters of personal significance. Put differently, an emotion is an experience that we feel and that we are. “I feel afraid” is the equivalent of “I am afraid.” In contrast, a feeling is an affect-laden belief. It is true from the perspective of the individual experiencing the emotion but not necessarily from the perspective of others. “I feel included” is not necessarily the equivalent of “I am included.” Thus, a feeling is an affect-laden belief, whereas an emotion is a belief-laden affect.

This distinction between emotion and feeling holds the key for calibrating the core concerns without overwhelming cognitive resources. A single *feeling*, such as feeling excluded or diminished, is pregnant with emotional meaning, whereas a single *emotion* holds virtually no such information. Each core concern is associated with a particular feeling, which allows the negotiator to hold in mind only the five core concerns rather than trying first to identify a longer list of basic emotions and to draw on another framework to interpret their meaning. A negotiator may feel appreciated or unappreciated, close or distant in affiliation, free or impinged upon in terms of autonomy, raised or diminished in status, and fulfilled or unfulfilled in a role. While focusing on feelings may come at the cost of losing information about particular emotions, that risk is offset by the conservation of cognitive resources. And by no means does this approach preclude analyzing emotional expressions pending time and cognitive capacity. In fact, the ability to recognize brief, involuntary flashes of facial expression of emotions—what Paul Ekman calls microexpressions—can enhance a negotiator’s awareness of met or unmet core concerns.

IV. UTILITY OF THE CORE CONCERNS FRAMEWORK: LOW COST, HIGH PAYOFF

The Core Concerns Framework offers a low-cost, high payoff way to navigate the emotional dimension of a negotiation. The framework fosters mutuality, insight into the semantic landscape, and understanding of the emotional dynamics for small or large groups.

1. *Fostering Mutuality, Not Division*

The Core Concerns Framework honors mutuality through analysis of the relational system in which parties find themselves. It is all too easy for a theory of emotion management unintentionally to promote objectification of the other. For example, the very act of consciously looking for evidence of emotions through a person’s facial expressions can lead to objectification of that person. The negotiator must classify the other’s facial expressions for signs of emotions in much the same way a scientist classifies igneous, sedimentary, and metamor-

them. When angry, for example, we are more likely to categorize people based on stereotypes rather than unique attributes of the individual. See Shapiro, *supra* note 8. *Physiological arousal* refers to the degree and ways our body is affected by the emotional experience, such as when our heart races, our face blushes, or blood pressure rises or falls. An *action tendency* is our felt desire to engage in a type of behavior. See NICO H. FRIDA, *THE EMOTIONS* 6 (1986). When in love, we want to connect with the subject of our love. When angry, we want to attack. When embarrassed, we want to hide. We may not act on the action tendency, which is a motivational push and not a behavioral certainty.

phic rocks. There is a prototypical pattern to each rock formation, just as there is a prototypical expression to each basic emotion, and the challenge is pattern recognition. Such objectification clearly is useful in contexts such as lie detection—and indeed a vast literature has amassed supporting the application of basic emotions recognition to effective lie detection²⁹—but these same processes of analysis can damage rapport and a good working relationship if a negotiator becomes consumed by the quest for evidence about the other party's negative intent. Are they being deceptive? Manipulative? Exploitive?

The Core Concerns Framework attempts to escape the trap of analyzing an intrinsically social activity—negotiation—in an egoistic way. Negotiation is a dance of mutuality, and the emotional dimension must be analyzed within that social context. Imagine you just captured a bee upon its return from a field of nectar. Under the glass jar, the bee flips and flops and bangs its head against the glass; the behavior appears erratic. But watch the same bee do this dance in the hive, and it becomes clear that the bee is communicating *to other bees* the route to the field of nectar.³⁰ Self and other are each part of the relational system. Thus, the Core Concerns Framework objectifies the relationship between parties, not the facial expressions or personality of other negotiators. A relationship can be defined as an association between individuals or groups, and the core concerns are the unique properties defining the dynamic aspects of that association. The association between parties, for example, is defined by the degree and quality of each party's affiliation with the other, whether close or distant, included or excluded, collegial or adversarial, as well as by each party's autonomy from the other, ranging from great liberty to undue restriction.

2. *Illuminating the Semantic Landscape: Differentiating Signal From Semantic*

The primary value of the Core Concerns Framework rests on its capacity to illuminate what I call the *semantic landscape* of a negotiation. This is the emotional meaning that parties consciously or unconsciously ascribe to their interaction, often in the form of narratives that describe how parties see themselves in relation to one another. Who am I in relation to you? Who are you in relation to me? Who do we each *want* to be in relation to the other? Without an understanding of each party's motives, intentions, and emotional narrative, recognition of discrete emotions is little more than pattern recognition, offering virtually no relational information about what holds parties together, pushes them apart, or brings them to tears.

Consider Clark Freshman's experience as he was hunting for an apartment to rent: "I stopped by an open house, with no other potential tenants in sight. 'Not many people here today,' I said to the apartment's owner, not knowing whether I was late or whether there simply was not high demand. As I looked at the owner's face, she showed a quick expression of fear, a movement of one

²⁹ See, e.g., Paul Ekman, *Lie Catching and Microexpressions*, in *THE PHILOSOPHY OF DECEPTION* 118 (Clancy Martin ed., 2009).

³⁰ KARL VON FRISCH, *THE DANCING BEES: AN ACCOUNT OF THE LIFE AND SENSES OF THE HONEY BEE* 114-17 (1953).

set of muscles that draws her inner eyebrows up. Instantly I thought: I can get this place for less!”³¹

Note the assumptive leaps that led Clark to his conclusion. He observed evidence of an emotion—the look of fear—but how should he interpret that fear? The two-party negotiation took place within a relational system in which Clark and the other person each affected the other’s feelings and behavior. Was Clark aware of what emotions and facial expressions *he* was experiencing throughout the interaction? What was the impact of those feelings on the owner’s emotions? What were alternative narratives of the fear? Perhaps the fear was not at all an indication of desperation to sell, but rather fear of haggling, or fear of an aggressive look on Clark’s face, or fear of something else completely. Although I have little doubt that Clark—well-trained in recognizing patterns of emotion—saw a look correlating to fear, he could not derive the meaning by drawing only on a framework of emotion classification.³²

In contrast, by drawing on the Core Concerns Framework, we see critical motives driving individuals and groups to action. We see a negotiator’s quest for appreciation, status, or affiliation. We see a negotiator’s “bids for connection” and the counterpart’s rejection of it.³³ We see not just the discrete signals of emotion, but the underlying concerns driving behavior. It is akin to what Richard Lazarus calls *core relational themes*, generalized relational meanings about an interaction.³⁴ As he notes, core relational themes are the “central (hence core) relational harm or benefit in adaptational encounters that underlies each specific kind of emotion.”³⁵ The core concerns, then, are relational themes that emerge within a negotiation. An emotion signals whether or not a relational theme—a core concern—has been satisfied.

3. *Applicable at the Micro- and Macro-Level*

A third major benefit of the Core Concerns Framework is its utility at both the micro- and macro-level. At the micro-level, the emotional dimensions of interpersonal or small group dynamics can be assessed efficiently using the Core Concerns Framework. A party can take note of individuals or coalitions who appear uplifted or upset. Rather than having to identify discrete emotions and underlying causes, the party can jump right to the core concerns and assess hypotheses about which core concerns may be addressed or unaddressed. Moreover, at the macro-level, the semantic landscape of groups can be analyzed using the core concerns. As long as there is a thread of common identity holding a group together, its members will share emotional reactions to actions affecting their group. Thus, the Core Concerns Framework provides a useful

³¹ Freshman, *supra* note 23, at 377.

³² “‘Detecting clues to deceit is a presumption.’ Ekman wrote. ‘It takes without permission, despite the other person’s wishes.’” Robin Marantz Henig, *Looking for the Lie*, N.Y. TIMES MAGAZINE, Feb. 5, 2006, at 52, available at <http://www.nytimes.com/2006/02/05/magazine/05lying.html> (quoting PAUL EKMAN, TELLING LIES: CLUES TO DECEIT IN THE MARKETPLACE, POLITICS, AND MARRIAGE 350 (2001)).

³³ JOHN M. GOTTMAN & JOAN DECLAIRE, THE RELATIONSHIP CURE: A FIVE-STEP GUIDE FOR BUILDING BETTER CONNECTIONS WITH FAMILY, FRIENDS, AND LOVERS 27 (2001).

³⁴ LAZARUS, *supra* note 2, at 121.

³⁵ *Id.*

tool for analyzing the relational positioning and semantic landscape of inter-group negotiation and conflict.

V. EXPANDING EMOTIONAL EFFICIENCY: THE IMPORTANCE OF CHUNKING AND HABIT FORMATION

In reviewing our discussion thus far, the fundamental dilemma of dealing with the emotional dimension becomes clear. On the one hand, emotions are both a crucial motivator of human behavior and a valuable source of information about people's interests. On the other hand, any tools that identify and deal with emotions are hampered by two obstacles affecting feasibility and utility. First, human beings have limited mental capacity to receive information, process it, and decide how to respond. Second, the overt and deliberate implementation of tools for dealing with emotions may be interpreted as inauthentic and can damage trust between individuals or groups. For example, a negotiator may interpret her counterpart's words of appreciation as phony, creating emotional distance.

To deal effectively with the emotional dimension of negotiation, any strategies must overcome these two obstacles. Generally speaking, negotiators must rely on strategies that capture the maximal amount of emotional value with the minimal amount of effort. In others words, these strategies must be practically feasible and high in utility. I would like to call attention to two tools that can improve effective navigation of the emotional dimension: chunking and habit formation.

1. *Chunking*

Chunking describes an approach to compressing multiple pieces of information into memorable, higher-level units. Years back, George Miller noted that a person can only hold approximately seven pieces of data in mind at any point in time, but this number can be greatly expanded if we chunk information.³⁶ Try remembering the numbers 1-4-7-9-3-6 right now, in proper sequence. Not easy. Now try remembering 147 and 936. Chunking the numbers allows for greater cognitive storage capacity and easier recall. As Miller notes, "By organizing the stimulus input simultaneously into several dimensions and successively into a sequence of chunks, we manage to break (or at least stretch) this informational bottleneck."³⁷

The conceptual tool of chunking underlies the entire Core Concerns Framework. Roger Fisher and I developed this framework as a simple, pragmatic theory, with a minimal number of chunked variables, each pregnant with multiple layers of breadth and depth of complexity. One can simply pay increased attention to affiliation in a negotiation and that will illuminate aspects of the semantic landscape. Alternatively, the seasoned practitioner of the core concerns can focus on affiliation as a lens and as a lever, working to build structural connections and calibrating personal connections to create a relation-

³⁶ George A. Miller, *The Magical Number Seven, Plus or Minus Two: Some Limits on Our Capacity for Processing Information*, 63 PSYCHOL. REV. 81, 92-93 (1956).

³⁷ *Id.* at 95.

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ship that holds the parties close together, but not so close that either party feels distracting discomfort.

2. *Habit Formation*

Forming a habit is a way to overcome the limitations of objectification that are intrinsic to identifying emotional expressions or core concerns. Habit is a way of automatizing behaviors that otherwise must be deliberately and thoughtfully performed. To the degree that the identification of emotions or core concerns becomes habit, more cognitive resources are available for other tasks. More important, I believe, is the fact that incorporation of these tools into one's behavioral repertoire makes these behaviors *authentically* executed. It is the difference between a negotiator scrupulously studying your every word and action for signs of affiliation, as compared to a negotiator discussing content issues with you while, at the same time, automatically assessing and responding appropriately to your desired degree of affiliation. The latter approach is much more likely to create an emotional atmosphere of trust and cooperation.

VI. SUMMARY

The Core Concerns Framework fosters mutuality, insight into the semantic landscape, and utility in small- and large-group negotiations. This framework holds universal and intercultural feasibility and particular utility within the context of negotiation. At a meta-level, the Core Concerns Framework – as well as emotion recognition strategies – can benefit from *chunking* and *habit formation*, promoting behavioral efficiency and relational authenticity.