

Is-Negotiations-Like-Chess-

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SPEAKERS

Emily Martin, Loyd Willaford

E Emily Martin 00:08

In this episode, I'm chatting with my PERC colleague Loyd Willaford, who like all of the hosts of the PERColator podcast, works at the Washington State's Public Employment Relations Commission, as a Labor Relations Adjudicator Mediator. Recently at a staff meeting, Loyd mentioned that he had just participated in a chess tournament. And since chess is sometimes used as a metaphor for negotiations, I invited Loyd to the podcast so that we could compare and contrast labor relations negotiations with the game of chess.

E Emily Martin 00:44

Welcome, thanks for coming. I know nothing about chess. Tell me about what you know, how long have you played? How did you get involved?

L Loyd Willaford 00:52

So I learned to play chess when I was in grade school, but I didn't really play seriously until I got into college. And this is gonna make me feel old. But I started playing competitive chess 30 years ago, started out in college and, and I've been sort of off and on since then, I was really serious in college, and then took about a 10 or 15 year hiatus and got back into it after law school, actually, and have been, you know, semi regular since then.

E Emily Martin 01:21

What does just look like, do you go to chess tournaments?

L Loyd Willaford 01:24

There's chess league chess tournaments across the country. Some of your podcast listeners

may have seen a recent Netflix series, the Queen's Gambit that actually was set in the 60s. But what you actually see in that series is a fairly accurate representation of kind of the physical dynamics of chess tournaments, which is lots of tables of chess pieces, and people sitting across from them quietly, though, the one big difference is people don't move as fast as you see moves. And because obviously, for dramatic purposes, we want things to move along. Competitive chess games are typically two to four hours for each game, and a tournament, a weekend tournament, which is kind of the ones that I play in, will typically feature five rounds. So three on Saturday, two on Sunday.

E

Emily Martin 02:10

Sounds like a negotiation huh? Sometimes multiple sessions.

L

Loyd Willaford 02:14

No, absolutely. Multiple sessions, long sessions, maybe some breaks in between. But sure.

E

Emily Martin 02:19

The idea of chess as a metaphor isn't new, I think it's been explored in some different ways. Do you think it's a good metaphor to talk about in terms of negotiations?

L

Loyd Willaford 02:28

I think it's, it, I mean, it's certainly it's been used. And you know, there, for example, Michael Wheeler's book, "The Art of Negotiation." There's quite a lot on chess and thinking processes and things like that. I don't know that it's a perfect metaphor. I mean, chess, often in popular culture sort of gets equated with strategy or thinking or because it's a thinking game. And, you know, I think it can be useful to to think about it that way. I mean, it is a game in a way that negotiations are real life, right? There are real consequences in a chess game. You mean, you win, and you lose, maybe you have some ego at stake. And if you're playing competitively, there's sometimes you know, at the level I play, very little money at stake, but sometimes there's money at stake. I would say it is an imperfect metaphor, it's the difference between a game and real life.

E

Emily Martin 03:16

One thing I think about in terms of chess is strategy. But then I'm guessing there's also an emotional component as well.

L

Loyd Willaford 03:24

Sure. Well, absolutely. I mean, I think, you know, we, I like to imagine that perfect calculating machine, I will just sit at a chess table and analyze, and make the perfect move. But of course,

I'm a human being. And so I'm not, I can get distracted, I can get upset because I made a bad move, emotionally, you're out of whack, and then you just make another bad move. And I think that that same thing can happen in negotiations, we can have a plan going in, and then something changes, somebody makes a proposal we really don't like, and then we get mad or distracted or whatever. And that can kind of change how we do things. So there's absolutely an emotional component to chess and to negotiations. But the strategic piece of kind of having an idea where you want to go, I think is important in both chess and negotiation. I think patience is certainly a virtue in both chess and in negotiations, like being able to sit there and see what there is to be seen. Spend the necessary time. And I'll be candid with you. This is often you know, one of my downfalls is, is getting impatient and making a move too soon, or too quickly. And that can also happen in negotiations for sure.

E

Emily Martin 04:33

Is endurance part of that as well. I'm imagining any patience and reacting too soon. But sometimes with a long session, maybe even endurance is a word that would apply.

L

Loyd Willaford 04:44

Absolutely. I think sort of preparation says it's interesting when people think, Oh, well, you're sitting in a chess table, how draining can that be in World Championships? It's not uncommon for the candidates, especially in the old days when they were much longer matches for some of these people to lose like 10 or 15 pounds over the course of a chess match, because just from the amount of energy that you're draining, so there's a whole lot of preparation, like you need to take care of yourself, you know, take some breaks, you know, have an often having things like juice or water or snack available, people do that. And we also obviously, do take breaks in negotiations and make sure we're taking care of ourselves so that we can perform at our best.

E

Emily Martin 05:24

Are there rules about what you can have?

L

Loyd Willaford 05:26

Nothing distracting. Obviously, you don't want to be unwrapping stuff at the table or making a mess. Generally people do that away from the table. There are yeah, it depends on on the tournament. But yeah, people do take a break away in order to get a little snack.

E

Emily Martin 05:40

Alright, so we talked about the theory of chess, right? But how does that work out in real life? The relationship between theory and practice?

L

Loyd Willaford 05:48

L Loyd Willaford 05:40

Yeah, there is a relationship so that you know, there's people have been playing serious chess and documenting it, going back about 500 years. So there is a huge amount of chess theory and people calculating what's the optimal sort of set of moves in any given situation. And of course, because human beings are not capable of retaining all of that, although they're capable of retaining a lot of it. And so understanding kind of what's the theoretically best move in a given situation is important. But probably more important, is understanding the overall plan in a position because of the just the sheer amount of possibilities, you can't calculate everything. And so it's true, like for people that the level that I play at getting a theoretically good position does me no good unless I know actually how to win it. It's a sort thing in chess we talk about, you know, you got to be able to win the one game. So you might say, okay, computer tells me, this should be a winning game. But if I can't actually do that at the board, without the assistance of a computer, it does me no good. And I think that's also true for negotiations, you can have all the negotiation theory in the world you want. But if you can't, you know, manage your emotions and execute on your plan at the table, the theory isn't really going to help you. In fact, you can actually hurt like I said, it's much better to have, for me, to have not the optimal theoretical position where I have to have all this specialized knowledge to convert it into a win, better to have a fairly simple position that I know how to win, even if it's not, ideally better. And you know, same thing, you can have in negotiations, you can theoretically okay, theoretically I know, I'm doing the right thing here. But I don't really know how I'm gonna get there. It can actually disrupt things because you'll do things that are not in keeping with the position that you're playing or the circumstances around the negotiations. If that makes sense.

E Emily Martin 07:41

And when it comes to like theory versus practice. It also strikes me as overthinking could be an issue in both chess negotiations.

L Loyd Willaford 07:49

Yeah, absolutely. And in chess, what overthinking will lead to is shortage of time, modern chess has clocks. So you probably have seen these, if you've seen the Queen's Gambit, you see people using clocks. And you do that so that it's fair. So people use can use the same amount of time to think, overthinking can result in what some people call analysis paralysis, like I don't know what to do. So I just sit there and my clock ticks down and then I get in time trouble. And then I have to make my future moves way too quickly, and that leads to blunders. And I think negotiations also that can be analysis paralysis, how can I get the other side to make a proposal that the other side can say yes to and I'm, I spent all my time thinking about that and cogitating about that and never actually producing the proposals.

E Emily Martin 08:34

It seems to me also in negotiations, sometimes one side would strategically respond quickly, it would be reasonable to take a little longer to give a response. But there's an advantage of turning something around quickly, to show confidence or show that you know, really, like this is what we want.

L

Loyd Willaford 08:53

Sure, like, for example, interests that people get in time trouble, one side is in time trouble, right, the other side has plenty of time. There is a tendency for the side, who has plenty of time to play quickly to coerce the person into making mistakes, like they'll start playing faster, because the other side doesn't have much time, or they don't even know they're doing that. It just becomes a sort of automatic response. And I think that's, that's again, how blunders happen. People do things automatically, or they don't use the tools available. So negotiations just because somebody responds to a proposal quickly does not mean oh, that means I should respond quickly too, because you may make a mistake knowing that that it's okay to take the time that you need is important to be aware when some other side might be trying to use some strategy to get you to respond more quickly.

E

Emily Martin 09:44

Tell me more about tactics and strategy?

L

Loyd Willaford 09:46

There's a little bit of a blurry line, but tactics basically in chess, a tactic is like a short term device in a given chess position to achieve a result. For example, there are things like a fork, a fork in chess is where you make a move that attacks two of your opponent's pieces at the same time, that's a tactic and that you might use that tactic either to win material. And if you win enough material, you you're going to be victorious. Or you might use it in a way they have to respond, and it improves your position. So tactics are devices that lead to some larger strategic goal, like gaining material, or improving your position. And the same thing in negotiations, for example, a tactic, one of the things you just mentioned would be a tactic. A quick response to a proposal, or an opening proposal that takes an extreme position. That's a tactic. And there is a purpose behind that tactic. The purpose is the strategy, maybe the strategy is I know, I'm gonna have to have some back and forth. So I want to build in room to do that. And so the tactic that I use to achieve my overall strategic goal is a more extreme opening position than maybe I would otherwise take.

E

Emily Martin 10:59

And I could clearly see how that might happen in negotiations as well, right? How do you get to the deal you want in the end?

L

Loyd Willaford 11:05

Yeah, yeah. And you can put those things together, for example. I mean, I was thinking about like a package proposal. So in chess, there are things called combinations which are sets of moves, and they might involve a bunch of different tactics on the board, there might be a fork, or like I said, that's the attacking two different pieces, or a pin where a piece can't move, because the piece behind it is more valuable. And therefore we're going to use those tabs, we know that piece is fixed. So we can we can move our pieces in such a way to take advantage of

that. And the same thing happens in negotiations, where you might package a bunch of things together, knowing that that will make it easier to achieve your overall strategic goal of for example, getting a tentative agreement on an entire contract.

E

Emily Martin 11:49

Foresight, is that a word that's often used in chess and negotiations?

L

Loyd Willaford 11:53

It is, being able to at least have an idea of where something is going is really helpful in you know, selecting whatever tactic you need to get there or avoiding the big thing is avoiding pitfalls. Where are the landmines, the things that are going to derail my chess game or negotiations, and to really be thinking about that, as at each step of the process. So in chess, you make a move by move, things can change, and they can change pretty quickly. But some opponent makes some, you know, move that radically changes the position, that's going to then change, and I need to be able to maybe see, okay, there are certain positions where that's more likely to happen than not, and knowing that ahead of time can be helpful. Same thing is true negotiations, you know, thinking, Okay, what's, what's the end goal here. And if you know the personalities, maybe you kind of have an idea of where things are gonna go, or, you know, the history of bargaining between the parties, that kind of stuff can be helpful.

E

Emily Martin 12:50

There is a mediator that I worked with at PERC, who used to say, "we've been around the mulberry bush before," or like, some things that tend to go. And I think sometimes just just those experiences help us predict what might be happening. next. And I'm imagining it is the same way with chess, once you've been playing a while, you tend to see the patterns.

L

Loyd Willaford 13:09

Right, like opening a member to everybody starts with the same opening position, that never changes. And so you get chess openings, like they're fairly predictable. And some can be like, literally 20 or 30 moves of everybody has been here before, especially at the highest highest levels. Having said that, I do think you can devolve into sort of rote. And I think this can happen to negotiations, too, when you say, "Oh, we've been here before, so we'll just do it the way we've always done it." You can miss things by doing that, in chess for example, move order is a big deal. You know, you may think you're in the same position. But if people make a slightly different order of moves, that actually can have a huge impact. And so to pay attention, having some situational awareness about okay, is this really the same thing we've been doing over and over again? Or is there something different? And to really be able to take that pause, I think is important in chess. And I also think it's important negotiations to not just assume that we've done all this before. So we're just going to, we're going to do this the way we've always done it.

E

Emily Martin 14:08

I think when it comes to situational awareness at negotiations, I think about like all the moving parts at the table, but also what's not at the table. What might be going on in a bigger ecosphere, around the negotiations, is that similar to what happens maybe in a chess game?

L

Loyd Willaford 14:22

Obviously in a chess game, there's just the board right? Now, you may know something about the player, right? Like this person likes, you know, really sharp, attacking, you know, positions, in which case if you know that you might be able to guide the position into something that's less comfortable for that person. So that's maybe having some sort of psychology of playing the person versus playing the board is a hot topic in chess and has been for a long time. I think nowadays with, sort of the advent of assistance with computers in terms of planning, most people would say play the board, not the person, but there can be advantages to playing the person in the short term for sure, if you know enough about them, and particularly in selecting openings and guiding people into openings, that's probably where that happens the most often. But I would say for negotiations, same thing, if you know the predilections of people, it can be helpful in terms of framing things up. But yeah, it's not quite the same thing. Because again, just as a fixed closed universe.

E

Emily Martin 15:21

You might know what makes them uncomfortable or comfortable. And maybe you want to, like, put them off their game by making them less comfortable. Do you ever try to like lull them into feeling confident and then surprising them with something?

L

Loyd Willaford 15:38

I don't, personally, I don't, because I'm probably middle of the road tournament player. Very good players do do that. Yeah, World Championship quality, Grandmasters which I am not, do actually very sophisticated opening theory where they kind of know that you know, where the positions are going. And they can guide people either, like you say, lull them into this maybe looks like a common position. But it really isn't. There's some very minor feature that makes a difference. And this is how chess theory works. Right? It looks like it's the same, but somebody makes a slightly different move, and it changes the position. And people can take advantage of that. And it can be it can be very, very minor differences that can lead down the road to long term consequences. And again, typically, you know, like maybe like I said, some of these opening systems go 20-30 moves deep. And it's not like negotiations were there are kind of unintended consequences. You know, thinking ahead a little bit about, if I do this, what is going to happen outside? What's going to happen to my next bargain? Or what's going to happen, not just with, you know, in this bargain, but it might have effects on other bargains, right, particularly the employers are concerned about that. So knowing what's going on kind of away from where you're at right now can be relevant, but I think it's certainly much more relevant in negotiations than it is in chess,

E Emily Martin 16:54

I think you said something about chess being a fixed universe versus real life. And the idea of people being able to have a strategy. In chess, you're trying to win, right? Like in negotiations, you're trying to get a good deal, which can be more complicated than just a simple W versus a loss. It seems like the metaphor of chess might almost lead us into this binary thinking in a way that misses some of the value that you could get out of a negotiation.

L Loyd Willaford 17:21

Yeah, I think that that's right. I will say most people play it because they enjoy it, they enjoy the challenge, and they want to win, right? That's the point is you want to win, but it's sophisticated. And there's a sort of an aesthetic element that for example, I mentioned combinations, series of moves, when you look at a position that you wouldn't imagine that, you know, in three moves, this person's going to be checkmated. And then when you see the moves on your board, you it's actually pleasing to you. There's a real famous quote by a chess player Siegbert Tarrasch who said, you know, chess, like music, and love, has the ability to make people happy. So that aesthetic element, I think, is important for a lot of people, and overrides, can override the, you know, I need to win. Obviously, winning is better than losing. But there is that aesthetic element. And, and I think a good negotiation can have the similar like, if you're in a hard negotiation, you get to an agreement. And you know, at the end of the day, you have now built a relationship where you're going to now administer the contract, you can have those same kinds of emotions, even if you know, we didn't, everybody didn't technically get a win.

E Emily Martin 18:26

So you can have that, like this process felt right. But maybe also negotiations, if you solve a lot of problems from both sides, that whole Win Win is possible versus I don't know, if there's this much Win Win in chess?

L Loyd Willaford 18:39

Well, I will tell you a well played game can be appreciated by both players, even the person who loses who says I, you know, I played is, as well as I could this person just outplayed me. And there, you can actually get some, you know, pleasure I played as well as I could. And it's an interesting game. Like, if that's the kind of the aesthetic element, it's not so obviously, for different people, some people, for some people it is it's like, if I win, it was a good game. And if I lose, it was a bad game. Right? Versus, if it's interesting, and there were opportunities for both sides and some some surprises, for example. Some people really like, you know, like I said this when the things radically change, that's appealing to them, or where they can sacrifice a piece to get some kind of advantage.

E Emily Martin 19:22

There could be dissatisfaction in the game, somebody feels like the other side broke a rule or broke a nor, took advantage in a way that wasn't appropriate, is is that an element in? I know that it's an element in bargaining.

L

Loyd Willaford 19:35

Yeah, no. And I would say it happens. And it just like in bargaining, it's not common. I mean, you know, I would say that, you know, but here's the thing. It's not common, but people remember it. For example, I was just at a this chess tournament that we that I mentioned at the staff meeting. And you know, there's people that I've known for 30 years and one of them was telling a story and we you know, what people like to tell stories so, just like there's, there are war stories about negotiations, there are war stories about chess games, where for example, one player would be one players in time trouble, the other player is hitting the clock really hard. This is in the, in the days when there were mechanical flags, we don't have that. Now we have digital clocks, you can't really do this. But the idea, you shake the clock so that the person's flag would drop, even though their time had not run out. It was kind of a tactic. And so again, if you, if folks watched the Queen's Gambit, those clocks, their mechanical clocks, as opposed to digital clocks used to be able to do that. And of course, that's a norm, there are firm rules about that. You don't shake the clock, you don't distract your opponent, you don't beat on the table and, or do things that try to take advantage. One of the early chess books actually had advice about you should set the boards such that the sun is in the other opponents eyes to distract them. So you know, so that kind of stuff happens. It's fortunately rare in chess and rare in negotiation, but you have to be aware of it.

E

Emily Martin 20:59

And I guess there are reputations that get built, you know, by that?

L

Loyd Willaford 21:02

Oh yeah, well, you see that right now, there's a big controversy in chess. People probably have seen in the news about this guy, who actually did cheat online, and may have cheated in, you know, against the world champion, current world champion. And so you get a reputation. Yeah, and it follows you. Yes.

E

Emily Martin 21:22

And I guess in some negotiations, there's not really as much of a judge to uphold the rules, but in a chess tournament, there are judges in terms of this was okay, this wasn't okay.

L

Loyd Willaford 21:33

Yeah, there. Are there tournament directors or arbiters that will enforce the rules. Absolutely. And yeah,

E

Emily Martin 21:38

Like a ULP

L

Loyd Willaford 21:40

Sort of Yeah, I would say it's pretty rare, very, I mean, more even more rare that it is in the labor world, to have controversies that have to get adjudicated by a tournament director or arbiter. And partly, it's a fairly simple universe of things, right? So if people are behaving themselves, you don't generally have any problems.

E

Emily Martin 21:59

Well, it sounds like there's a great community around it. So why have you been playing chess so long?

L

Loyd Willaford 22:05

Because, really because of that community? Like I said, it's people that I've known for a long time, one of the sort of things that people do, which is as they travel to chess tournaments, because there's a lot of people and there's a, you know, fairly active local communities, but often people travel. And so there's some camaraderie around that. And so, yeah, it's, like I said that when this tournament that I had mentioned at the staff meeting, I specifically went there because I knew I was going to see some people that I had not seen for a while.

E

Emily Martin 22:33

So final question, if anybody wants to, like, learn a little more about chess and how it connects to life, what would you recommend?

L

Loyd Willaford 22:39

So there's a book by Garry Kasparov, who's a former world champion and a current opposition politician in Russia. Actually, he wrote a book called, "How life imitates chess." The subtitle is making the right moves from the board, to the boardroom. It's, I think it gives a pretty good overview of sort of some chess themes and kind of like what we're talking about here, how do those things relate to life in general? And so it's a you know, it's a pretty breezy read.

E

Emily Martin 23:11

Sounds great. Well, thanks so much for coming to the podcast today. This was a great conversation.

L

Loyd Willaford 23:15

Thanks much.

