

# Crisis and negotiation

## AT A LOSS FOR WORDS ?

By Alexandre Fouchard, Head of the crisis management preparedness office at the Ministry of the Interior.



*“Crisis” and “Negotiation” are words we often use together, as if the one couldn’t exist without the other. A crisis doesn’t exclude using negotiation as a tool to solve certain problems; however, its usage is neither obligatory nor systematic. Why? Because all crises do not necessarily call for an alignment of interests between human beings or organisations in conflict (or in more simple terms, in search of an agree-*

*ment) but also because we have the bad habit of using the wrong words, which is not without its consequences when dealing with a “crisis”. Crisis negotiation falls within such specific objectives, and conditions of time and action that it is weighed down by restrictions and defined by extraordinary rules (ethics?). Given this information, should we use the word negotiation?*

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## Not all emergencies are crises.

All emergency situations, even complicated ones with high stakes (human, organisational, business, reputational, informational, legal, cyber, etc.) do not make up a crisis. They are, nevertheless, often designated as such, almost as if we were at a loss for words to describe them. Systematically speaking about crisis management, in the case of, for example, hostage-taking, warehouse fire, withdrawal or recall procedure, is a source of confusion and doesn’t take the extraordinary intensity and even less the immense complexity of the kind of situations we can employ the word “crisis” for into account.

The Greco-Latin origins of the word usefully inform us of its meaning. Initially used to describe the action of “scrutinising” or “distinguishing to separate”, crisis refers to the specific moment of a breach, a brutal discontinuity in a harmonious trajectory, the sudden imbalance of a system. It is the acute stage of a disease or the final assault in an undecided and de-

cisive battle, a dynamic, unique, violent, and humanely tragic process where the two possible outcomes depend on heads or tails. Tails: victory, healing, and opportunities leaning towards a new equilibrium built on true resilience; life. Heads: terrifying dangers, massive shocks leading to a complete and definitive breakdown, destruction; death. These paroxysmal situations are challenges to overwhelmed human cognition. In a crisis, humans go through a real conflagration of emotions and suffer such intense pressure that they no longer understand anything, and no longer know what to do, what to decide or how to act. Chaotic, turbulent, surrounded by uncertainty and often simply inconceivable, crisis are chronological parentheses that call for extraordinary actions and solutions as well as unimaginable sacrifices “in times of peace”. Crises leave a permanent mark on the history of the affected human organisations (nations, businesses, families, tribes etc.) and on the collective unconscious. In this very specific context what part does negotiation play?

# Negotiation is an undeniable tool for crisis management.

It is necessary when, for example, public or private decision-makers must deal with logistic and capacity stakes in a major crisis<sup>1</sup> and questions such as: what do we need now (experts, material, merchandise, specific means etc.) that we don't have? Who can we obtain it from? And at what price? And with what precedence? Whether it be the purchasing of surgical masks and vaccines when dealing with a virus (COVID 19) or establishing an air and sea bridge to transport what is needed to survive in a devastated region in the middle of the ocean (hurricane Irma 2017), negotiation offers solutions that help us act and answer vital needs while maintaining a non-coercive collaborative effort between players. It can resolve uncertainties and, with all other tactical options, can serve the objective of resolving the crisis in a positive and almost elegant manner.

But at what price? And according to which principles? Absolute, vital urgency with gigantic systematic stakes imposed by the crisis paradoxically pushes us to break the habitual rules and constraints of negotiation. How can we ensure that things are not biased by the urgency and need from the beginning and that the deals we have obtained are not scams or one party stifling the other which creates a crisis within a crisis? What moral code can be applied to the negotiation when it entails that personal interests are put aside in favour of collective stakes, all in a global context where competition is the rule and collaboration an exception? Why should we negotiate when we can requisition, nationalise, seize, or take what we so sorely need? Why negotiate if we can cut off or get rid of what we no longer need or what disables us or weighs us down (for example personnel) without any justification other than emergency, need or survival?



These questions raise the issue, like many others, of the singularity of a crisis and the “rules of the game” that it imposes. Just like the space-time near a black hole, negotiation is subjected to the singularity of a crisis: it is drawn out, changed, and deformed. Can we still refer to it as negotiation? I'm not sure. Could we finally be at a loss for words?

<sup>1</sup> According to the General Secretariat for Defence and National Security (SGDSN), what constitutes a major crisis, is the extent of the crisis, if it is multi-sectoral and/or has an international dimension with high media repercussions.



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Alexandre Fouchard is Office Manager for crisis management preparation at the National Police Headquarters. He worked as a police commander for over 20 years within operational units and has a diploma in private law and in strategic crisis management. He was closely involved in the operational management of major Parisian events: the UN Climate Summit, Summit of the Heads of State, protests, and terrorist attacks.

In 2017, he joined the Prime Minister's office as well as the National Institute for Higher Security and Justice Studies where he became head of the “Risk and Crisis” department. He is passionate about organisational structures and the human factor in crisis situations and is also a novelist and scriptwriter. In 2022, he became a member of ADN Group and works with businesses and organisations as a trainer and lecturer on any subjects related to crisis management.