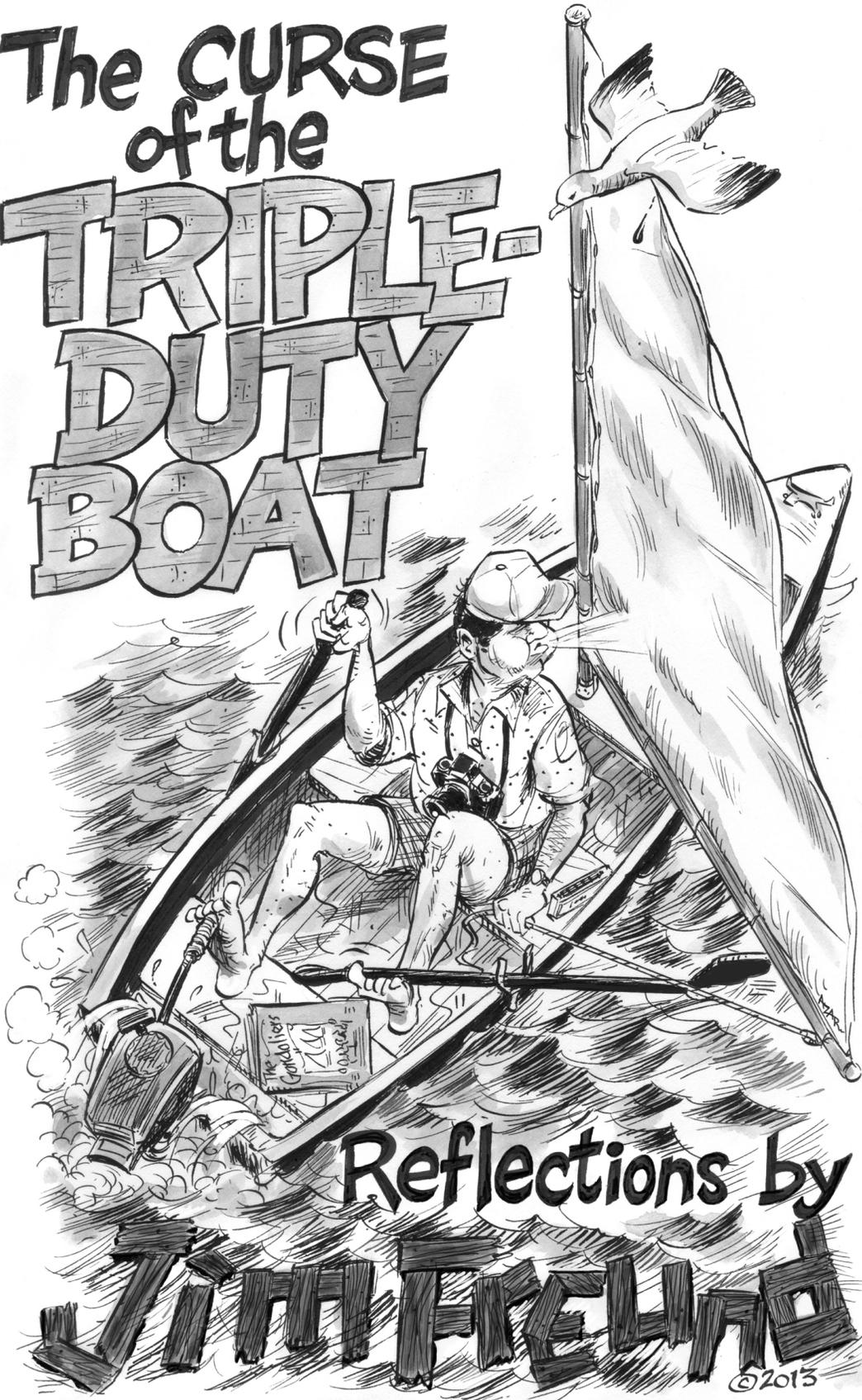


The CURSE of the TRIPLE- DUTY BOAT



Reflections by

JIM FRELINO

©2013

One summer many moons ago, my first wife, our first son and I shared the summer rental of a Fire Island house with two other couples and their young kids. The proximity of Great South Bay cried out for us having a boat, and I was deputized to buy an inexpensive one for the group.

Analyzing the situation, I was lulled by the vision of a small boat that you could sail (for the sheer exhilaration of beating against the wind), power with a motor (for transportation and perhaps some trolling), and row (for much needed exercise); and I set out to find a cheap vessel that would meet all three specs. A few cynics scoffed at my quixotic quest, but I managed to locate just such a versatile vessel (ah, the joys of alliteration) in the back room of an army-navy store on 14th Street.

The purchase was made; the small craft was somehow transported out to the island (I forget how); and with much fanfare, we christened and launched her. She was a stubby little thing, but boasted a mast and sail, a raised board in the stern that could handle the one horsepower outboard motor we purchased, and built-in oarlocks for a set of Lilliputian oars.

Well, as advertised, the craft did in fact perform all three of these functions – but quite badly on every count.

The absence of a centerboard made it tough to tack when sailing, and coming about was virtually impossible. The outboard motor sat so close to the waterline that it consistently flooded at the first hint of choppy water. And the oarlocks were terribly positioned, so as to undermine any kind of fluid rowing stroke. My demotion from heroic status to object of scorn occurred swiftly on the first aquatic day.

I was reminded of that blunder late last year by a story in The New York Times (11/29/12) about the costliest military jet ever produced, the F-35, which was designed to serve the needs of all three services – Air Force, Army and Navy – and fulfilled none of them well.

What's the Lesson?

The lesson I learned painfully from the triple-duty boat experience 45 years ago – and that the U.S. military apparently never did – is that when we aim at something designed to appeal to a number of varied constituencies, it may well flunk on all fronts.

It's a point that has special relevance for yours truly. I pride myself on undertaking a lot of activities – mediating, piano, photography, writing, lecturing, tennis, etc. Because of the variety, some folks refer to me as a

“Renaissance man.” When they do, my invariable response is, “It’s not easy being a Renaissance man – you have to run like hell to keep one step ahead of being a dilettante!”

There’s no doubt in my mind that if I were to cut out some activities and apply the time previously devoted to them to the ones remaining, I’d be more accomplished at the latter – more adept at transposing keys on the piano, for instance, or better equipped to shoot and edit in RAW with my digital camera, etc. Still, notwithstanding the reduced individual proficiency, I prefer keeping all those balls in the air. So, I’m not really a good role model for what I’m going to espouse in this piece.

Let’s play with this concept a bit to see if others may overreach in the pursuit of multiple attributes. Take, for instance, that two-week vacation a married couple has been looking forward to all year. Before settling on a destination, they hold a husband-and-wife discussion – each nominating those attributes of a great vacation that hold particular appeal. After both agreeing on the need for a clean and comfortable hotel room, the man starts off with superb food – that’s tops in his book. The woman, while not scorning food, places superior shopping opportunities at the head of her list. The man, a history buff, wants to make sure some instructive

sightseeing is included. The woman, exhausted by her daily labors, is in favor of some downtime, ideally prone on a sunny beach. And so on.

And now one (or both) of them takes on the assignment of finding a place or tour that will fulfill all the major themes. It's not so easy – the best food is seldom near a beach, the castles and such are often at a remove from the classy shops – well, you get the point. But they press ahead and finally find a town in the Balkans that holds out real hope on all scores. According to the guidebooks, there's an underrated hotel that pampers its guests, historic churches to explore, esteemed local handicrafts for purchase, menus featuring unusual succulent dishes, and a beach bordering a scenic lake.

Well, you can guess what awaited them. The hotel bed was all springs and the beach rock-strewn; the churches had been vandalized by modern-day Cossacks, while the handicrafts were manufactured in China; and most of the gourmet dishes involved plentiful amounts of stuffed cabbage. They would have been much better off going to Paris and renting a sunlamp (just say, "*une lampe solaire*") for their Michelin-rated hotel room.

Up Goes the Price of Shoddy

I'll get to several such examples from other areas in a moment, but first I want to approach the issue from a slightly oblique perspective (the pertinence of which you'll soon see).

This year, I lost a life-long friend (going back to the fourth grade), Bill Silver, whom many of you knew. Among his numerous interests was music, with a special affinity for the works of Gilbert & Sullivan. It was Bill who brought *The Gondoliers* to my attention some years back, and it's in this operetta that the Grand Inquisitor serves up a most valuable insight.

He sings of a good-hearted king who, wishing everyone to be as well-off as he, promoted them all. As a result, "Lord Chancellors were cheap as sprats / and Bishops in their shovel hats / were plentiful as tabby cats – in point of fact, too many." Also, "on every side Field-Marsals gleamed... with Admirals, the ocean teemed" – well, you get the picture.

Not smart, says Gilbert. "The end is easily foretold / when every blessed thing you hold / is made of silver or of gold / you long for simple pewter." When there's nothing else to wear but cloth of gold, "up goes the price of

shoddy.” And he concludes with this memorable phrase:
“When everyone is somebody / then no one’s anybody!”

It’s a keen observation that has many ramifications. For me, its primary importance is in decision-making, which is at the heart of exercising judgment. (This is a subject I wrote about in the essay, *Good Judgment*, that I sent to my friends in 2011.)

In trying to isolate the quality of good judgment in those who have it, I keep coming back to one characteristic they all share in common – the appreciation of significance. Basically, it’s the ability to sort out what is material from what is minor or irrelevant.

I’m convinced that most faulty decisions occur because the decision-maker allows himself to be unduly influenced by a factor that doesn’t deserve nearly so much weight – or alternatively, that the true importance of some other factor (a proper regard for which would have tilted the decision in the right direction) escapes his glance entirely. You don’t make sound decisions by running down a checklist of relevant factors and striking an arithmetic balance of the pros and cons. Rather, in order to arrive at practical solutions to difficult problems, you have to attribute varying weights to those factors in terms of their relative significance.

Over the years I found myself faced with a number of important professional decisions that had quite similar characteristics – and where a client was depending on my counsel as to how to proceed. There always seemed to be a number of competing considerations (few of which were totally certain), accompanied by an almost palpable foreboding that choosing unwisely could lead to dire results.

This is where it's crucial to appreciate significance – to ascribe different weights to the various factors and be influenced by those that qualify as most important. Conversely, you have to avoid being unduly swayed by a factor of lesser consequence, while making sure you grasp the true substance of a key factor that might otherwise have escaped your glance.

Applicability to Negotiating

I've frequently used Gilbert's "then no one's anybody" concept in strategizing for an upcoming negotiation. Let's say our side foresees taking at some point a "This is it – there ain't no more" position on a key issue; and when we do so, it will not be a bluff – that is, we'll be willing to lose the deal if the other guy doesn't accept what we propose.

Our operating assumption is that the other party will, if necessary, be prepared to accede to the terms of our “final” position, but he won’t want to do so if he smells a bluff. When someone takes such a final stand, the key question for the recipient is the speaker’s credibility – whether he means it or not. So we want to make sure he doesn’t treat it as a bluff, hoping we’ll back down if he doesn’t go along. In other words, we don’t want him to turn us down out of a misreading of our *bona fides*.

So, how do you convince the other side you’re for real when you really are? Well, there are various techniques to use in the prior bargaining that help you in that effort – if you’re interested in pursuing this, I can recommend my book *Smart Negotiating*. But there’s one factor that fits right in with the Grand Inquisitor’s dictum: namely, showing the other side how meaningful the particular point is to us – on the premise (shared by most negotiators) that people aren’t likely to become immovable over lightweight issues.

The crucial insight here is to recognize that we will not be able to achieve “sticking” credibility by taking a “this is it” position on multiple issues. Try and we’ll simply demean the lot – or, in Gilbert’s words, “then no one’s anybody”. Rather, what carries the day is our ability to

differentiate among issues, so as to impress upon the other side how important *this* one is.

Let's face it, the other side is apt to be somewhat dubious about the finality of the positions we take, expecting that most of them are really negotiable. By limiting our firmness to several key issues, we're conforming to *his* expectations. Here's the way I summed up this principle in *Smart Negotiating*: "Just as in art, where negative space defines form, or in music, where silence outlines sound, so in negotiations, you gain credence for your inflexibility on a few choice issues by your willingness to give ground on the rest."

The Role of Significance in Assessing Multiple Attributes

Okay. So now it's time to take the appreciation-of-significance I've been discussing and apply it to the triple-duty boat situation – to give extra weight to the key factors and avoid being unduly swayed by factors of lesser consequence.

Back on Fire Island, I probably should have sorted out our preferences as between transportation and wind-blown ecstasy (without being influenced by mispositioned

oarlocks). Admittedly, there may be times when you're willing to have the drop-off in individual quality to get the broader applicability. But you ought to go through the mental exercise – recognizing the price to be paid for variety, examining whether achieving the full variety slate is really that important, and focusing on what's *really* significant to you.

Let's start with a young man, fantasizing about meeting and wooing the right woman to be his life's companion. (This also works vice versa.) She should be smart, pretty, good company, sexy – someone with a sense of humor who likes to watch football games – I could go on, but I'm sure you've got the picture.

I happen to have lucked out 30 years ago and found one of those multiple wonders – although, if truth be told, had I insisted on the football viewing, I might be hanging out in singles bars today. But what about the other stuff? There may be tough trade-offs to make.

For example. I know first-hand how great it is to share a matched sense of humor with the one you love. So many of our best moments together find us laughing in unison. Still, my advice here is this; if she's pretty, sexy, smart and good company, but reacts to your best punch lines

with a wan smile, don't be so quick to pass this lady up – go get yourself a CD of Mel Brooks' 2000 Year-Old Man for the chuckles.

This principle certainly applies to someone seeking employment (assuming any places are hiring nowadays). I can visualize the job-seekers, accumulating the criteria that appeal: good salary, interesting work, opportunities for advancement, prime location, desirable colleagues, livable hours, and so on.

Hey, buddy, that job is taken! Whatever good pay is left may be for work that's drudgery, the amiable co-workers might entail a 50-mile commute, and the promotions go to those logging in the most all-nighters. To the extent you have choices in the matter, recognize that you can't cover all the bases – just figure out what's really important and then attempt to nail that down.

Now let's try this on something I know a little about – choosing a lawyer to represent you when a problem arises. Here, in no special order, is a typical wish list for someone in your shoes: the lawyer (he or she) should be intelligent, have good judgment, and be experienced in the subject matter of your problem; know how to negotiate (if a deal is involved) or litigate (if there's a bitter dispute);

possess a good reputation; charge reasonable fees; be available within your time parameters; give the matter personal attention (not just delegate it to a junior attorney); and communicate well with you, while displaying enough empathy to gain your trust.

Unfortunately, some of these factors can actually be in conflict. For instance, while it's comforting to have the partner on the job, his or her time at high hourly rates can be quite expensive. So, if fees are a major concern, you may be better off with some of the work being delegated to an associate – provided that what's delegated doesn't require the partner's special touch, and with some assurance that the partner is overseeing the work being done at a lower level. With a partner who's overly available for you, this might signify a lack of other clients, which may not speak well in terms of his or her ability. And you want to be sure that the empathy quotient is reserved for *your* interactions – that it doesn't end up benefiting the other side.

There's no inevitable way to go here – no faulty oarlocks to eliminate. If I were counseling you on choosing among several lawyers (none of whom I knew personally) for a major engagement, I'd be influenced by what was likely to be involved in the assignment (some lawyers being better or

worse at certain tasks than others). I would also urge you, as the prospective client, to spend enough time with each of your feasible attorneys – in terms of discussing both the problem at issue, as well as other matters that give you insight into a person’s character – so as to generate a gut feeling as to whom you’d prefer to work with. Unlike, say, the sterile relations between a dentist and his patient, much of the success of the attorney-client relationship depends on the interplay between the two of you.

As for what it’s going to cost, here’s my advice. If one lawyer (A) is clearly superior to the other (B), although (A) is also more expensive than (B), then go with (A), even if you have to hock the crown jewels – you don’t want to have to rely on inadequate representation. If, on the other hand, the situation is such that both (A) and (B) are good lawyers, but you prefer (A) although (A) is more expensive, then in order to make a decision you have to factor in two items: the significance of the matter to you, and your finances.

- If the matter is very significant and you’re wealthy, no question – go for (A).
- If the matter is not very significant and you’re not that affluent, go for (B).

- If the matter is very significant but you lack the big bucks, tighten up on your food budget, shop wholesale, and use the savings to pay those extras to (A).
- If the matter is not very significant and you're rich, it's a closer call – but in my view, you might as well go for the (A) you prefer.

So, as you can see, I think the only time the fee should be the determining factor in your choice is when you lack the big bucks *and* the matter isn't such a big deal. (I can just envision some of you thinking: “Listen to Jim giving away our money – that's what happens when you ask the barber if you need a haircut....”)

One area where this triple-duty boat issue comes up for me is when I'm writing something (say, an essay) on a subject that has some technical or “inside” aspects to it. The essay is going to be read both by experts in the field and others who aren't that familiar with the subject, as well as various grades in between. (This also arises in terms of speeches.) So the issue is how to pitch my remarks.

If I'm technical, it will appeal to the experts, but I'll lose those lacking the expertise. If I simplify it in broad-brush fashion to reach the non-experts, the experts will

consider it too basic to have any value. And if I pitch it in the middle (oarlocks and all) to attract the widest audience, the risk is that no one will be satisfied.

True to form, I probably revert to that third approach on most occasions. But I realize it might be better to decide which audience is more important to satisfy (i.e. appreciating significance), and aim at them – even at the risk of losing the others. Or, in some cases, it might be possible to write two articles – one technical, one not – and direct each to the appropriate group. (In this regard, I direct your attention to the pumpernickel / rye analogy in the “Doubles” story of my *Tennis, Anyone* trilogy.)

Scouting Out Your “Dream House”

My wife, Barbara Fox, is a major residential real estate broker, heading up her own Manhattan boutique. When she has new customers looking to buy an apartment, Barbara sits down with the couple in advance to get some idea of their wish list – the factors they consider significant in making the move. Since this involves just the kind of issue presented by the triple-duty boat, I’ve picked Barbara’s brain here to be able to offer the following thoughts.

Let's start off with a list of what many prospective buyers deem significant. The size of the new space is obviously basic – it has to fit their needs. Next is price – most people have in mind a range of dollars they're comfortable paying, plus a figure they won't go beyond. A related issue is how much they'll have to spend on renovating the apartment after purchase, which needs to be factored into the cost – especially if an expensive gut renovation is called for. (This also raises the issue of whether – even if the aggregate price is okay – the new purchaser wants to get involved in a long spell of major construction.)

Everyone has views about location, although some opinions are narrower and more strongly held than others. The section of town, the building fronting on an avenue (as contrasted with a street), *which* avenue – all play a role. Sometimes there's even some logic to the preference, as where proximity to a child's school is desirable.

Some people put a high value on outdoor space, such as a terrace. Many place great store on having a good view. Most buyers want an apartment with the kind of exposure that lets in substantial light. (And, by the way, is there an exercise room in the basement?)

Brokers – if not the buyers themselves – are quite cognizant of whether or not the couple will be able to pass the scrutiny of particular co-op boards. This is a whole subject of its own that I won't get into, but it makes sense not to get too enamored of an apartment in a building whose strict financial standards the buyers are unlikely to be able to meet.

And then there's the issue, for those attached to their Fido's, of whether the building is sufficiently dog-friendly....

Well, not to belabor this, here's what the broker has to tell to a couple who want an inexpensive apartment requiring no renovation, with a spacious terrace and unobstructed view of Central Park, in a first-class building on Park Avenue that has a spotless gym downstairs and actually encourages dog ownership – “Hey, guys, there *was* one such apartment 20 years ago, but the owner, after realizing what a great deal he had, decided not to sell....”

So, task one for the brokers is to focus the couple on assessing which of these various criteria is really significant. For instance, terraces are rare to find in first-class co-op buildings in great neighborhoods; if a terrace isn't a

must, then it opens up a lot of other possibilities that fulfill more accomplishable desires.

On the other hand, when Fido rules the roost, it makes no sense to look at apartments in buildings that prohibit pets.

Price is obviously a major factor, but usually there's some wiggle room here. Ditto for renovation. Although size is basic, accommodation can sometimes be made. A local health club is a passable substitute for the non-existent in-house gym. And, if the view from the living room of an otherwise stalwart candidate is a trifle depressing, I've got some large framed Central Park photographs I'd be willing to sell you at a steep discount....

Anyway, this is a fun game to play, and there are many other obvious places to apply the triple-duty boat analysis – such as buying a car or a camera, choosing a restaurant, acquiring a dog (Barbara's favorite) – the list goes on. I hope to hear from some of you as to how you've dealt with similar dilemmas in your experience.