



21世纪国际经济与贸易系列教材

国际商务谈判

理论、案例分析与实践

(英文版·第三版)

International Business Negotiation

— Theory, Cases and Practices

白远 著



 中国人民大学出版社



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内容简介

本教材分为三大部分。

理论部分：融合了国内外经典的谈判理论，从谈判动因、谈判结构、谈判组内部利益、谈判力、谈判双方的信任、谈判者心理、国际谈判文化模式、博弈论在谈判中的应用、谈判类型等方面，运用模型和实例对影响谈判全过程的主要因素进行了比较全面的分析。

案例部分：结合理论部分的讲解，提供了相应的案例分析，所提供的案例大多是世界著名谈判案例和研究成果，具有典型性和普遍指导意义。有些案例是作者在对著名国际商务谈判长时间的追踪调查的基础上编写的。

模拟谈判：模拟谈判的素材取自真实事例，为了适应课堂练习的需要，对之做了必要的加工。学习者在谈判结束后可以比较实际谈判的结果和自己谈判的结果，以收到更好的效果。此外，每章结束后都有结合该章内容设计的思考题和讨论题。



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作者简介

白远，教授，硕士生导师，现任教于北京第二外国语学院国际经济贸易学院，主讲国际商务谈判、当代世界经济、国际贸易和国际经济合作等课程（前三门为全英语授课）。本科就读于北京第二外国语学院，之后在日本、美国攻读硕士，主修世界经济。主要研究领域为国际直接投资、文化创意产业与产品贸易、国际贸易。近5年发表论文近50篇，出版专著5部，教材8部，其中北京市精品教材立项2项，北京市精品教材2部，国家“十一五”规划教材1部。曾长期作为特聘专家受聘于世界银行中国农村改水项目国家项目办，参加过多场大型投资和贸易谈判。



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Preface of the Third Edition

With rapid development of China's economy and trade, International Business Negotiation has become a core course for such majors as international trade, international commerce, marketing, business English, etc. after more than a decade of effort, which is a change that pushes up demand for high quality textbook of international business negotiation.

After the publication of its first edition in 2002, the textbook of International Business Negotiation has adhered to the essential development trend of the course, teaching students basic principles and laws of negotiations, underlining such elements as negotiation motivation and structure, major factors influencing results of negotiations, and application of the aforementioned knowledge into practices. The third edition, keeping the same spirit, has made the revision from the following aspects:

- To enhance students' capability in understanding and using negotiation knowledge by adding examples as how to design best alternative to a

negotiated agreement (BATNA) and how to determine reservation point.

- Deleting the part of negotiating around the world for fear of leading students into over simplifying and generating complicated international negotiation situations.

- Introducing Hofstede and Bond research findings, the worldwide well-known research achievement in business culture, into text for purposes of highlighting their value.

- Increasing number of simulation cases, for instance, financial leasing case, China-Japan iron ore negotiation, economic recession, the World Bank water supply case, etc. The simulations require students to find out the focus of each case, so that they will be able to fix on the main points of each case, the most important interests of each party, etc. and finally learn how to conduct a negotiation.

- Revising and replacing a number of case studies to make them more relevant and updating.

To meet needs of rapid expansion of international commercial exchanges, the text book preserves its property of Chinese-English publications. In addition, for teaching purpose, referential answers for questions of simulation and case studies are provided. * Due to its persistence in negotiation principles, creativeness and keeping-up with changes, the second edition published in 2008 has been well received by professors and students of many universities. Taking the chance of the publication of the third edition, the author would like to extend her sincere gratitude here.

Bai Yuan
March 25, 2012

* 任课老师可登录人大出版社网站下载相关资源。



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Chapter 1

Negotiation Motives and Key Terminology

Key Issues

- What are the fundamental causes of conflicts?
- What are the basic approaches to the settlements of the conflicts?
- How are negotiation, conflict and stake defined?
- Why do people negotiate?

Human beings live in a finite world, but their appetites are oriented to the infinite. As a result, man's unlimited demand has constantly given rise to conflicts between such demand and limited, scarce natural resources. To find a way out, the science of economics has been developed to study alternative ways to use scarce and limited but productive resources to produce goods and services to satisfy man's unlimited demand. Man's endless need and demand not only produce confrontation against nature but trigger conflicts among themselves. The long lasting negotiations between Israel and

Syria on returning of Israeli occupied territory—Golenhigh site an example to the point. On the 11% of the territory Israel agreed to return, there is a lake providing fresh water to Israeli people. Because of serious shortage of fresh water in that area, the lake became vital to the people of the both countries. Israeli government's target in the negotiation was to make sure that after the returning of the territory, Israel could continuously fetch water from the lake. So the water issue became the focus of the negotiation and increased complexity of the talks.

Water conflict in the Middle East is simply one typical issue among countless disputes of similar nature between countries and nations. Territory in Kashmir, oil in the Middle East and diamond in the South Africa have all provoked and stirred up serious and long lasting military and political confrontations among countries both nearby and far away. There are also other serious confrontations and conflicts induced by social, religious, cultural and political events; however, the majority of the conflicts have direct and indirect economic background. Human beings are living in a world full of contradictions, disputes and confrontations.

How to resolve and tackle these problems has always been the chief concern of all countries and states. To look throughout human history, generally speaking, two approaches have been applied to conflict settlement; military means and peaceful means. Countless battles and wars, both worldwide wars and regional wars have been fought resulting in loss of millions of lives and ruins of property. As an alternative to military forces, weapons and guns, negotiations have also been employed to manage conflicts and settle disputes, thus negotiations are also referred to as peaceful means or political approach. The two approaches have always backed each other and functioned in an alternative way. However, after the Second World War, the devastating consequence of the war has made people all over the world realize a solid fact that coordination through negotiations is no doubt a better solution for various conflicts and disputes. With the further development of economic globalization and integration, negotiations have been widely implemented in social life of all kinds, particularly in business activities. To adapt to nowadays business world, it is all necessary for business majored students to have a better understanding of the activities of negotiations, and be able to answer the questions of why negotiation happens and how it happens.

It is misleading to conceive that negotiations are only applied to significant issues. As a matter of fact, negotiations are applied to all situations of conflicts, arguments and bargaining arising in the normal course of business, personal relations and daily life. Everyone has been engaged in negotiations in such daily activities as shopping, arguing with someone else and dealing with people around.

Like it or not, everyone is a negotiator. Negotiation is a fact of life. You may discuss the chance of promotion with your boss. You try to agree with a stranger on a price for his house. Two lawyers try to settle a lawsuit arising from a car accident. A group of oil companies plan a joint venture exploring for offshore oil. A city official meets with union leaders to avert a transit strike. The prime minister of a country sits down with his counterpart to seek an agreement limiting nuclear arms. All these are negotiations. Everyone negotiates something every day. People negotiate even when they don't think of themselves as doing so. You negotiate with your spouse about where to go for dinner and with your child about when the lights go out.

More and more occasions require negotiation; conflict is a growing industry. Everyone wants to participate in decisions that affect them; fewer and fewer people will accept decisions dictated by someone else. People differ, and they use negotiation to handle their differences. In business, government and the family, people reach most decisions through negotiation. Even when they go to court, they almost always negotiate a settlement before trial. Negotiation is such a common phenomenon; it is of great importance to define the meaning of negotiation and generalize activities that can be called negotiations in a more concise way.

Negotiations

A negotiation is a process of communication between parties to manage conflicts in order for them to come to an agreement, solve a problem or make arrangements. Negotiation is a basic means of getting what you want from others. It is back-and-forth communication designed to reach an agreement when you and the other side have some interests that are shared and others that are opposed.

All activities with the above characteristics can be categorized as negotiations. However, not all negotiations can be labeled as successful ones in a strict and rational sense, which means they must satisfy at least the following conditions:

First, the outcome of negotiation is a result of mutual giving and taking. One sided concession or compromise can not be called a negotiation in the real sense.

Second, negotiations happen due to the existence of conflicts; however, no negotiations can proceed smoothly and come to a satisfactory solution without collaboration between the participants.

Third, in spite of inequality in negotiator's strength and power, all negotiators, no matter strong or weak, have the right to say "no" to the conditions put forward by the other party, which is a show of equal right of the negotiators. The unfair result may be

forced onto the weaker party if lack of such right. The point is that negotiating parties differ in size, financial strength, production capacity, political and economic supporters, which will create unbalanced negotiating power. The stronger side may take advantage of the situation to reach a favorable agreement for itself. In situation as such, the weaker party should be able to say “no” to the result. A contract not showing the free wills of negotiating parties is not legitimate. Of course, the opposition should be expressed explicitly before signing the final agreement.

Negotiations occur when there are conflicts, which in turn are resulted from disputes over stakes of negotiating parties. Next, the definitions of conflict and stake will be expounded in detail.

Conflicts

Conflicts give rise to negotiations. Therefore a discussion on the nature of conflicts facilitates better understanding of negotiations.

A conflict is a dispute, disagreement or argument between two or more interdependent parties who have different and common interests. A conflict can block each other’s ability to satisfy their interests.

The definition of conflicts states three points, which can be specified as:

First, parties in conflict are interdependent, which means there remains a kind of relationship developed by interrelated interests and concerns. There would be no conflict if two parties were not interrelated and had nothing to do with each other.

Second, both different and common interests coexist, which appears to be illogical. However, if there are only contradictions and no sharing of common interests, negotiations become groundless and unnecessary.

Third, two parties in conflict will naturally fight for each other’s own interests and make every effort to gain more from the other side, as a result it will reduce gain of interest expected initially.

People’s attitudes toward conflicts differ greatly in certain contexts and are mixed in others. People who think negative of conflicts often cite devastating wars and fighting which caused huge loss of lives and property; those who conceive conflicts as positive often argue that conflicts can lead to innovation and social progress, such as computers created during the Second World War. Still there are some other people who take middle ground. However, concerning relation between conflicts and negotiations, such aspects are taken into consideration: communication, creativity, relationship and outcomes. Let’s examine the four aspects in view of good and bad features of conflict (see

table 1—1).

Table 1—1 Good and Bad Features of Conflict

	Good Features	Bad Features
Communication		
Interests	disclose	suppress
Issues	clarify	cloud
Creativity		
Learning	help	hinder
Innovation	stimulate	restrain
Relationship		
Tension	optimize	increase
Satisfaction	increase	decrease
Outcomes		
Benefit	high	low
Escalation	control	incite

It can be inferred from the list that conflicts can bring about favorable as well as unfavorable results depending largely on how people manage conflicts so that bad effects may be diminished to the minimum degree. If the positive aspects of conflicts are amplified to the maximum and negative aspects are brought under effective control, conflicts may end up in advancing human profits as a whole.

How to manage conflicts is a practical skill which requires advice and suggestions for successfully handling all types of discord and conquering rough terrain and builds, developing conflict resolution skills and negotiation skills to resolve various types of challenges, and developing personal tools and systems for dealing with tensions and pressures.

Stakes^①

If conflicts give rise to negotiations, then conflict itself is caused due to clash of stakes or interests held by each party. Naturally the concept of negotiation will not be

① 利害关系，利益得失。