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教育部高校工商管理类教学指导委员会双语教学推荐教材

工商管理经典教材·核心课系列

BUSINESS ADMINISTRATION CLASSICS

商务谈判

英文版·第5版


利·L·汤普森 (Leigh L. Thompson) 著

王 健 改编

THE MIND AND HEART OF THE NEGOTIATOR

..... Fifth Edition

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 中国人民大学出版社

全新版

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· 北京 ·

图书在版编目 (CIP) 数据

商务谈判: 第5版: 英文/汤普森著; 王健改编. —北京: 中国人民大学出版社, 2012.9
教育部高校工商管理类教学指导委员会双语教学推荐教材
工商管理经典教材. 核心课系列
ISBN 978-7-300-16332-1

I. ①商… II. ①汤…②王… III. ①商务谈判-双语教学-高等学校-教材-英文 IV. ①F715.4

中国版本图书馆 CIP 数据核字 (2012) 第 210853 号

教育部高校工商管理类教学指导委员会双语教学推荐教材

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出版发行 中国人民大学出版社

社 址 北京中关村大街 31 号

邮政编码 100080

电 话 010-62511242 (总编室)

010-62511398 (质管部)

010-82501766 (邮购部)

010-62514148 (门市部)

010-62515195 (发行公司)

010-62515275 (盗版举报)

网 址 <http://www.crup.com.cn>

<http://www.ttrnet.com> (人大教研网)

经 销 新华书店

印 刷 三河市汇鑫印务有限公司

规 格 215 mm×275 mm 16 开本

版 次 2013 年 1 月第 1 版

印 张 22.25 插页 2

印 次 2013 年 1 月第 1 次印刷

字 数 545 000

定 价 45.00 元

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总 序

随着我国加入 WTO,越来越多的国内企业参与到国际竞争中来,用国际上通用的语言思考、工作、交流的能力也越来越受到重视。这样一种能力也成为我国各类人才参与竞争的一种有效工具。国家教育机构、各类院校以及一些主要的教材出版单位一直在思考,如何顺应这一发展潮流,推动各层次人员通过学习来获取这种能力。双语教学就是这种背景下的一种尝试。

双语教学在我国主要指汉语和国际通用的英语教学。事实上,双语教学在我国教育界已经不是一个陌生的词汇了,以双语教学为主的科研课题也已列入国家“十五”规划的重点课题。但从另一方面来看,双语教学从其诞生的那天起就被包围在人们的赞成与反对声中。如今,依然是有人赞成有人反对,但不论是赞成居多还是反对占上,双语教学的规模 and 影响都在原有的基础上不断扩大,且呈大发展之势。一些率先进行双语教学的院校在实践中积累了经验,不断加以改进;一些待进入者也在模仿中学习,并静待时机成熟时加入这一行列。由于我国长期缺乏讲第二语言(包括英语)的环境,开展双语教学面临特殊的困难,因此,选用合适的教材就成为双语教学成功与否的一个重要问题。我们认为,双语教学从一开始就应该使用原版的各类学科的教材,而不是由本土教师自编的教材,从而可以避免中国式英语问题,保证语言的原汁原味。各院校除应执行国家颁布的教学大纲和课程标准外,还应根据双语教学的特点和需要,适当调整教学课时的设置,合理选择优秀的、合适的双语教材。

顺应这样一种大的教育发展趋势,中国人民大学出版社同众多国际知名的大出版公司,如麦格劳-希尔出版公司、培生教育出版公司等合作,面向大学本科生层次,遴选了一批国外最优秀的管理类原版教材,涉及专业基础课,人力资源管理、市场营销及国际化管理等专业方向课,并广泛听取有着丰富的双语一线教学经验的教师的建议和意见,对原版教材进行了适当的改编,删减了一些不适合我国国情和不适合教学的内容;另一方面,根据教育部对双语教学教材篇幅合理、定价低的要求,我们更是努力区别于目前市场上形形色色的各类英文版、英文影印版的大部头,将目标受众锁定在大学本科生层次。本套教材尤其突出了以下一些特点:

- 保持英文原版教材的特色。本套双语教材根据国内教学实际需要,对原书进行了一定的改编,主要是删减了一些不适合教学以及不符合我国国情的内容,但在体系结构和内容特色方面都保持了原版教材的风貌。专家们的认真改编和审定,使本套教材既保持了学术上的完整性,又贴近中国实际;既方便教师教学,又方便学生理解和掌握。

● 突出管理类专业教材的实用性。本套教材既强调学术的基础性，又兼顾应用的广泛性；既侧重让学生掌握基本的理论知识、专业术语和专业表达方式，又考虑到教材和管理实践的紧密结合，有助于学生形成专业的思维能力，培养实际的管理技能。

● 体系经过精心组织。本套教材在体系架构上充分考虑到当前我国在本科教育阶段推广双语教学的进度安排，首先针对那些课程内容国际化程度较高的学科进行双语教材开发，在其专业模块内精心选择各专业教材。这种安排既有利于我国教师摸索双语教学的经验，使得双语教学贴近现实教学的需要；也有利于我们收集关于双语教学教材的建议，更好地推出后续的双语教材及教辅材料。

● 篇幅合理，价格相对较低。为适应国内双语教学内容和课时上的实际需要，本套教材进行了一定的删减和改编，使总体篇幅更为合理；而采取低定价，则充分考虑到了学生实际的购买能力，从而使本套教材得以真正走近广大读者。

● 提供强大的教学支持。依托国际大出版公司的力量，本套教材为教师提供了配套的教辅材料，如教师手册、PowerPoint 讲义、试题库等，并配有内容极为丰富的网络资源，从而使教学更为便利。

本套教材是在双语教学教材出版方面的一种尝试。我们在选书、改编及出版的过程中得到了国内许多高校的专家、教师的支持和指导，在此深表谢意。同时，为使后续推出的教材更适于教学，我们也真诚地期待广大读者提出宝贵的意见和建议。需要说明的是，尽管我们在改编的过程中已加以注意，但由于各教材的作者所处的政治、经济和文化背景不同，书中内容仍可能有不妥之处，望读者在阅读时注意比较和甄别。

徐二明

中国人民大学商学院

改编者的话

谈判作为古老的博弈“学问”，有着悠久的历史，中国古代的兵书中也充斥着谈判的原则与技巧。

然而，以往“商场如战场”的思维定式却让我们失去了一些可以合作的机会，也给我们带来了一些遗憾。中国人历来把谈判的技巧和技能看做个人的历练过程。个人经历让许多人积累了丰富的谈判经验。遗憾的是，大多数经验却很难照搬。在谈判中积累的经验在此处有效，到了彼处却毫无意义，甚至产生了事与愿违的结果。因此，谈判的技巧和原则能不能获得客观和系统的认识，就成为大家关注的学术问题。

实际上，西方人从事谈判的系统研究不过 30 年的时间。谈判的原则和技巧能够得到有效的理论提炼和系统规模化的传授，实际上也才 10 多年的时间。20 世纪 80 年代初，美国哈佛大学建立了世界上第一个谈判研究中心，把谈判的研究纳入了学术轨道，确立了博士层次的研究命题。最近几年，心理学、社会学、经济学、管理学、法律等多个领域的研究成果纷纷涌现，谈判的专业知识体系日趋完善。谈判的学术问题已经扩展到了与组织绩效密切相关的诸多领域。谈判作为特定的学术和应用领域得到了企业 and 国家层面的重视。

《商务谈判》一书是近年来西方学者对谈判研究的代表作之一。该书作者汤普森是美国西北大学凯洛格管理学院冲突解决与组织（Dispute Resolution and Organizations）方面的知名教授，专门从事谈判中个体与组织层面的问题研究，包括谈判与冲突解决、组织行为与个体决策、团队创新、组织行为的社会心理、组织团队中的冲突等问题。该书是对心灵与心智的调整和挑战。它引述了大量的科学研究成果，针对一般谈判的关键环节和关键过程，建立了完整的谈判原则和技能的传授体系。

该书的特色主要表现在以下四个方面：

（1）体现谈判原则的客观性和科学性。该书的内容和谈判原则的阐述不是靠经验的总结和介绍，而是建立在大量的科学研究的基础上。该书引述了近年来有关谈判研究的最新成果。其原则和技巧的阐述不是仅凭个人的经验积累，而是取材于研究的基础，有很强的客观性和科学性。

（2）深入浅出，通俗易懂。该书不是纯粹的学术著作，注重用浅显和贴近读者的语言叙述客观的内容，因此，阅读起来有较强的亲切感，通俗易懂。与此同时，该书并没有丧失学术研究的内容实质和严谨性。

（3）内容完整，体例安排合理得当。该书涵盖了谈判领域的重要问题，从个体层面到组织层面的问题都有涉及。从最基本也是最重要的谈判原则开始讲述，

例如从谈判准备开始介绍,前几章分析了两大类谈判(分配式谈判和双赢式谈判)的基本原则。其后再对谈判的高级技巧,例如组织和社会层面的问题,以及谈判的专题进行阐述。体例安排合理得当。

(4) 实例、案例丰富。该书主要的宗旨是传授谈判的技巧和原则,提升读者的实际谈判能力。因此,该书运用了大量的案例、实例,使读者阅读起来生动有趣。透过案例和实例,读者能够抓住谈判过程的关键实质内容。

该书内容翔实、体例完整、实例丰富,粗看内容零散琐碎,深入进去,其实对谈判的认识和分析极其到位。许多内容值得我们仔细玩味借鉴。

对外经济贸易大学自2001年就开始单独开设谈判课程,目的是提高学生分析问题和解决问题的实践能力。在全球化、信息化时代,专业知识的“硬”技能演变非常快,也很容易过时,而体现“软”技能的谈判技巧及解决问题和化解冲突的能力却日趋重要,而且成为大学毕业生甚至任何人一生都能享用的智慧。

谈判技能的掌握如同人的心智修炼,会提高一个人分析问题、判断问题以及解决问题的综合能力和修养。最近几年,许多企业已经意识到谈判技能的重要性,要求我们提供谈判技能培训的企业越来越多,很多企业人士反映有关谈判的思维模式应该是从事商业和社会交往的基本技能,特别是在多元化社会利益格局越来越突出的情况下,如何与不同背景、不同观点、不同文化、不同语言的人士进行交往,而且能够有效沟通,化解利益冲突,达成明智的合作协议,已经成为现代人的基本行为准则。

任何国际上的优秀的研究成果,我们都应该借鉴。我愿意把《商务谈判》一书介绍给读者,希望读者能够有所启迪和充分借鉴。

该书涵盖了谈判的基本原则和技巧,其内容适应面广,完全适合作为“商务谈判”课程的教材。全球许多著名高校,例如哈佛大学、斯坦福大学、西北大学、纽约大学等,已经将其作为主要的谈判教材之一。

建议教师在使用本教材时,注意以下几点:

(1) 注重谈判知识体系的介绍。本书将谈判知识体系分为三篇:谈判的基础知识、高级谈判技巧和应用与特殊场景。第1篇主要介绍谈判的基本内容和一般博弈思维模式,包括两类最基本的谈判思维方式:分配式谈判和双赢式谈判。谈判的准备被认为是谈判成功最重要的因素之一。第2篇针对一般谈判思维模式中对谈判成败起关键作用的因素,例如,谈判风格、信任、人际关系、谈判力量、说服力、伦理问题、创造力,以及问题化解能力等加以分析。第3篇针对谈判中的特殊场景,例如多方谈判、跨文化环境等特殊场景下的谈判原则加以介绍。内容由浅入深,问题由易到难。教师也可以根据讲授对象不同,自行决定取舍。例如,对于本科生,教学一般只注重第1篇和第2篇就可以。对于高年级学生或者已经掌握基本谈判知识的学生,第2篇和第3篇则是教学的重点。

(2) 突出谈判重要原则的训练。本书虽然涵盖很多内容,但是突出了重要的谈判原则,一是谈判思维的训练,这主要体现在分配式谈判(第3章)和双赢式谈判(第4章);二是影响谈判的重要因素,这主要体现在谈判前的准备(第2章),信任和人际关系(第6章),谈判力量、说服力与伦理(第7章),以及创

造力（第8章）等。这些内容包含谈判的重要原则。教师在授课过程中要重点训练学生提升这些谈判能力。针对拟从事国际贸易、国际商务、外交等涉外活动领域工作的学生，教师在教学中还应注重跨文化谈判（第10章）的内容。

（3）将原则的讲授与实例和亲身经历结合。本书并不是枯燥的理论阐述，书中列举了很多生动的实例。谈判在生活和社会交往中无处不在。在教学中，教师可以借鉴书中的例子，也可以不断收集和积累自己在生活、工作以及社会交往中的亲身经历，来辅助说明谈判的基本原则。

王 健

对外经济贸易大学教授、博士生导师
国际商务研究中心主任

PREFACE

This book is dedicated to negotiators who want to improve their ability to negotiate—whether in multimillion-dollar business deals or personal interactions. It is possible for most people to dramatically improve their ability to negotiate. You can improve your monetary returns and feel better about yourself and the people with whom you deal. New to this edition is an integration of theory, scientific research, and practical examples. Moreover, the practical examples—selected from hundreds of real-world negotiations involving people from several organizations and many different cultures—illustrate effective, as well as ineffective, negotiation skills.

Here is what you can expect when you read this book:

- **Illustrative case studies.** I include multiple examples and actual cases of negotiating in managerial and executive contexts. Each chapter opens with a case study or actual business situation (from business, government, world affairs, community, and personal life). New to this edition, are more than 122 updated examples from the business world.
- **Real-life negotiations.** Furthermore, many of the points in the chapters are supplemented with illustrations and examples drawn from actual negotiations, both contemporary and historical. I do not use these examples to *prove* a theory; rather, I use them to *illustrate* how many of the concepts in the book are borne out in real-world situations. New to this edition are updated opening chapter vignettes derived from current business, political, and global events that illustrate real world negotiations.
- **Skills-based approach.** In this edition I provide practical take-away points for the manager and the executive. A good example is Chapter 4 on integrative negotiation. A series of hands-on principles that have been proven to increase the value of negotiated deals is provided.
- **Self-insight.** I include several ways that negotiators can test their own intuition and approach. For example, Chapter 5 gives negotiators an opportunity to assess their “instinctive” bargaining style and provides suggestions for how to further develop their bargaining repertoire. Moreover, Chapter 10 provides a deep look at cultural differences in negotiation so that the negotiator can better understand his or her own cultural style and that of others.
- **Advanced bargaining skills.** The second and third sections of the book deal with complex yet commonly occurring negotiating situations, such as negotiating with agents, mediation and arbitration, negotiating via e-mail and conference calls, negotiating with competitor companies, and, of course, negotiating cross-culturally. These sections have been revised in this edition.
- **Scientific Research.** New to this edition are the groundbreaking results of more than 100 new scientific articles on negotiation.

I benefit greatly from the advice, comments, and critiques given to me by my students and colleagues, and I hope their advice keeps coming so that I am able to improve upon the book even further. The research and ideas in this book come from an invaluable set of scholars in the fields of social psychology, organizational behavior, sociology, negotiation, and cognitive psychology. My research, thinking, and writing have been inspired in important ways by the following people: Wendi Adair, Cameron Anderson, Evan Apfelbaum, Linda Babcock, Chris Bauman, Max Bazerman, Kristin Behfar, Terry Boles, Jeanne Brett, Susan Brodt, Karen Cates, Hoon-Seok Choi, Taya Cohen, Susan Crotty, Jeanne Egmon, Hal Ersner-Hershfield, Gary Fine, Craig Fox, Adam Galinsky, Wendi Gardner, Dedre Gentner, Robert Gibbons, Kevin Gibson, James Gillespie, Rich Gonzalez, Deborah Gruenfeld, Reid Hastie, Andy Hoffman, Elizabeth Howard, Peter Kim, Shirli Kopelman, Rod Kramer, Laura Kray, Terri Kurtzburg, Geoffrey Leonardelli, John Levine, Allan Lind, George Loewenstein, Jeff Loewenstein, Brian Lucas, Deepak Malhotra, Beta Mannix, Kathleen McGinn, Vicki Medvec, Tanya Menon, Dave Messick, Terry Mitchell, Don Moore, Michael Morris,

Keith Murnighan, Janice Nadler, Maggie Neale, Kathy Phillips, Robin Pinkley, Erika Richardson, Ashleigh Rosette, Nancy Rothbard, Edward Smith, Marwan Sinaceur, Harris Sondak, Roderick Swaab, Tom Tyler, Leaf Van Boven, Kimberly Wade-Benzoni, Laurie Weingart, and Judith White. Throughout the text of *The Mind and Heart of the Negotiator*, I use the pronoun “we” because so much of my thinking has been influenced and shaped by this set of eminent scholars.

The revision of this book would not have been possible without the dedication, organization, and editorial skills of Joel Erickson, Larissa Tripp, and Neerali Shah, who created the layout, organized hundreds of drafts, mastered the figures, and researched many case studies for this book.

In this book, I talk about the “power of the situation” and how strongly the environment shapes our behavior. The Kellogg School of Management is one of the most supportive, dynamic environments I have ever had the pleasure to be a part of. In particular, Dean Sally Blount strongly supports research, teaching, and intellectual leadership as well as pedagogical leadership. I am particularly indebted to my wonderful visionary colleague, Jeanne Brett, who created the Dispute Resolution Research Center (DRRC) at Kellogg in 1986, and to the Hewlett Foundation for their generous support of the DRRC.

This book is very much a team effort of the people I have mentioned here, whose talents are diverse, broad, and extraordinarily impressive. I am deeply indebted to my colleagues and my students, and I feel grateful that they have touched my life and this book.

OVERVIEW

This book is divided into three major sections. The first section deals with the essentials of negotiation—the key principles and groundwork for effective negotiation. Chapter 2 leads the manager through effective preparation strategies for negotiation. Chapter 3 discusses distributive negotiation skills, or how to optimally allocate resources in ways that are favorable to one's self—a process called “slicing the pie.” Chapter 4 is the integral chapter of the book; it focuses on “win-win” negotiation or, more formally, integrative negotiation. This creative part of negotiation involves expanding the pie of resources in ways that provide more gains to go around.

The second section of the book deals with advanced and expert negotiation skills. Chapter 5 focuses on assessing and developing your negotiation style. This chapter invites readers to honestly appraise their own negotiation style in terms of three dimensions: motivation, approach, and emotion. The negotiator can accurately assess his or her own style and its limitations and learn to assess the styles adopted by other negotiators. Chapter 6 focuses on establishing trust and building relationships. This chapter examines business and personal relationships and how trust is developed, broken, and repaired. Chapter 7 discusses power, persuasion, and influence tactics. This chapter looks at the topic of persuasion and influence as it occurs across the bargaining table and also deals with the important issue of ethics in negotiation. In Chapter 8, the focus is on problem solving and creativity. This chapter provides strategies for learning how to think out of the box and provides techniques for using creativity and imagination in negotiation.

The third section deals with special scenarios in negotiation. Chapter 9 examines the complexities of negotiating with multiple parties, such as conflicting incentives, coalitions, voting rules, and how to leverage one's own bargaining position when negotiating with multiple parties. Chapter 10 focuses on cross-cultural negotiation, which addresses the key cultural values and negotiation norms across a variety of nationalities, along with some advice for cross-cultural negotiations. Chapter 11 deals with dilemmas, or situations in which negotiators make choices in a mixed-motive context, where cooperation involves building trust with the other party and competition involves an attempt to increase one's own share of resources. This chapter examines the nature of social dilemmas and how to negotiate successfully within various types of dilemmas. Chapter 12 focuses on information technology and its impact on negotiation and uses a place-time model of social interaction to examine the challenges and opportunities of negotiation as it occurs in this technological age.

Four appendices provide a variety of additional material: Appendix 1 invites readers to examine the rationality of their negotiation beliefs and preferences; Appendix 2 provides a short course on lie detection and nonverbal communication; Appendix 3 reviews the essentials of third-party intervention; and Appendix 4 provides tips and a checklist for negotiating a job offer.

FACULTY RESOURCES

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Note: Every effort has been made to provide accurate and current Internet information in this book. However, the Internet and information posted on it are constantly changing, so it is inevitable that some of the Internet addresses listed in this textbook will change.

Part I: Essentials of Negotiation

CHAPTER

1

Negotiation: The Mind and the Heart

The deal was dead. Most people could not imagine turning down a multibillion-dollar acquisition offer. However, that is exactly what Chicago-based Groupon Inc. did in late 2010. Google had offered Groupon \$6 billion. Venture capitalist, Paul Kedrosky, bemoaned, “I would have taken that \$6 billion in a heartbeat. I would have been knocking over random strangers to accept it.” Google’s interest in Groupon was to tap into Groupon’s massive human network of sales employees and their relationships with small businesses. What was Groupon’s best alternative to accepting the Google offer? Well, Groupon had many potential suitors, including Yahoo!, who previously offered \$3 billion, and Groupon confidently believed that it still had lots of room to grow (at the time, Groupon did roughly \$2 billion in sales and kept half, making \$1 billion in revenue). However, the rejection of Google’s offer came at the risk of Groupon’s venture bankers. Accel Partners, Battery Ventures, Digital Sky Technologies, and New Enterprise Associations had invested a combined \$169.8 million in Groupon. What was Google’s best alternative to a negotiated agreement with Groupon? Either try to buy something or make it themselves. In this sense, by turning down Google’s offer, Groupon set the stage for the creation of another competitor in their marketplace. According to some business analysts, Groupon created a monster: “*I hope they realize that they could have had \$6 billion or decide to do battle with a Goliath of the internet world...*” Others speculated that Groupon could defend its turf and further lodge its brand in consumer minds and even add another zero to their Miracle-Gro valuation.¹

Negotiations like the one between Google and Groupon often involve a complex mix of strategy, signaling, and of course, the personalities of the negotiators. Whereas most of us are not negotiating giant corporate deals, one thing that business scholars and businesspeople are in complete agreement on is that everyone negotiates nearly every day. *Getting to Yes* begins by stating, “Like it or not, you are a negotiator.... Everyone negotiates something every day.”² Similarly, Lax and Sebenius, in *The Manager as Negotiator*, state that “Negotiating is a way of life for managers...when managers deal with their superiors, boards of directors, even legislators.”³ G. Richard Shell, who wrote *Bargaining for Advantage*, asserts, “All of us negotiate many