

THE LANGUAGE OF NEGOTIATION

A Handbook of
Practical Strategies
for Improving
Communication

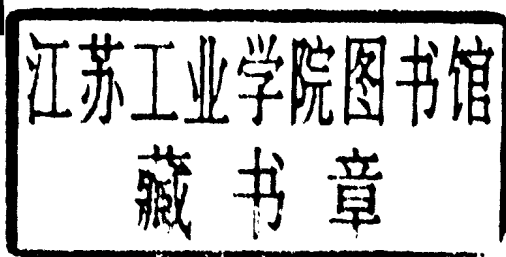
JOAN MULHOLLAND



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A Handbook of Practical Strategies
for Improving Communication

Joan Mulholland



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For Margaret Phillips: a friend indeed.

Introduction

Begin at the beginning, the King said, gravely, and go on till you come to the end: then stop.

(Lewis Carroll)

GENERAL

Negotiation as a social activity ranges from such examples as discussion of the daily distribution of work within an office, through an inter-firm disagreement over an ambiguous contractual detail, to organising a massive sales campaign aimed at an overseas market. Every negotiation is constituted of language, is a set of social behaviours enacted within the domain of language. Every utterance made and every text written within a negotiation is an act with repercussions on the outcome. While such acts cannot solve some of the problems of business, such as high interest rates or declines in sales, they can solve the problems of misunderstanding which arise from language use and can always improve the conduct of a negotiation. Therefore it is important for negotiators to recognise the power of language and to understand its potentialities as a negotiating instrument. With this knowledge they can radically improve the effectiveness of their negotiating skills. A fuller awareness of how language functions in communication can lead to several useful outcomes: in general terms it allows for greater creativity at both personal and institutional levels, and in specific terms it improves the quality of a participant's contributions to a particular negotiation, and assists in the accurate reading of others' negotiating strategies.

Competence in negotiation cannot be achieved by following a list of rules or using any one particular set of tactics, but rather it comes about when people acquire a sensitivity to the factors in language that affect negotiation, when they develop a personal repertoire of skills based on this sensitivity, and can adapt those skills in a flexible manner to suit the needs of a particular negotiation. The process to be undergone begins in acquiring cognitive awareness and continues by self-monitoring, and skilled practice.

This book is intended to be of assistance in this process to all those in business and professional life whose work involves negotiation. The material presented is distilled from recent developments in language pragmatics, and in rhetoric and communication studies, and is adapted for practical purposes. It requires no preliminary study of language on the part of its readers. It assumes only that readers are experienced language users, who recognise the value of an increased knowledge of their present usage and wish to improve their contributions to future negotiating activity.

There has been much recent research into discourse, exploring the characteristics of language as a social instrument, the differing values of spoken and written language forms, and the strategies available for interaction. Useful findings have been produced on the acts of speaking and writing as powerful social events. Sites of difficulty in encounters, particularly cross-cultural ones, have been examined. The most appropriate findings of these research enterprises have been selected and synthesised here, in order to assist those whose practical task it is to negotiate as part of their working lives.

The book first deals with preparation for a negotiation, then with the various elements of the negotiation proper, in order that they can be influenced and managed efficiently, and it ends with an account of the follow-up actions which complete the event.

READERSHIP

The book is intended for any individual or representative who has to negotiate with others, either within an organisation, or between organisations. It could be of particular use to those in graduate schools of business or management. The material is presented in a form which should be useful for people in business, industry, commerce, government service and the professions.

GOALS

The goals of this book are:

- 1 to provide an increased cognitive awareness of language as a negotiating instrument;
- 2 to provide such insights into the strategies of negotiation as will enable readers to increase the effectiveness of their own contributions; to improve their reading of the situation by enhancing their ability to predict and analyse the discursive behaviour of others; and so ultimately to manage and control the complex processes of communication;
- 3 to provide for this increase in skill without denying the importance of the individual qualities of negotiators, and this will be achieved by: (a) focusing on the general functional possibilities of language and discourse

- rather than insisting on the use of specific behaviours; (b) providing information which enables readers to codify and assess their own strategies and thus improve their use; and (c) enriching readers' abilities to design their own interactive strategies;
- 4 to provide ideas and suggestions that can help readers to achieve the end result of production efficiency, customer satisfaction, the full utilisation of human resources, the best corporate interaction, financial and social rewards, and personal satisfaction.

METHOD

The book is written as a resource guide to the language of negotiating activity. Each chapter provides information on the factors to consider with respect to the various parts of the negotiating discourse. Examples are provided where necessary to show the value of enhanced language use; and practical exercises give opportunities for the reader to consider his or her own practice in the light of the ideas which are offered.

Chapters 1 and 2 discuss the complex of factors and forces that constitute negotiating language, presenting material on the roles of culture and discourse in language use, and on the qualities of language that are particularly influential in communication.

The later chapters deal with some of the specific aspects of negotiating. Chapter 3 focuses on spoken negotiation, examining the strategic and tactical elements of speaking, taking turns, listening, and topic use. Chapter 4 deals with two particular aspects of the interpersonal side of negotiating language: (a) ways of achieving a fair degree of cooperation and agreement, even in adversarial negotiations; and (b) ways of dealing with cross-cultural encounters. Chapter 5 addresses the problems involved in media interviewing. Chapter 6 deals with one specific kind of speech interaction which can be problematic: using the phone. Chapter 7 focuses on written negotiation, offering some techniques for composing ideas in written form and designing a useful text. Chapter 8 provides a set of important negotiating acts, suggesting some methods of ensuring their efficiency. Chapter 9 investigates the important follow-up acts of remembering and recording, without which a negotiation's outcome could founder.

TO OPTIMISE THE BOOK'S VALUE

In Chapters 1 and 2, allow the ideas to stimulate your awareness of language, in general terms, as a powerful element in negotiation activities.

In Chapters 3 to 7 where different aspects of the process of negotiation are dealt with, go steadily through the material. Any item in the process might suggest a train of thought which would otherwise be neglected. Try

to increase your repertoire of behaviours in all aspects of the interaction process.

In Chapter 8, on specific speech actions, note any observations which arise as a result of reading the section, with the aim of alerting yourself to your own negotiating behaviours, and those of the people you negotiate with, as you develop the habit of speech-analysis.

It is particularly recommended that after considering the aspects of negotiating language dealt with, you determine which you have the 'best ear' for, and build on these as your own individual skills.

Using Chapter 9 as a guide, make sure that you round off the negotiation properly, and that you both store it in memory and are able to recall its features when necessary.

Because language is used all day and every day, it is often taken for granted, and its powers left unexamined except where serious problems with its use arise. Negotiators may have their attention focused on the more cognitive or material aspects of an issue they are discussing, and neglect the fundamental role language is playing in the representation of these aspects. Yet if the language used is inadequate for its purposes, or the representation is at fault, the whole interaction may falter or fail. Successful negotiators do not take language for granted in the difficult and complex world of human interaction.

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Thanks are due to all those scholars whose work in the field of language pragmatics has inspired the materials in this book; many of their names appear in the reference list at the end. I should like to thank the reviewers of the manuscript for their helpful suggestions. To those students of spoken discourse who have patiently borne with early versions of this material in class, my thanks and appreciation. In particular, I would like to thank those senior executives who shared their expertise in negotiation so generously in my advanced communication classes; their contributions have helped to keep this book alert to the practical implications of language research. My thanks are also due to Rebecca Pelan for help well beyond the call of friendship in preparing the manuscript.

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Part I

Preparation – the power of language

Chapter 1

Language and culture

This section raises issues concerning the three factors, language, culture and discourse, that constitute negotiation. Though language, culture and discourse interlock to form negotiation, they are separated here for analytic convenience.

READER WORK Consider the ideas discussed here in relation to your own negotiating experience as speaker and hearer.

(PRACTICE sections are provided to assist in this process.)

GOAL To increase awareness of the factors that impact on negotiation.

LANGUAGE

The functions of language are deeply embedded in human behaviour and there is little in our lives as social beings in which language does not play an important part.

The aspects of language that are of relevance to negotiation are:

- 1 its role in creating meaning out of the world for social use;
- 2 the means language adopts in order to realise meaning;
- 3 its dependence on history and culture;
- 4 its work as a socially bonding device.

LANGUAGE'S ROLE IN CREATING MEANING

The most important capacity that language has is its power to realise or actualise some speaker's or writer's idea, impression, attitude or emotion. Our understanding of the world is not merely expressed in words; it actually comes into existence, is realised through them. That is, language does not work by putting into words some previously existing event in the world, the information about which is then communicated to the hearer. Rather, language works to make some of the phenomena of the world into 'events', while ignoring others. By 'events' here is meant not only happenings of a physical kind but also (and more importantly) ideas, values and opinions. Language, as it were, imposes digital distinctions on the world,

isolating aspects from the great mass of undifferentiated phenomena, making 'events' of them, registering them in words, and supplying them with meaning. What gets registered as an 'event' depends on the purposes of the speaker, who may wish to direct attention towards some things and away from others. A useful image for this aspect of language is to see it as a map of the world, giving some details of the terrain while omitting others. It is a very helpful instrument by which to understand the world, but it does not give us the world in all its detail.

When the 'event' is realised through speech or writing, language acts to share the speaker's interpretation with others. If the language chosen for the realisation is forceful enough, or the interpretation is reiterated often enough, or the 'event' is socially appropriate enough for hearers to accept it, then the speaker's version of that 'event' becomes social currency, and eventually part of a common understanding. Through language a community's sense of the world is created, modified and developed, and the versions of it which are frequently spoken become institutionalised. Other versions which are omitted from language use become weakened, and matters rarely talked about are perceived as unacceptable or 'unreal'. So language (a) creates meaning from the world, and (b) offers up that meaning for social understanding and acceptance.

Example

This can be done in at least three ways. First, new objects can be registered through language – for example, a *modem*. When a situation arose in which computers had to be linked by telephone, a modulator–demodulator was invented to adapt the data to this transmission and reception system. A name 'modem' was given to it, for easier social use, and it is now a widely disseminated notion. Its full technical meaning, however, is not so widely understood. This example is one of many which could remind us that we all use words for which we have only a hazy meaning, a fact which leaves us open to manipulation by those with a better understanding of them (for example by the sales representatives who insist we need a new modem), and to exploitation (for example by politicians who can use vagueness to bring about an alteration in meaning by incorporating different aspects of potential meaning as it suits them).

Second, new perceptions can be registered through language – for example, the recognition of *pre-teens* as a specific period in youth. It was always the case that a child grew from being a baby to a child, through ages ten, eleven and twelve, and into its teen years. Recently, however, marketing agencies have specified pre-teen children as an age group, inserted between the group 'children' and the group 'teenagers'. Those involved in sales of goods found it useful, and so accepted it; the children themselves found it attractive because it gave them a more important social presence;

and so it has become a common awareness. Society is not always certain, however, which children are in the pre-teen group, or what features distinguish its members from children and teenagers (since children are notorious for their different rates of development). As a 'fuzzy' category, it lends itself to manipulation by those who have an interest in so doing.

Third, current perceptions can be altered through language use – for example, a term like *old-fashioned*, which once meant 'of long standing, tried and true, and still valued', as social values change can gradually be brought to mean 'outworn, unacceptable, no longer valued, and out of date'. Or speakers can use a phrase in association with others whose meanings society already dislikes, so that it gradually acquires the same valuation. Another possibility is illustrated by the phrase 'the black problem', where the very selection of 'black' and 'problem', and their juxtaposition to represent some happening in the world, makes a judgment which would differ markedly if instead the phrase used were 'the white problem', or some other word were substituted for 'problem'. Another technique to achieve a change in perception, less favoured (and often less successful), is to use argument against or on behalf of an idea. This often fails because it is overt and so allows the hearers to understand what is going on, and hence permits them either to defend the current view, or at least to resist the argument.

Practice

Ask yourself which terms are currently in favour for the important matters in your various negotiations. A standard set might be 'tried and true', 'standard methods', 'well-honed skills' or 'it's good because we know where we are with it'. Who instigated them? For what purpose? Could the perception they realise be changed? Have any such terms changed during the negotiation process, and to what effect? Would it be useful for you to seek to change any of the terms, for example to 'a welcome change', 'creative originality', 'more efficient methods', 'more up-to-date'? (Remember that everyone is suspicious of change and the readjustment of ideas that it will require.) Would it be useful to resuscitate any terms not currently favoured? Does one participant favour a particular set? Would there be negotiating value in your copying this usage? (We like to talk with people who share our perceptions.) What are your own favourite terms? Has using them ever been a help or a hindrance?

THE MEANS BY WHICH LANGUAGE WORKS

When we create communicated events from the happenings of the world, language can work at two levels to give socially accepted meaning to these happenings.

On one level, a speaker can make a careful choice of words or grammar to realise the happening (to suit his or her purposes), or can mention it alongside events already recorded in speech, thereby giving it the same

social value that those events have, and creating an association of ideas in the mind of the hearer.

However, meaning can be affected in this way only because the very act of speech is a profoundly significant happening. On this deeper level, any utterance (or act of writing) in our communication with one another, however apparently trivial it may seem, can form the basis for our sense of some aspect of the world and its happenings. We acquire less meaning in directly experienced, unmediated ways than people often understand. It follows then that every utterance has the power to affect our perception of the world. Every utterance is a *speech act* with three aspects: it is a locution, that is, an uttering of recognisable sounds and rhythms; it has illocutionary force or discursive power, compounded of what can be estimated of the speaker's intentions and its material content; and it has perlocutionary effect, that is, it has some interactive significance and social meaning (see pp. 88–9, and 94).

Speech is not transitory in value though it may be brief; it is central to our shared understanding of the world and also to the processes of interaction. Every time speakers speak they provide information about their subject matter, and simultaneously reveal such things as their sense of self, the roles they are adopting (and expecting others to adopt), their perceptions of the interaction, their expectations of the other participants' behaviours, and their anticipation of its outcome. Therefore, any speech event has potentially serious social consequences. Speech is irreversible: once something is said, it cannot be unsaid. It may be an opinion – 'I think Smith lacks administrative skill', – or a fact – 'We offered 17 per cent interest on the loan.' The first may offend, the second will form a commitment, and in both cases, the speakers will be held to their words.

Example

During an inter-organisational negotiation a speaker says: 'I am the managing director.' In so doing, several things occur, and several different kinds of meaning are actualised.

First, referential information is supplied. This can happen because the words have common values for the speaker and hearers who all have perceptions of what a 'managing director' is. But while they may share elements of understanding, there is also the possibility of interpretive differences. To one hearer it could mean 'The speaker is in charge of the company's contribution to the negotiation', or 'The speaker is knowledgeable about the matters in hand', or 'The speaker is a policy maker and does not deal in detail', or 'The speaker is the principal not an agent', or any combination of these.

Second, the social event of the sentence's being spoken, becoming an element within the interaction, brings another kind of meaning. The speaker