




商务英语专业系列教程

◎主 编 / 邢新影

International Business Negotiation

国际商务谈判

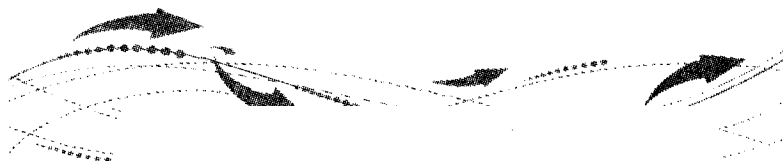


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商务英语专业系列教程

International Business Negotiation 国际商务谈判



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主编 邢新影

责任编辑: 黄 群

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前 言

《国际商务谈判》是为商务英语专业、英语专业商务英语方向高年级学生编写的专业教材，也可作为经济与工商管理各专业，如国际贸易、国际金融、国际企业管理、市场营销等专业学生高年级的选修课教材，还可为商务工作人士提供从事谈判实践的参考依据。

入世后，中外经贸往来日益频繁，对外商务谈判也迅速增多。商务谈判关系到商务活动的成败乃至企业的生存与发展。入世的关键在于人才的入世，目前政府机构、企事业单位急需既精通外语、又具备商务专业素质，既熟悉国际贸易惯例、又具备良好沟通能力的谈判人才。本书正是顺应这一需求，旨在培养、提高商务专业人才的涉外谈判能力，包括语言能力、思维能力、应变能力及跨文化沟通能力，为高校商务专业学生的职业生涯埋下伏笔，为商务企事业单位员工素质的提高奠定基础。

本书由十章组成，第一至三章是对谈判基本理论的解读，包括谈判本质、国际商务谈判介绍、对立型及整合型谈判，第四至九章是对谈判流程各个环节所涉及的策略及技巧的阐释。具体包括谈判准备阶段、开局阶段、讨价还价阶段、结束阶段的组织与实施。第十章是对文化因素对国际商务谈判影响的介绍。每章由课文、注释、习题三部分组成。

本书主要有如下三个特色：

一是紧扣现实需求，将理论与实践密切结合。本书以国际商务谈判各个环节为线索，对商务谈判的基本理论、概念及流程作了全面阐述。依托谈判基本理论，本书紧紧围绕“应用性”、“实践性”这两个主题，将大量案例贯穿始终——章首以案例导入，主体内容以案例诠释，章尾练习以谈判实践强化要点。案例参照了各类商务书籍及网络上的最新内容，生动、鲜活地再现谈判实务，趣味性强、引人入胜。

二是紧扣“任务型”教学，将任务设计贯穿主体内容。为提高可操作性，本书各

章均安排了各式任务练习，突出语言技能的培养。目前出版的各类谈判类教材大体有两类，或以谈判理论知识见长，或以谈判口语操练见长。本书打破这一常规，以商务情境下语言技能任务的方式全面提高语言能力和思辨能力。

三是习题丰富多样，实践性强。习题包括判断正误用以加深对谈判理论知识的理解，句子翻译、沟通练习用以提高语言技能，案例分析、模拟谈判用以培养谈判的实践能力。本书在附录部分还设计了模拟试题，并为模拟谈判练习提供答案，供读者参考。

本书由邢新影主编；佟敏强、王磊任副主编。具体分工如下：邢新影负责撰写第一、三、七章，佟敏强负责撰写第八章，王磊负责撰写第二、四章，王琦负责撰写第六章，顾丽颖负责撰写第五章，周文宣负责撰写第九章，梁月倩负责撰写第十章。邢新影还承担对书稿进行修改、编纂及定稿的工作。本书在编写过程中，应用外语学院各位领导及同事对教材框架、编写思路提供了宝贵意见，谨此表示由衷感谢。

本书的出版得到了黑龙江人民出版社的鼎力支持和热情帮助，在此表示诚挚的感谢。

由于作者业务水平有限，本教材编写难免有不当之处，恳请各位专家、读者批评指正。

编者

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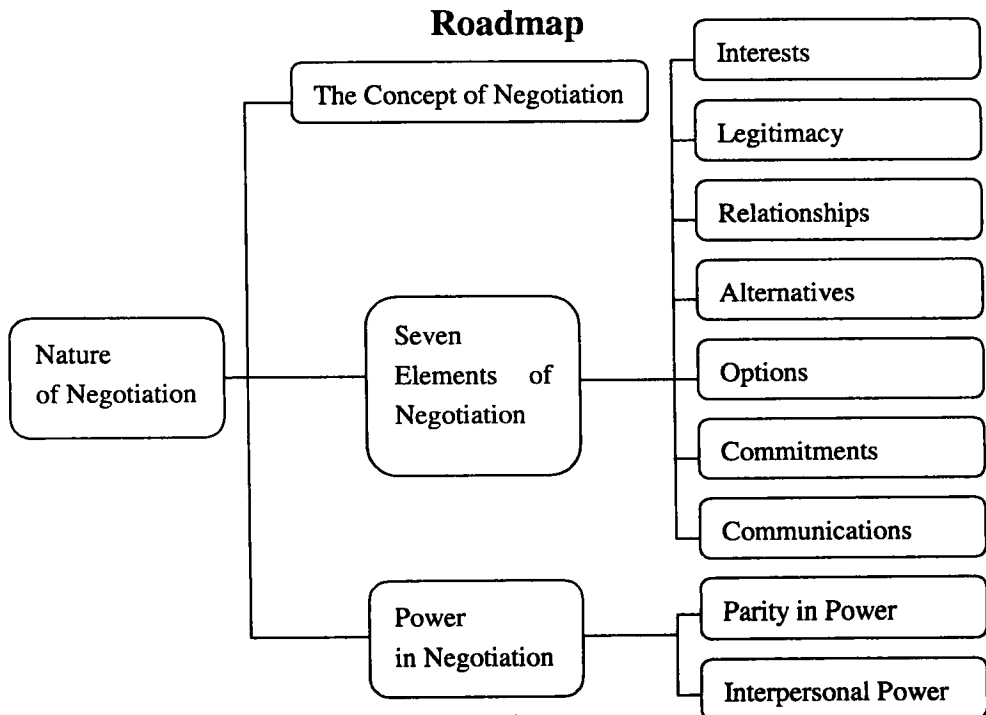
Chapter 1 Nature of Negotiation

Negotiation is a great way for people to reach an agreement that makes everyone happy or better off. Instead of initiating an argument in which no one is a winner, we'd like to get what we want through a win-win negotiation. This chapter leads you into the realm of negotiation to gain a keen insight into the nature of negotiation and the seven elements underlying it. It then focuses on power involved in negotiation so that we can take advantage of power to obtain what we want from negotiation.

Learning Objectives

In this chapter, students will learn how to:

- ◆ get a profound understanding of negotiation;
- ◆ understand the seven elements of negotiation;
- ◆ identify various types of power involved in negotiation.



Part 1 Focusing on Business Knowledge

Case: What's Samantha Going to Do?

Samantha McCartney is a very busy young lady. Rarely, does she have time for her school work, chores, or her little sister Krista. Samantha's parents are getting tired of her being so busy with all her activities and not spending enough time with the family, doing chores or her homework. Samantha's parents threatened to ground her for an entire month if she didn't change her ways!

Samantha vowed to her parents, "On Friday, I will not hang out with my friends. I will complete my homework, chores, and spend time with Krista."

That Friday, during school, Samantha received a special invitation to Lisa's slumber party. The card read:

You are chosen to participate in a night filled with games, treats, movies, and gossip.

"Awesome!" Samantha exclaimed. The coolest girls in her grade would be there and Samantha HAD to attend. Overwhelmed with excitement, Samantha immediately thanked Lisa for the invitation and told her she would see her tonight!

But there was one, rather big, problem that she had to fix. Earlier that week, Samantha told her parents she would stay home on Friday night to spend time with her sister and complete her chores and homework. Yet, if she did not go to Lisa's party, her social life would be over.

What's Samantha going to do?

Section 1 The Concept of Negotiation

1.1 The World is a Negotiable Place

People negotiate daily and negotiation does not always involve money. *Anytime You Want Something From Someone And Anytime Someone Wants Something From You, You Are Negotiating.* Our spouses, children and friends negotiate with us regularly. For instance, when your friend wants to borrow a book from you, this is a negotiating situation, therefore, you have to get a commitment to (negotiate) a return date or else it may never be returned.

When you negotiate, it is important to think about three things:

- (1) First, you need to ask yourself what your alternative is if you don't negotiate.
- (2) Second, you need to think about what you really want out of the negotiation.
- (3) Third, you need to think about how the other person sees the situation and why they may not want to do what you want.

Let's look at each of these using the short story Friday Night as an example. Samantha would like to go to the slumber party but what if her parents said no? Let's first consider

what the alternative to negotiating would be—what Samantha might do if she didn't negotiate. If Samantha decides not to ask her parents to go to the party, she will have to stay home. That is Samantha's alternative. Anytime you begin a negotiation, it is important to think about what your alternative is if you don't do anything. Sometimes the fact that your alternative is accepting a bad situation is often a good reason to decide to negotiate.

Second, Samantha needs to think about what exactly she wants. Suppose that she wants to go to Lisa's party on Friday night and go with her friends to see a movie on Saturday night. To Samantha, this would be perfect and that is what she might try to get her parents to agree to! But she also needs to prioritize what she wants in case her parents won't agree to everything she wants. Therefore, she needs to think about whether it is more important for her to go out on Friday night or Saturday night.

The third step is to try to see the negotiation from her parents' point of view. Her parents might tell her they don't want her to go to the party. If Samantha can understand their reasons, this may help her figure out how to get her parents' permission to do what she wants. So Samantha needs to ask the question: why do my parents want me to stay home? Maybe her parents don't know Lisa (the party's host) or Lisa's parents and so they feel uncomfortable having Samantha spend the night at Lisa's house. In this case, Samantha can solve the problem by having her parents come over to Lisa's house before the party so her parents can meet Lisa's parents. That would be an easy solution.

Sometimes things aren't so simple. What if Samantha's parents don't want her to go to the party because they are worried that all her socializing is affecting her ability to focus on her school work? In this case, Samantha needs to think about what they would want her to do in order for them not to worry about this and agree to let her go to the party. This is a "trade." For example, suppose Samantha came directly home during the school week to complete her school work and chores but she reserved Friday and Saturday nights to spend time with her friends. This is a good "trade" because Samantha will get to go to the party and her parents will know that she is spending enough time on her school work.

Being creative in thinking about what you have to "trade" will help you to get what you want. The key is that you get something you want and so does the other side. That way both of you end up happy.

Case: So What Happened?

Just in case you are wondering what happened to Samantha, her parents were worried that she wasn't spending enough time doing her school work and spending time with her

family. She carefully negotiated her case with her parents. Samantha committed to spending time with her family on Saturday instead of Friday. She completed her chores and homework before she went to the party. Samantha's social life was saved and she had fun spending a lovely evening with the family on Saturday. Both Samantha and her parents are winners!

Once you think about all of these things, it is time to negotiate! One final piece of advice: You should practice your negotiation ahead of time with a friend. The negotiation will go much more smoothly if you do!

1.2 The Concept of Negotiation

Have you ever been in a similar situation as the case mentioned above? I think, you must have figured out several cases in which you've got the same experience as Samantha has. So do you think only world leaders negotiate? Absolutely not. People all over the world and of all ages negotiate everyday, sometimes without even realizing it.

The word "negotiation" derives from the Latin infinitive *negotari* meaning "to trade or do business". This verb itself was derived from another, *negare*, meaning "to deny" and a noun, *otium*, meaning "leisure". Thus, the ancient Roman business person would "deny leisure" until the deal had been settled. Negotiation is at the heart of every transaction and, for the most part, it comes down to the interaction between two sides with a common good (profits) but divergent methods. These methods (the details of the contract) must be negotiated to the satisfaction of both parties. As we will see, it can be a very trying process which is rife with confrontation and concession. Whether it's trade or investment, one side will always arrive at the negotiation table in a position of greater power. That power (e. g., the potential for profit) may derive from the extent of the "demand" or from the ability to "supply". The purpose of negotiation is to redistribute that potential.

Many negotiators and researchers have been trying to assign a working definition to the word negotiation. They define the word from different viewpoints and help clarify people's understanding of the negotiation process. In the following are some examples:

- Negotiation is something you do every day of your life, but may not realize it. And it's absolutely critical to career success.
- Negotiation is a discussion intended to produce an agreement; a treating with another respecting sale or purchase; a transaction of business between nations; the mutual intercourse of governments by diplomatic agents, in making treaties, composing

difference, etc.

- Negotiation is an activity that all managers and professionals engage in. It's necessary to negotiate at every stage of a project or business transaction, in order to reach an agreement.
- Negotiation is a basic, generic human activity—a process that is often used in labor-management relation, in business deals like mergers and sales, in international affairs, and in our everyday activities.
- Negotiation is an ancient art. It is a form of decision-making where two or more parties approach a problem or situation wanting to achieve their own objectives, which may or may not turn out to be the same.

According to *Bruce Patton*, Deputy Director of the Harvard Negotiation Project, negotiation can be defined as *back-and-forth communication designed to reach an agreement between two or more parties with some interests that are shared and others that may conflict or simply be different*. As such, negotiation is one of the most basic forms of interaction, intrinsic to any kind of joint action, as well as to problem solving and dispute resolution. It can be verbal or nonverbal, explicit or implicit, direct or through intermediaries, oral or written, face-to-face, ear-to-ear, or by letter or e-mail.

If everyone—an individual or a company—had everything they wanted, there would be no particular reason to negotiate, bargain, or collaborate in decision making. But in the real world, we do not have everything; the resources we control or influence do not serve all of our interests. Unless we can find and reach agreements with parties who can respond to our interests, our needs will not be satisfied. The negotiations that take place in our daily life to free hostages, keep peace between nations, or to end a labor strike, etc. dramatize the need bargaining and its capabilities as a dispute management process. With the growth of teams and project management, the need to negotiate becomes critical. And gone are the days when employees blindly do anything the boss orders. If we want to manage successfully, we'd better have good reasons for what we're asking, and we'd better be persuasive. From *Bruce Patton's* viewpoint, the seven elements that follow contribute to a pleasant negotiation outcome.

Section 2 Seven Elements of Negotiation

2.1 Seven Elements of Negotiation

There is no one right way to organize ideas, but some approaches work better than

others for specific purposes. In defining a set of core variables or elements of negotiation to be of help to a negotiator, a framework should help us define our goals and prepare effectively to minimize surprises and to identify and take advantage of opportunities. It should also help us appreciate and wisely evaluate the consequences of available process choices. It should be simple enough to remember and robust enough to incorporate any insight or learning we might have about negotiation. And ideally, such a framework should operate at a basic human level underneath cultural or even gender differences, so that the same framework can be used in different contexts.

The seven-element framework for understanding and analyzing negotiation, which was developed at the Harvard Negotiation Project, can meet these criteria. It is an effective way to define comprehensively the terrain of negotiation that needs to be understood and managed (whatever procedural tactics or strategies a negotiator might adopt).

- Interests
- Legitimacy
- Relationship
- Alternatives
- Options
- Commitments
- Communication



2.1.1 Interests

A party's basic needs, wants, and motivations are commonly referred to as its *interests*. For example, a negotiator seeking to settle a dispute might care about getting enough money to cover expenses, not setting a bad precedent, and getting the negotiation over with before leaving for vacation. Interests are the fundamental drivers of negotiation. People negotiate because they are hoping to satisfy their interests better through an agreement than they could otherwise. The measure of success in negotiation is how well your interests are met, which is also the criterion you use to compare and choose among different possible outcomes.

Interests are *not* the same as the positions or demands that people typically stake out and argue for in negotiation. A position is a proposed outcome that represents merely one way among many that issues might be resolved and interests met. The notion of interests, however, encompasses a wide range of possibilities, from substantive goals such as

money, deadlines, or guarantees to emotional desires such as respect, recognition, feeling fairly treated, or even seeing another person happy. One can think in terms of levels of interests, with something like Maslow's basic human needs at the root of a tree of interests that may include a wide range of needs and motivations beyond the purely instrumental.

Between the parties, interests can be shared (neither of us wants to spend too much time negotiating; both of us want to set a good precedent), differing (I care about net present value; you care about cash flow), or conflicting (price, credit, ownership, who gets the corner office). While negotiation is often assumed to be an adversarial battle focused on conflicting interests, this assumption overlooks the fact that both parties want to settle the deal and want to be fairly treated.

Therefore, always remember that interests are a part of human nature, not science. It will take great skill to maneuver around them. Always look forward, not backward when thinking about the big picture. Don't stick to your position if necessary, but always stay true to your interests. Stay focused toward solving problems, for both you and the prospect. Never act like you are attacking a person, but instead a problem.

2.1.2 Legitimacy

Fairness or legitimacy is one of the most powerful of human motivations, and thus constitutes a special category of interests. It routinely plays a major role in negotiation, too often (and unwisely) overlooked. It is not uncommon for negotiations to fail, for example, not because the option on the table is unacceptable, but because it does not feel fair to one or both parties. In effect, people pay to avoid accepting a solution that feels illegitimate. In experiments, for example, one person is told that he or she has \$10 to split with another (unknown) person and that he or she can specify who gets how much but will only get the money if the other person agrees to accept the split (otherwise neither person gets any money). Logically, the second person should be willing to accept any split of the \$10, even \$9.99 to the splitter and \$0.01 for them, but in fact most people would rather get nothing than approve a split that feels too unfair.

Often this interest in legitimacy and feeling fairly treated is the main driver in a dispute, though parties with divergent views on what is fair may fail to realize that beneath their conflicting positions is the same interest. In the Israeli-Palestinian conflict, for example, the perceived legitimacy of where the border is drawn between Israel and a Palestinian state is at least as important as how many acres are on each side. In many