拓展

Business Negotiation

商务英语谈判

主编 余慕鸿 章汝雯

高等学校英语拓展系列教程

语言技能类 语言应用类 语言文化类 商务英语类

外语教学与研究出版社
FOREIGN LANGUAGE TEACHING AND RESEARCH PRESS

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外语教学与研究出版社
FOREIGN LANGUAGE TEACHING AND RESEARCH PRESS
北京 BEIJING

图书在版编目(CIP)数据

商务英语谈判／余慕鸿，章汝雯主编．—北京：外语教学与研究出版社，2005.8
（高等学校英语拓展系列教程）
ISBN 7－5600－5075－1

Ⅰ．商…　Ⅱ．①余…②章…　Ⅲ．商务—谈判—英语—高等学校—教材　Ⅳ．H31

中国版本图书馆 CIP 数据核字（2005）第 096344 号

出 版 人：李朋义
责任编辑：巢小倩
封面设计：牛茜茜
出版发行：外语教学与研究出版社
社　　址：北京市西三环北路 19 号（100089）
网　　址：http://www.fltrp.com
印　　刷：北京大学印刷厂
开　　本：787×1092　1/16
印　　张：15.75
版　　次：2005 年 9 月第 1 版　2005 年 9 月第 1 次印刷
书　　号：ISBN 7－5600－5075－1
定　　价：17.90 元

*　　*　　*

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前　言

《商务英语谈判》是高等学校英语拓展系列教程中商务英语类的精品教材之一。该教材是为了顺应中国加入WTO后日益增多的国际商务往来对各种商务谈判人才的急剧需求而精心编写的，尤其适合国际商务、国际贸易、国际金融、国际企业管理等专业的学生作为选修课教程使用，也可供其他经济管理专业的高年级本科生、研究生、英语专业三、四年级的本科生作为复合型专业英语教材使用，对MBA、EMBA学生以及外经贸进出口从业人员也有较好的指导作用。

《商务英语谈判》全书共七章，分别介绍了商务谈判的相关概念、商务谈判中通常遵循的原则、商务谈判的各个环节、商务谈判一般经历的阶段、谈判中运用到的策略和技巧、各种商务谈判的类型。除此之外，还着重介绍了商务谈判中应该注意的各种礼节，以及在跨文化商务谈判中，如何跨越由于文化差异给谈判带来的障碍等方面的内容。

《商务英语谈判》各章后的注释为学生理解各章内容提供了及时的帮助，形式多样的练习既包括为巩固学生对课文的理解而设计的问答题、选择题、判断题，也有旨在提高他们商务谈判实际运用能力的个案分析、模拟谈判和角色扮演。这些对进一步加深学生对商务谈判知识的理解和实际运用起到了重要的作用。

本书由余慕鸿、章汝雯任主编；曹霞、何宁生任副主编。具体分工是：余慕鸿、何宁生负责撰写第一章，曹霞负责撰写第二、五、七章，章汝雯负责撰写第三、四章，何宁生负责撰写第六章；余慕鸿还负责承担了对书稿进行修改、统纂和定稿的全部工作。本书初稿完成后，承蒙加拿大籍教授 Ms. Cynthia Chu 博士对全书的内容进行了十分详细、认真的审阅，并提出了很多有益的建议，谨在此表示衷心的谢忱。

本书的出版得到了外语教学与研究出版社的鼎力支持和热情帮助，在此我们表示由衷的感谢。

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本书是编著者同心协力、精诚合作的结晶，个中苦乐，唯吾自知。在担负繁重的教学与行政管理任务之余，编著论析矻矻日夜，思忖斟酌孜孜寒暑。对于本书，尽管我们已殚精竭虑，但仍恐有瑕疵错漏，敬望读者指正。

编著者
2005 年 7 月

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Chapter 1 Principles of Business Negotiation

商务谈判的原则

What is negotiation? According to Robert Maddux, author of *Successful Negotiation*, negotiation is the process we use to satisfy our needs when someone else controls what we want. Gerard I. Nierenberg, author of the first book on the formalized process of negotiation, *The Art of Negotiating*, stated: "Whenever people exchange ideas with the intention of changing relationships, whenever they confer for agreement, then they are negotiating."

何谓谈判？谈判是人们为了协调彼此之间的关系，满足各自的需要，通过协商而争取达到意见一致的行为和过程。

Negotiation takes place between human beings. It is the most common form of social interaction. Almost everybody in the world is involved in negotiations in one way or another for a good part of any given day. People negotiate over where to go for dinner, which movie to watch or how to split household chores.

Negotiation, in its modern sense, is defined in *The Roots of Sound Rational Thinking* as follows: the ability to deal with business affairs, to arrange by discussion the settlement of terms, to reach agreements through treaties and compromise, and to travel through challenging territory. All of these suggest a purposeful effort to resolve problems through talking and intellectual maneuvering. Negotiation includes consultation, bargaining, mediation, arbitration, and sometimes, even **litigation**.

Negotiation can take on different forms. Professor Mary P. Rowe of Massachusetts Institute of Technology listed eight different types in her *Negotiation: Theory and Practice*:

Competitive style (竞争式谈判)	To try to gain all there is to gain
Accommodative style (通融式谈判)	To be willing to yield all there is to yield
Avoidance style (回避式谈判)	To try to stay out of negotiation
Compromising style (妥协式谈判)	To try to split the difference or find an intermediate point according to some principle
Collaborative style (合作式谈判)	To try to find the maximum possible gain for both parties—by careful exploration of the interests of all parties—and often by enlarging the pie
Vengeful style (报复式谈判)	To try to harm the other
Self-inflicting style (自损式谈判)	To act so as to harm oneself
Vengeful and self-inflicting style (报复和自损式谈判)	To try to harm the other and also oneself

People who go for the competitive style are known as hard-bargaining negotiators. They start off with outrageous demands, using threats and other **tactics** to get what they want. One side typically starts out high and the other low. After several rounds of offer and counter-offer, the negotiators end up “splitting the difference”. In this form, negotiation is viewed as a game where each side tries to get the best deal for themselves. Neither side exhibits concern for the other side.

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1.1 Principle of Collaborative Negotiation

合作式谈判的原则

I. Collaborative Negotiation

Negotiation can also assume the form of collaborative style. It involves people with diverse interests working together to achieve mutually satisfying outcomes. Collaborative negotiation is known by many names. Some popular names include "problem-solving negotiation", "**consensus**-building negotiation", "interest-based negotiation", "win-win negotiation", "mutual gains negotiation", and so on.

The goal of collaborative negotiation is to manage the dispute so that the outcome is more constructive than destructive. A destructive outcome results in damages and involves exploitation and **coercion**. A constructive outcome fosters communication, problem-solving, and improved relationships.

In their book *Interpersonal Conflict*, William Wilmot and Joyce Hocker offered a detailed discussion on collaborative negotiation. The assumptions of this style are:

* The negotiating parties have both diverse and common interests.
* The common interests are valued and sought.
* The negotiation processes can result in both parties gaining something.
* The negotiating arena is controlled by enlightened self-interest.
* Interdependence is recognized and enhanced.
* Limited resources do exist, but they can usually be expanded through cooperation and creativity.
* The goal is a mutually agreeable solution that is fair to all parties and effective for the community/group.

The collaborative negotiation focuses on interests rather than positions.

Integrative solutions are obtained by understanding each other's self-interests, not by **jostling** for positions. The classic story to illustrate this describes two sisters fighting over the only orange in the family **larder**. Each sister wants to have the whole orange for herself. Any less is impossible. Their wise mother asks each of the girls privately why she wants the whole orange. One explains that she wants the juice for drinking; the other wants the **rind** for making a pudding. What each sister wants is her position, and why she wants it is her interest. In this case, the simple solution is to give the cook the rind after the juice has been squeezed for the thirsty sister—thus meeting the interest of both parties.

The collaborative negotiation places value on relationship. It requires trust and relies on full disclosure of relevant information.

The disadvantages of this approach are:

* It may pressure an individual to compromise and accommodate in ways not in his best interest.
* It avoids confrontational strategies, which can be helpful at times.
* It increases vulnerability to deception and manipulation by a competitive opponent.
* It makes it hard to establish definite aspiration levels and **bottom lines**.
* It requires substantial skill and knowledge of the process.
* It requires strong confidence in one's perceptions regarding the interests and needs of the other side.

II. Principled Negotiation

In this form, each side of the negotiating parties attempts to meet the other side's interest as well as their own. By thoroughly understanding their own interest as well as the other side's, both sides are often able to arrive at solutions which neither alone could have envisioned or made possible. In this type of negotiation, each side recognizes and accepts the legitimate interest of the other side and they are committed to dealing with differences constructively in order to advance their own self-interest. This has been called "collaborative principled negotiation", a concept set forth by Roger Fisher and William Ury in their book *Getting to Yes: Negotiating Agreement Without Giving In.*

Principled negotiation is particularly oriented to collaborative negotiations. However, it can be used in competitive negotiations and in other aspects of conflict management. It is a method that is centered around four considerations (PIOC):

* People: Separate the people from the problem.
* Interests: Focus on interests, not positions (interests always underlie positions).
* Options: Invent options for mutual gains.
* Criteria: Insist on using objective criteria.

1. Separate the people from the problem

Fisher and Ury pointed out that "negotiators are people first". There are always relational and **substantive** issues in negotiation. The relational issue tends to become **entangled** with the problem and the positional bargaining puts relational and substantive issues in conflict with each other. Fisher and Ury suggested that the negotiators separate the relationship from the substance and deal directly with the people problem.

It is feasible to deal with a substantive problem and maintain a good working relationship between negotiating parties. People problems are usually caused by inaccurate perceptions, inappropriate emotions and poor communication. In order to deal with those problems, three techniques are recommended for both parties to follow:

A. Establish an accurate perception.

* Conflict, very often, is not caused by what happens, but by how people perceive what happens.
* Increase the capability of each party to see the other side's point of view (for example, by reversing roles).
* Avoid blaming the other party for your problems.
* Discuss each other's perceptions of the problem.
* Get the other party to participate in the mutual activities.
* Seek to make negotiation **proposals** consistent with the other party's values.

B. Cultivate appropriate emotion.

* Your emotion affects that of the other party.
* Recognize and understand emotions of both parties.
* Make emotions explicit and legitimate.
* Allow the other party to let off steam.
* Stay calm with the other party's emotional outbursts.

C. Strive for better communication.

* Negotiation is a process of communicating between parties for the purpose of reaching a joint decision.
* Be an active listener and acknowledge what is being said.
* Speak to be understood.
* Avoid being **judgmental** or debating the other party as an opponent.
* Avoid criticism that may hurt the other party's feelings.
* Speak for a purpose.

The best time for handling people problems is before they become people problems. To do so, negotiators need to establish a working relationship with the other party. Be "partners", not "adversaries". One specific technique that works is to change the shape of the table rather than sitting opposite your "opponents", and arrange the seating so that all the parties are sitting together facing a flip chart or blackboard where the problem is presented. That makes it clear that all the participants are facing the problem together. Instead of "us" against "them", it has become a case of "all of us" against "it".

2. Focus on interests, not positions

The following story describes how this principle works. "On a boat ride from Chongqing to Yichang in the spring of 2002, a couple with a young boy shared a cabin with me and another passenger. When it was time to sleep at night, the boy would not allow the light to be turned off or he would cry. However, the other passenger insisted that the light be turned off because he could not sleep with the light on and his activities the following day necessitated a good night's sleep. While it seemed that neither the boy nor the passenger would give in on their positions, an idea struck me. I got a piece of brown paper from the steward, made a long cone-shaped lampshade and taped it on the ceiling where the bulb was to direct the light toward the boy's bed. Thus the boy got his light and the other passenger got a good sleep."

This story may sound familiar to many negotiators. In such a case, negotiators need to distinguish between interests and positions and focus on interests not positions. A position is what you say you want or must have. An interest is why you want what you want.

Positions can be thought of as a one-dimensional point in a space of infinite possible solutions. Positions are symbolic representations of a participant's **underlying** motivating interests. In negotiation, there are many kinds of interests: multiple interests, shared interests, compatible interests and conflicting interests. Identifying shared and compatible interests as "common ground" can be helpful in establishing a foundation for additional discussions. "Easy points of agreement" can be identified and the principles underlying those easy points of agreement can often be **extrapolated** to help resolve other issues. Methods for focusing on interests instead of positions are as follows:

A. Identify the self-interests.

* Explore and recognize the interests of the other party that stand in your way.
* Examine the different interests of different people on the other side.
* Respect your counterparts as human beings and recognize the needs and interests that underlie their positions.

B. Discuss interests with the other party.

* Give your interests a vivid description. Be specific.
* Demonstrate your understanding of the other party's interests and acknowledge them as part of the overall problem that you are trying to solve.
* Discuss the problems before proposing a solution.
* Direct the discussion to the present and the future. Stay away from the difficulties of the past.
* Be concrete but flexible.
* Be hard on the problem but soft on the people.

3. Invent options for mutual gains

Before seeking to reach an agreement on solutions for the future, Fisher and Ury suggested that multiple solution options be developed prior to evaluation of those options. The typical way of doing this option generation is brainstorming. The parties generate as many solutions as possible before deciding which of those options or components of identified options when grouped together best fulfill the parties' interests. This brainstorming of options prior to decision-making is a critical piece for the success of the collaborative

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