

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

INTERNATIONAL
BUSINESS NEGOTIATION
THEORY CASES AND PRACTICES

(英文版·第二版)

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地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本章内容设计的思考题和讨论题。



21 世纪国际经济与贸易系列教材

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，担任副院长，主要教授国际商务谈判、国际贸易、当代世界经济和国际经济合作等课程（前三门为英语授课）。本科就读于北京第二外国语学院，之后在日本攻读硕士，主修世界经济，曾在美国进修 MBA 课程。主要研究领域为国际贸易（服务贸易）、国际直接投资，近 5 年发表论文 40 余篇，出版专著、教材共 8 部，主持北京市教委项目 5 项。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，先后参加多场大型投资和贸易谈判。



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Preface for the Second Edition

The book of International Business Negotiation has been compiled to contribute to high qualified negotiation specialists, who will possess necessary knowledge in both negotiation theories and practices. The objective of the book is in complete accordance with the need of China's requirement for high qualified personnel after its accession into WTO; therefore the book has been widely accepted by experts, professors and students. In 2006, the book was chosen into the list of the national textbooks for "the Eleventh Five-Year Plan".

In the process of the revision, the original system of the book being kept, the book has been expanded from 11 chapters to 13 chapters, and quite a lot of information and knowledge has been added.

The negotiation theoretical system has been further established by adding and completing important theories such as game theory, need theory and cooperative principled negotiation theory.

The book thus has developed a comprehensive knowledge system consisting of negotiation motives, procedure and structure, preparation, basic negotiation theories and principles, negotiators' psychological behavior and personality styles, negotiation categories, culture patterns, exercises and cases. Through learning, the students will be able to:

- (1) Increase understanding the characteristics of a negotiation;
- (2) Develop ability to analyze the process and structure of a negotiation;
- (3) Increase awareness of attitudes, mind-set and basic theories in different negotiation situations; and
- (4) Increase awareness of one's psychological behavior and personal style as they are backed by one's culture.

The book focuses on negotiation theories and principles, case studies and practices rather than negotiation skills. The deliberation of the writer is to let students understand the general characteristics of a negotiation so that they will be able to deal with all kinds of negotiations no matter where, when and with whom they are talking with.

The book has three components:

- (1) Lectures; concentrating on motives, structure, basic theories and principles, personality styles and culture patterns;
- (2) Case studies; to facilitate better understanding of lectures, both famous cases and cases happening in normal business activities provided for analysis. The new edition has made supplement in some cases, such as studies on trust and cultural values, cost structure analysis and ways of achieving win-win result.
- (3) Simulations; compiled in light of true stories to suit for class practices. Students can, after negotiating among themselves, compare their results and results actually happened and find out the discrepancy. Simulations and other purposely designed exercises aid learning of different negotiation situations, absorbing information and sizing up a situation quickly, condensing and intensifying what happens in business and personal situations, and connecting theory with practice.

Being used as teaching materials for undergraduates, postgraduates and trainees, the book has been revised repeatedly to fit the teaching purpose. The book is suitable for students majoring in subjects in international business, such as trade, economic cooperation, MBA, investment, finance, world economy, and international relation. For the convenience of students, a Chinese version is provided.

Since its publication in 2002, the book has received high comments and been used as their textbooks by quite a lot of universities nationwide. To take the chance, I would like to express my sincere gratitude to all teachers and students for your support. I also appreciate the help from He Shu-chang, Liu Wen, Ren Lei, Lin Yan-ou and Wang Xiao-xi.

By Bai Yuan
July, 2007, Beijing



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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—Golan Heights 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 devel-

opment 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. Whether in business, government, or 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 con-

flicts 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.