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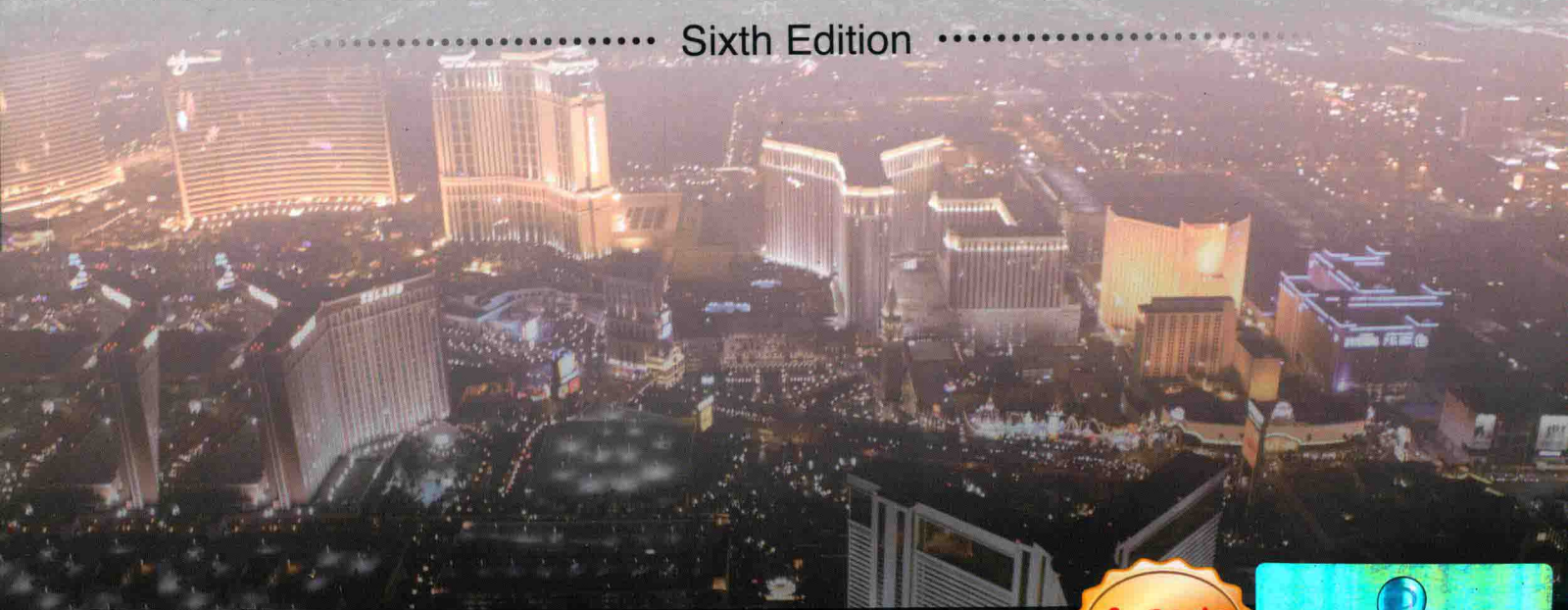
国际商务谈判


英文版·第6版

利·汤普森 (Leigh L. Thompson) 著

THE MIND AND HEART OF THE NEGOTIATOR

..... Sixth Edition



 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

国际商务谈判: 第6版: 英文 / 利·汤普森著. —北京: 中国人民大学出版社, 2018.10

书名原文: The Mind and Heart of the Negotiator (Sixth Edition)

工商管理经典丛书·市场营销系列

ISBN 978-7-300-26306-9

I. ①国… II. ①利… III. ①国际商务-商务谈判-高等学校-教材-英文 IV. ①F740.41

中国版本图书馆 CIP 数据核字 (2018) 第 232126 号

教育部高校工商管理类教学指导委员会双语教学推荐用书

工商管理经典丛书·市场营销系列

国际商务谈判 (英文版·第6版)

利·汤普森 著

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)

010-62511770 (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.crup.com.cn)

[http:// www. ttrnet. com](http://www.ttrnet.com) (人大教研网)

经 销 新华书店

印 刷 三河市恒彩印务有限公司

规 格 215 mm × 275 mm 16开本

版 次 2018年10月第1版

印 张 24.75 插页2

印 次 2018年10月第1次印刷

字 数 706 000

定 价 55.00 元

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内 容 特 色

本书针对谈判的关键环节和过程，建立了谈判原则和技能的完整课程体系。

●谈判专家：汤普森教授是冲突解决与组织方面的知名学者，专门从事谈判中个体与组织层面的问题研究。

●内容优势：全书内容建立在大量的科学研究的基础上，引述了近年来谈判研究的最新成果，体现了谈判原则的客观性和科学性。其中，第4章聚焦双赢谈判即整合性谈判，创新性地提出要扩大资源馅饼，从而分得更多资源；第8章介绍了帮助谈判者突破思维界限的策略，以及在谈判中使用创造力和想象力的技巧。这些内容实用易学，可以提升谈判能力。

●聚焦谈判技能：全书基于技能的方法，第Ⅱ篇和第Ⅲ篇涵盖了较为复杂却经常发生的谈判情况，同时附有大量实例，有助于读者提高谈判技能。各章均以一个真实的案例研究开篇，第6版更新了大量国际商务谈判案例。



作 者 简 介

利·汤普森 (Leigh L. Thompson) 凯洛格管理学院争议解决与组织方面的J. Jay Gerber教授。担任凯洛格Leading High Impact团队执行项目和凯洛格团队与群体研究中心的主任，经理人谈判策略项目的副主任。发表论文100多篇，撰写著作10部。教学风格是将体验式学习与理论驱动相融合。

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、各类院校以及相关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,在我国教育界已经不是一个陌生的词汇,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。事实上,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,选用合适的教学用书就成为关系到双语教学成功与否的一个重要问题。双语教学使用原版引进图书的主要考虑是最大限度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、合适的双语教学用书。

顺应这样一种大的教育发展趋势,中国人民大学出版社同多家国际知名大出版公司,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图书,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,对原版图书进行了适当的改编,删减了一些不适合我国国情和不适合教学的内容;同时,根据教育部对双语教学用书篇幅合理、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。本套丛书尤其突出了以下一些特点:

- 保持英文原版图书的特色。本套双语丛书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图书的风貌。专家们的认真改编和审定,使本套丛书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。

● 突出管理类专业图书的实用性。本套丛书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，又考虑到教学用书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。本套丛书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，首先针对课程内容国际化程度较高的学科进行双语教学用书开发，在其专业模块内精心选择各专业教学用书。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用书的建议，更好地推出后续的双语教学用书及教辅材料。

● 篇幅合理，价格相对较低。为适应国内双语教学内容和课时的实际需要，本套丛书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，从而使本套丛书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，本套丛书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。

本套丛书是在双语教学用书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，为使后续推出的图书更适于教学，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，但由于作者所处的政治、经济和文化背景不同，有些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

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 economic outcomes and feel better about yourself and the people with whom you deal. The book integrates theory, scientific research, and practical examples. New to this edition are special sections on gender, ethics, emotions, intergenerational negotiations, and job negotiations. The book contains hundreds of real examples from business, politics, and personal life spanning the globe to illustrate effective, as well as ineffective, negotiation skills.

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

- **Illustrative case studies.** Each chapter opens with a case study of an actual negotiation, drawn from business, government, world affairs, community, and personal life. New to this edition are more than 100 updated examples from the business world, many involving international issues.
- **Skills-based approach.** Each chapter provides practical takeaway 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.** Most chapters contain several self-assessments, quizzes, and examples that readers can use to examine their negotiation attitudes and behaviors. 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. In Chapter 7, negotiators can examine their ethical principles in negotiation. 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 people of different generations, different genders, 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 120 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

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.

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, Erika Hall, 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, Ashleigh Rosette, Nancy Rothbard, Catherine Shea, Ned Smith, Marwan Sinaceur, Harris Sondak, Roderick Swaab, Tom Tyler, Leaf Van Boven, Kimberly Wade-Benzoni, Laurie Weingart, Judith White, and Elizabeth Ruth Wilson. 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 Larissa Tripp, Ellen Hampton, Joel Erickson, and Lee Sol Jee, 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 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: motivational orientation, disputing style, and emotional expression. 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, gender, and ethics in negotiation. This chapter looks at the topic of persuasion and influence as it occurs across the bargaining table and also deals with the important issues of gender and 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. It includes a section on intergenerational negotiation and e-negotiations.

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

Instructor Resource Center

At <http://www.pearsonhighered.com/educator>, instructors can access a variety of resources available with this text in downloadable, digital format.

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To download the supplements available with this text, including an Instructor's Manual, Power Point presentation, and Test Item File, please visit: <http://www.pearsonhighered.com/educator>.

Reviewers

The author would like to thank the following colleagues for providing valuable comments and suggestions on how to improve the book.

Lehman Benson: University of Arizona
Jason Harris-Boundy San Francisco State
Dale F. Kehr: University of Memphis
Barry Goldman: University of Arizona
Stanley Braverman: La Salle University

简明目录

第 I 篇 谈判的基础知识	1
第1章 谈判：心灵与智慧.....	1
第2章 谈判前的准备工作.....	12
第3章 分配性谈判：分割馅饼.....	38
第4章 双赢谈判：扩大馅饼.....	69
第 II 篇 高级谈判技巧	91
第5章 形成一种谈判风格.....	91
第6章 建立信任和人际关系.....	122
第7章 势力、说服力与道德规范.....	149
第8章 谈判中的创造力和问题化解能力.....	173
第 III 篇 应用与特殊情况	208
第9章 多方谈判、联盟谈判与团队谈判.....	208
第10章 跨文化谈判.....	245
第11章 社会困境.....	278
第12章 通过信息技术谈判.....	308
附录1 自我测试：你是一个理性的人吗.....	328
附录2 非语言交流与谎言测试.....	349
附录3 第三方干预.....	360
附录4 工作要约谈判.....	369

CONTENTS

Preface *i*

Part I Essentials of Negotiation 1

Chapter 1 NEGOTIATION: THE MIND AND THE HEART 1

- Negotiation: Definition and Scope 2
- Negotiation as a Core Management Competency 3
- Most People are Ineffective Negotiators 5
- Negotiation Traps 5
- Why People are Ineffective Negotiators 6
- Debunking Negotiation Myths 8
- Learning Objectives 10
- The Mind and Heart 11

Chapter 2 PREPARATION: WHAT TO DO BEFORE NEGOTIATION 12

- Self-Assessment 13
- Other Assessment 26
- Situation Assessment 27
- Conclusion 36

Chapter 3 DISTRIBUTIVE NEGOTIATION: SLICING THE PIE 38

- The Bargaining Zone 39
- Pie-Slicing Strategies 41
- Most Commonly Asked Questions 50
- Saving Face 53
- The Power of Fairness 54
- Wise Pie Slicing 66
- Conclusion 68

Chapter 4 WIN-WIN NEGOTIATION: EXPANDING THE PIE 69

- What Is Win-Win Negotiation? 70
- Telltale Signs of Win-Win Potential 70
- Most Common Pie-Expanding Errors 72
- Most Commonly Used Win-Win Strategies 74
- Effective Pie-Expanding Strategies 75
- A Strategic Framework for Reaching Integrative Agreements 88
- Conclusion 90

Part II Advanced Negotiation Skills 91**Chapter 5 DEVELOPING A NEGOTIATING STYLE 91**

- Motivational Orientation 93
- Interests, Rights, and Power Model of Disputing 100
- Emotions and Emotional Knowledge 112
- Conclusion 121

Chapter 6 ESTABLISHING TRUST AND BUILDING A RELATIONSHIP 122

- The People Side of Win-Win 122
- Trust as the Bedrock of Relationships 124
- Reputation 139
- Relationships in Negotiation 140
- Conclusion 148

Chapter 7 POWER, GENDER, AND ETHICS 149

- Power 150
- Gender 155
- Ethics 160
- Conclusion 172

Chapter 8 CREATIVITY AND PROBLEM SOLVING IN NEGOTIATIONS 173

- Creativity in Negotiation 173
- What Is Your Mental Model of Negotiation? 174
- Creative Negotiation Agreements 180
- Threats to Effective Problem Solving and Creativity 185
- Techniques for Enhancing Creative Negotiation Agreements 195
- Conclusion 203

Part III Applications and Special Scenarios 208**Chapter 9 MULTIPLE PARTIES, COALITIONS, AND TEAMS 208**

- Analyzing Multiparty Negotiations 209
- Multiparty Negotiations 211
- Coalitions 217
- Principal-Agent Negotiations 223
- Constituent Relationships 228

Team Negotiation	231
Intergroup Negotiation	236
Conclusion	242

Chapter 10 CROSS-CULTURAL NEGOTIATION 245

Learning About Cultures	246
Cultural Values and Negotiation Norms	247
Key Challenges of Intercultural Negotiation	264
Predictors of Success in Intercultural Interactions	271
Advice for Cross-Cultural Negotiations	272
Conclusion	277

Chapter 11 SOCIAL DILEMMAS 278

Social Dilemmas in Business	280
The Prisoner's Dilemma	280
Ultimatum Dilemma	289
Dictator Game	290
Trust Game	291
Volunteer Dilemma	293
Multiparty Dilemmas	294
Escalation of Commitment	303
Conclusion	307

Chapter 12 NEGOTIATING VIA INFORMATION TECHNOLOGY 308

Place-Time Model of Social Interaction	309
Information Technology and Its Effects on Social Behavior	318
Strategies for Enhancing Technology-Mediated Negotiations	325
Conclusion	327

Appendix 1 ARE YOU A RATIONAL PERSON? CHECK YOURSELF 328

Why Is It Important to Be Rational?	328
Individual Decision Making	328
Game Theoretic Rationality	343

Appendix 2 NONVERBAL COMMUNICATION AND LIE DETECTION 349

What Are We Looking for in Nonverbal Communication?	349
Detecting Deception	353

Appendix 3 THIRD-PARTY INTERVENTION 360

Common Third-Party Roles 360

Key Choice Points in Third-Party Intervention 362

Challenges Facing Third Parties 364

Enhancing the Effectiveness of Third-Party Intervention 368

Appendix 4 NEGOTIATING A JOB OFFER 369

Preparation 369

In Vivo: During the Negotiation Itself 372

Post-Offer: You Have the Offer, Now What? 376

1

Part I: Essentials of Negotiation

NEGOTIATION: THE MIND AND THE HEART

A \$7.2 billion merger between Microsoft and Nokia began with a phone call and three simple words, “Can we talk?” When Microsoft CEO Steve Ballmer called Nokia Chairman Risto Siilasmaa on a cold January day with that question, it set in motion eight months of complex negotiations. Whereas the companies were longtime working partners in the development of Microsoft’s Windows Phone, Ballmer was frustrated with the slow pace of growth for the device. Microsoft and Nokia were each duplicating their efforts—investing marketing money to build separate brands and lure app developers, but they were both solidly way behind—the Windows Phone was considered to be a second-tier product behind Google’s Android and Apple’s iOS. Nokia’s stock price and revenue had declined alarmingly. After the phone call, executives from both companies met for an hour in Barcelona to discuss their ideas; a month later in New York at the offices of Nokia’s outside law firm, the deal nearly fell apart due to Siilasmaa’s frustration over the low perceived value of Nokia by Microsoft executives. Siilasmaa broke the silence the next day, sending a text message to Ballmer to reopen talks. When the company executives met in London the following month, a scream was heard during a break. Deep in thought, CEO Ballmer had failed to see a clear glass coffee table in front of him, tripped, and hit his head. As the security team patched up Ballmer’s forehead, he began to talk to the Nokia executives. Meetings followed in Nokia’s home base of Finland, and then back in New York where the CEOs shook hands on key issues, which subsequently led to legal pacts covering patents, trademarks, the selling of Nokia’s handset business, and platform mapping. That fall, Ballmer flew to Finland to finalize one of the largest mergers of all time.¹

Whereas most of us are not involved in billion-dollar mergers, 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

¹ Stoll, J. D. (2013, September 13). Nokia’s last great deal: Zero to \$7.2 billion. *Wall Street Journal*. wsj.com; Mossberg, W. (2013, September 4). From “Can we talk?” to a coffee-table mishap: The inside story of Microsoft’s Nokia deal. *All Things Digital*. allthingsd.com.

² Fisher, R., & Ury, W. (1981). *Getting to yes* (p. xviii). Boston: Houghton Mifflin.

legislators.”³ G. Richard Shell, who wrote *Bargaining for Advantage*, asserts, “All of us negotiate many times a day.”⁴ Herb Cohen, author of *You Can Negotiate Anything*, dramatically suggests that “your world is a giant negotiation table.” One business article on negotiation warns, “However much you think negotiation is part of your life, you’re underestimating.”⁵

Negotiation is your key communication and influence tool inside and outside the company. Anytime you cannot achieve your objectives (whether an acquisition or a dinner date) without the cooperation of others, you are negotiating. We provide dramatic (and disturbing) evidence in this chapter that most people do not live up to their negotiating potential. The good news is that you can do something about it.

The sole purpose of this book is to improve your ability to negotiate. We do this through an integration of scientific studies of negotiation and real business cases. And in case you are wondering, it is not all common sense. Science drives the best practices covered in this book. We focus on business negotiations, and understanding business negotiations helps people to be more effective negotiators in their personal lives.⁶

In this book, we focus on three major negotiation skills: creating value, claiming value, and building trust. By the end of this book, you will have a mindset or mental model that will allow you to know what to do and say in virtually every negotiation situation. You can prepare effectively for negotiations and enjoy the peace of mind that comes from having a game plan. Things may not always go according to plan but your mental model will allow you to perform effectively and, most important, to learn from your experiences. Indeed, people who view negotiation as a challenge are more successful in reaching high-quality deals than people who view negotiation as threatening.⁷ Moreover, people who believe that negotiation ability is changeable with experience and practice are more likely to discover win-win agreements than people who believe that negotiation skills are not teachable.⁸

NEGOTIATION: DEFINITION AND SCOPE

Negotiation is an interpersonal decision-making process necessary whenever we cannot achieve our objectives single-handedly. Negotiations include not only one-on-one business meetings but also multiparty, multicompany, and multinational relationships. Some negotiations involve bargaining over a few dollars; other negotiations involve billions of dollars, such as Kellogg’s acquisition of the Pringles brand from Proctor and Gamble for \$2.7 billion. Some negotiations are conducted in less than a few minutes; others linger on for years, such as Hertz’s five-year courtship with rival Dollar Thrifty for an ultimate price of \$2.5 billion.⁹ People negotiate in their

³ Lax, D. A., & Sebenius, J. K. (1986). *The manager as negotiator* (p. 6). New York: Free Press.

⁴ Shell, G. R. (1999). *Bargaining for advantage: Negotiation strategies for reasonable people* (p. 76). New York: Viking.

⁵ Walker, R. (2003, August). Take it or leave it: The only guide to negotiating you will ever need. *Inc.*, 25(8) 75–82.

⁶ Gentner, D., Loewenstein, J., & Thompson, L. (2003). Learning and transfer: A general role for analogical encoding. *Journal of Educational Psychology*, 95(2), 393–408.

⁷ O’Connor, K. M., Arnold, J. A., & Maurizio, A. M. (2010). The prospect of negotiating: Stress, cognitive appraisal and performance. *Journal of Experimental Social Psychology*, 46(5), 729–735.

⁸ Wong, E. M., Haselhaun, M. P., & Kray, L. J. (2012). Improving the future by considering the past: The impact of upward counterfactual reflection and implicit beliefs on negotiation performance. *Journal of Experimental Social Psychology*, 48(1), 403–406.

⁹ Applegate, E., & Mider, Z. (2013, December). The year in M&A deals. *Businessweek*, pp. 64–65.

personal life with people whom they love and enjoy a long-term relationship (e.g., spouses, children, neighbors, and family), as well as in their business life, and with people with whom they might not have an established relationship.

NEGOTIATION AS A CORE MANAGEMENT COMPETENCY

Negotiation skills are increasingly important for managers. Key reasons for the importance of negotiation skills include the dynamic nature of business, interdependence, economic forces, information technology, and globalization.

Dynamic Nature of Business

Most people do not stay in the same job that they take upon graduating from college or receiving their MBA degree. The average person stays at a job for 4.4 years, and 91% of millennials expect to stay at their jobs less than three years, averaging 15–20 jobs over the course of their professional lives.¹⁰ The dynamic, changing nature of business means that people must renegotiate their existence in organizations throughout their careers. The advent of decentralized business structures and the absence of hierarchical decision making provide opportunities for managers, but they also pose some daunting challenges. People must continually create possibilities, integrate their interests with others, and recognize the inevitability of competition both within and between companies. Managers must be in a near-constant mode of negotiating opportunities. Negotiation comes into play when people participate in important meetings, get new assignments, lead a team, participate in a reorganization process, and set priorities for their work unit. Negotiation should be second nature to the business manager, but often it is not.

Interdependence

The increasing interdependence of people within organizations, both laterally and hierarchically, implies that people need to know how to integrate their interests and work across business units and functional areas. For example, when Lafayette Park, a historical park in San Francisco, was scheduled for a renovation, many negotiations erupted between the numerous interest groups. The residents were concerned with the aesthetics of the park, the noise level during construction, as well as lack of use during the three-year revamp. The Recreation and Parks Commission wanted to provide new and interesting elements to the playground as well as keep the project on budget and on time, and the historical society wanted to preserve the park's natural history. All the interest groups convened for facilitated meetings with breakout sessions to address and negotiate the different needs of each group. Some of the needs expressed were related to keeping the playground in a naturalistic theme, while also providing benches along the hilltop clearing to enjoy the view of the bay, and not trimming or removing too many trees.¹¹

The increasing degree of specialization and expertise held by businesspeople indicates that people are more and more dependent on others. However, other people do not always have

¹⁰ Meister, J. (2012, August 4). Job hopping is the new normal for millennials: Three ways to prevent a human resource nightmare. *Forbes*. forbes.com.

¹¹ King, J. (2013, June 5). Lafayette park revamp spurs heap of ideas. *San Francisco Chronicle*. sfchronicle.com.