

Chapter 1

An Introduction to Negotiations (谈判概述)

Learning Objectives:

After the study of this chapter, students should know how to answer the following questions:

- *What is a negotiation?*
- *What are the foundations of a negotiation?*
- *What make a complete negotiation?*
- *How to categorize negotiations?*
- *What is a business negotiation?*
- *What are the principles that lead to a win-win negotiation?*

Introductory Case Study: How to divide an apple pie

Two brothers are squabbling over an apple pie, each insisting that he should have the larger slice. Neither would agree to an even split. The father then suggested that one boy cut the pie any way he liked, and the other boy could choose the piece he wanted. The boys accepted the suggestion, and each of them felt that he had gotten the square deal.

1.1 Negotiation: Definitions, Foundations and Key Factors (谈判：定义、基础和主要要素)

The icebreaking case introduces a very basic, complex and significant social activity — negotiation. People need negotiations. Unless one is Robinson, who lives in a deserted island and finds nobody else to communicate with, he is negotiating all the time, consciously or under-consciously. Because we are living in a social network made up of human

本章目标:

在完成本章学习后，学生应该可以回答如下问题：

- 什么是谈判？
- 谈判的基础是什么？
- 哪些要素构成一次谈判？
- 如何为谈判分类？
- 什么是商务谈判？
- 哪些原则可以帮助谈判者促成双赢局面？

beings, with whom we will have to communicate and establish relationships, during which we should take into considerations different interests of different people. You may still remember when you bargained with the peddler in the street market, or when you discussed with your wife or husband about which make of automobile you should buy, or when you asked your boss for a raise. In all those cases, you are negotiating. Negotiation is not something that only happens across a table in a very formal meeting room, it happens everywhere. In this section, we are going to learn some basic definitions related to negotiation.

1.1.1 Definitions (谈判的定义)

Defining negotiation is both easy and difficult. It is easy because negotiation is a social activity that takes place all the time in our daily lives. It is also difficult, however, because negotiation is a very inclusive activity with so many implications that hardly allows a precise explanation with a few lines.

Therefore, some scholars in the field object to giving a precise definition to negotiation, claiming that over-defining some concepts before a really deep study into it will inevitably confine the development and improvement of the subject. They say that negotiation is a combination of art and science. It's not like the routine managerial jobs that can be well done repeatedly in a same way with the guidance of certain law, but requires the negotiators' initiative and creativeness. All negotiation theories are learned and used on the basis of practices.

Nevertheless, we still find various definitions given by scholars and negotiation specialists. Some specialists define negotiation as an interpersonal exchange. American negotiation specialist, Dr. G.I. Nierenberg defines negotiation as an action of exchanging ideas in order to change the relationships between the two parties and obtain consensus. In *Negotiation*

只要是生活在社会当中，人们就需要谈判，因为社会中的人需要沟通与关系，而在此过程中，人们也需要考虑不同人群的不同利益。

一些学者认为谈判既是科学也是艺术，需要谈判者发挥创造性，所以谈判理论都是实践基础上的学习与运用；但依然有学者为谈判下了多种定义。如美国谈判专家尼尔伯格博士将谈判定义为旨在改变两方关系并达到共识的一种观点交换行为，而罗格费舍与威廉尤里则将谈判定义为为达成特定共识而进行的交换的艺术，还有的学者将谈判视为一种技能或技巧。美国谈判专家 C.W.巴罗将其定义为旨在说服另一方接受你的观点的观点交换技

Skills coauthored by Roger Fisher and William Ury, negotiation is defined as an act of exchange to reach certain agreement. Other scholars consider negotiation as a technique or a skill. American negotiation specialist C.W. Barlow defines it as a technique of idea exchange, which is designed to persuade the other party into accepting your ideas. Its ultimate objective is to reach a mutual beneficial agreement. Barlow insists that the core of negotiation is to exchange ideas and persuade the other party. In that case, negotiators should not simply express their ideas, but do it with excellent exchange skills. Chinese scholars claim that negotiation is the process during which people try to meet their own needs and maintain their own interests. This definition stresses the continuous nature of negotiating behavior.

Summing up the above-mentioned definitions, we can see the following attributes of a negotiation:

First, negotiation is based on human being's needs. Nierenberg says that people negotiate whenever they exchange ideas with the intention of changing relationships and seeking consensus. Here, changing relationships and seeking consensus are both human needs. Human beings have various needs, from material needs to psychic needs. Needs push people into negotiation, and stronger needs make stronger negotiation motivation.

Second, negotiation is a social activity taking place between at least two parties. One person or one side cannot negotiate.

Third, negotiation seeks to establish or improve the social relationship among people. All human activities occur with certain social background. The objective of negotiation is to gain certain benefit, which requires the establishment and improvement of the original social relations. And the social relations among people are established through negotiation.

能，最终目标是达到双赢的共识，巴罗强调谈判的核心是交换观点与说服对方。一些中国学者则认为谈判是试图满足自身需要和利益的过程，强调谈判行为的连续性。

总结一下，谈判具备如下特点：

第一，谈判基于人类的需要，需要将人们带入谈判，而需要越强烈，就会产生越强烈的谈判动机。

第二，谈判是发生在至少两个谈判方之间的社会活动。

第三，谈判旨在建立或改进人们之间的社会关系。

Fourth, negotiation is a process of coordination. Any agreement is a result of coordination. Very few negotiations can lead to an agreement immediately. In most cases, questions, demands and conflicts keep arising throughout the whole process of negotiation until they are straightened out one by one and the ultimate agreement is reached.

To sum up, we define negotiation as a process of coordination to meet certain needs of the negotiating parties.

Questions: What is a negotiation? What are the attributes of a negotiation?

1.1.2 Foundations of Negotiation (谈判的基础)

We've mentioned that negotiation is based on human needs. In this section, we'll elaborate on this point.

Human needs are the foundation of negotiation activity. When needs arise, people would actively seek ways and approaches to meet these needs. However, negotiation is not their first choice. People would firstly try to find some solutions that can be carried out easily and consume fewer resources, which may include power, order and under-the-table approaches. Only when there is room or possibilities of making exchange with their needs in certain ways would people resort to negotiation.

Therefore, negotiation takes place with the presence of the following three foundations: (1) human needs; (2) negotiability; (3) negotiation inclination.

第四, 谈判是一种协调过程, 所有共识都是协调的结果。

综上所述, 我们为谈判下的定义是在两方或多方之间进行的旨在满足某种需要的协调过程。

人类的需要是谈判活动的基础, 但谈判并非是使需要得到满足的唯一方法。

谈判的基础有三个: 需要、可谈判性、谈判倾向。

Case 1.1 : Negotiation about apartment

Catherine and Jenny share one apartment. Catherine likes reading, and needs a quiet environment; Jenny enjoys listening to the radio. Conflicts often arise between the two roommates over the issue. They've tried to change apartments, but found no good ones. So they begin to negotiate. After several rounds of negotiation, they make a deal: each of them would buy a set of earphone for themselves.

Human needs here refer to the needs for negotiation that don't pivot on people's subjective will. When these needs arise, people will be driven to seek mutual understanding and link their different needs to some mutual interests.

In case 1.1, Catherine and Jenny have different needs. Catherine needs to be quiet, while Jenny needs to listen to the radio. They have to find a way to create two very different environments in one apartment. In this case, negotiation is one of the possible solutions. But there are other possible solutions, too. For example, if Catherine had certain power or privilege to make decisions that Jenny had to agree with, she wouldn't bother to negotiate.

Negotiability refers to the exchangeability of human needs and the room or possibilities of making compromises. If one or several parties can perceive a single better solution than making compromises or exchanges, there would not be negotiation in the real sense.

In case 1.1, there are possibilities to meet both needs, but only under the condition that they sacrifice their own needs to some degree. If the two people both refuse to make any compromise, there is no room for successful negotiation. On the other hand, they find no alternatives to negotiation, because they cannot change apartments. If either of them can find better place to live, they won't negotiate. Because changing apartments would be the easier solution.

Negotiation inclination refers to people's willingness to exchange their needs and people's expectations of the compromises made by the other side in the exchange. Negotiation inclination would simply be single-sided if it is not recognized. However, such single-sided inclination is not the end of negotiation; it is possibly perceived or recognized at certain point. When that happens, it turns into double-sided inclination.

Since there seems to be no better solutions, both Catherine

所谓需要，是指不以人的主观意志为转移的谈判需要。当人们的需要发生不一致时，人们就会寻求相互理解，将他们的不同需要与某些共同利益相联系。

可谈判性，是指不同人类需要的可交换性以及达成妥协的可能性。

谈判倾向，指人们交换其需要的意愿以及对于对方所做妥协的期望。

and Jenny are willing to negotiate over the issue. Jenny may want Catherine to read in classrooms, and Catherine may require that Jenny turn off the radio. In either case, neither of them finds a gesture that is good enough to show the real negotiation inclination. Only when they agree to prepare an earphone for themselves do they find the real negotiation inclination.

Question: What are the foundations of a negotiation?

1.1.3 Key Factors in a Negotiation (谈判的主要要素)

A negotiation occurs only with the presence of the following key factors: (1) negotiators; (2) subjects; (3) aims; (4) results.

Negotiators refer to the people taking part in the negotiation. Negotiations always occur between individuals. Even some apparently inter-organizational negotiations are actually taking place between specific people working for those organizations.

Subjects of a negotiation refer to the topics or questions under negotiation. Instead of being drafted groundlessly or according to single-sided will, the topics or questions that make the subject of negotiation are always proposals, ideas etc. that are commonly concerned by all the parties.

A negotiation is different from a casual chat in that it has a clear-cut aim. A chat, in most cases, is carried out in a light and pleasant atmosphere, because it doesn't involve interest conflicts and economic relations. However, negotiation is conducted with the presence of interest conflicts and competition. Although some negotiations are apparently pleasant, friendly and frank, deep down there are communications of wisdom, power, and responses.

Last but not least, a negotiation leads to a result. Whether it is an agreement or a blast, the result signifies the close of a negotiation. A negotiation without a result is called incomplete negotiation, which is often a deadlock. An incomplete

谈判的主要构成要素有：谈判者、谈判主题、目标与结果。

谈判者是指参加谈判的人；谈判主题是谈判涉及的问题，通常是双方共同关心的提议或观点；谈判与谈话的不同就在于谈判要有目标；谈判最终会导致一个结果，没有结果的谈判是不完整的。

negotiation will have great negative impact on work efficiency. Therefore, it is of great significance to reduce the possibility of incomplete negotiation.

Case Study: Goodbye Doha, Hello Bali

TRADE and growth go hand in hand. When the economic crisis first hit in 2008, world trade and growth collapsed together. In 2009 both recovered, and did reasonably well until this year, when both slipped again. Cutting tariffs and red tape would boost trade, and support the faltering recovery. This should spur efforts to replace the failed Doha trade talks with a new effort to do a multilateral deal.

The aims of the Doha round, launched by the World Trade Organisation (WTO) in 2001, were laudable. It deliberately put poor countries first, placing particular priority on improving the access of their farmers to rich-country markets. It was ambitious too, covering not only trade in manufactured goods, agriculture and services, but also a host of things more indirectly related to trade (antitrust, intellectual property and foreign-investment rules, for example). According to the Peterson Institute, a think-tank, the potential gains were around \$280 billion a year. Its failure is a tragedy.

The villains are powerful lobbies, notably in agriculture, such as America's cotton and sugar industries and Japan's rice farmers and fishermen. But there were also two structural problems with Doha. One was the number of countries. At the end of the first world-trade talks in 1947, 23 countries were involved. When Doha started, 155 were. Second, the idea was to achieve a grand bargain in which agriculture, manufacturing and services would all be liberalised. But reaching agreement on some areas was so difficult that the WTO's mantra— "Nothing is agreed until everything is agreed"—proved fatal.

Less ambition, more achievement

After many missed chances to conclude a deal, an

“absolute deadline” was set for December 31st 2011. That too, was missed. Since then, protectionism has been intensifying. In the past two weeks Argentina has lodged complaints against America over lemons and beef and against Spain over biofuels. Altogether, tit-for-tat actions mean that new restrictions cover 4% of global trade, more than Africa’s exports. On the plus side, disputes over these are being adjudicated by the WTO system.

With Doha paralyzed, regional alternatives to a multilateral deal are springing up. They are not all bad, but regional deals tend to benefit insiders at the expense of outsiders, so that global gains will be achieved only if they can be fitted together. And the small deals often enshrine rules—such as electrical and emissions standards—which vary from region to region, so they make global deals harder to forge.

Instead of allowing the Doha round to be replaced with a patchwork of regional deals, the WTO’s boss, Pascal Lamy, should close it and resurrect the best bits in a “Global Recovery Round”. He should drop the all-or-nothing “single undertaking” rule that helped kill Doha. Instead, talks would be broken up into small chunks and allowed to progress independently of one another. Negotiations would be open, so that any member could leave or join. Some deals, therefore, would not include everyone. But another of the WTO’s guiding principles—the “most-favoured-nation” clause—must apply. This rule means that any deal between a smaller group must be applied to all WTO members, even if they do not reciprocate. WTO-brokered regionalism would thus lower trade barriers for all.

The Global Recovery Round should focus on manufacturing and services. Manufacturing represents around 55% of total trade. There is much to be gained: tariffs on cars, buses and bicycles are still high. Even low-tariff countries maintain a selection of high ones. In America ski boots attract

a zero tariff, but golf shoes can face a 10% rate, and steel-toe-capped boots 37.5%. Services, which account for only 20% of world trade but are more important on a value-added basis, have hardly been liberalized at all.

If progress on agriculture is slower, so be it. Farm protectionism, which this newspaper was founded to oppose, still starves millions. New madneses appear by the day: Russia has blocked the import of pigs from the EU because of a virus that affects cows and sheep. But an industry that makes up only 7% of world trade cannot hold everything else hostage.

The timing should be as tight as possible. When G20 finance ministers meet in Mexico City in November 2012, they should ask the WTO to launch the Global Recovery Round, and to finish it by the time of the WTO's next big meeting, in Bali in December 2013. It would be the best thing to happen to the world economy for five years.

Question: Why is it so hard to reach an agreement in the Doha negotiation?

1.2 Classifications of Negotiations (谈判的分类)

1.2.1 Different Subjects (不同的谈判主题)

When looking at different subjects, there are political negotiations, military negotiations, economic negotiations and cultural negotiations.

Political and military negotiations often involve foreign affairs. For example, negotiations between two governments about border issues, negotiations between the United States and Russia on limiting strategic nuclear weapons and negotiations among several countries about positions toward a newly established government belong to political and military negotiations.

Economic negotiations focus on businesses and economic issues. For example, negotiations about exports and imports of

按主题不同，谈判分为政治谈判、军事谈判、经济谈判和文化谈判等。政治与军事谈判通常与外交事务有关；经济谈判涉及商业和经济问题；文化谈判往往涉及文化交流问题。

food, oil and other materials, or about technology transfer, exchange of human resources are economic negotiations. Such negotiations can take place between different nations, they can also be between different organizations or individuals within one nation.

Cultural negotiations are often about cultural exchanges.

1.2.2 Number of Parties (谈判方数量不同)

When looking at number of parties, negotiations can be bilateral or multilateral. Bilateral negotiations have two parties, with pretty few relationships and clear objectives, which make it easier to reach an agreement. On the other hand, multilateral negotiations involve more than two parties. In multilateral negotiations, it is usually quite hard to reach consensus among different parties in a short time, because people with different interests make it very complex.

按谈判方数量不同，谈判可分为双方谈判和多方谈判，前者有两个谈判方，后者有多个谈判方。相对而言，双方谈判涉及的关系较少，目标清晰，也更容易达成协议。

1.2.3 Number of Participants (参与者人数不同)

Negotiations can be either individual or collective. Individual negotiations involve only one negotiator on each party. The one negotiator on each party should be all-round and familiar with everything, ranging from business, technology and legal issues. In collective negotiations on the other hand, each side have two or more negotiators, who can be versatile or into one area of the negotiation. Participants can collaborate with each other to make a strong team with business, technology and legal specialists. Therefore, collective negotiations require that members must have teamwork and collaborative spirit.

根据参与者人数不同，谈判可分为个人谈判和集体谈判，前者指双方各派一个谈判人，此时谈判者需要懂得各种事务；而集体谈判是指谈判双方各派两个或两个以上的谈判者，此时谈判者既可以精通多方面事务，也可能是某一方面的专家。

1.2.4 Differences in Principles (原则不同)

When looking at the principles and spirits followed by negotiators, negotiations can be either distributive or integrative.

Distributive negotiations follow more traditional win-lose pattern. Participants think that the payoff of the negotiation is

根据原则的不同，谈判可分为分配式谈判和整合式谈判。在分配式谈判中，参与者认为谈判收益是固定的，而试图努力从其中获得更大

fixed, and try their best to win bigger part of the “cake”, leaving the smaller remaining to their “rivals”. Distributive negotiations easily lead to deadlocks, sometimes even failures. But when one party has obvious advantages over the other, major compromises may be made.

In integrative negotiations, however, participants show strong tendency of cooperation, and are willing to benefit each other. They are mutually beneficial and lead to “win-win” situations. Collaborative negotiations usually take place when two parties with similar negotiation powers rely on each other. The yardstick for success in such negotiations is usually the accomplishment of expectations of both sides of the negotiation.

1.2.5 Formality (谈判正式性不同)

A negotiation can be formal or informal. In a formal negotiation, participants usually have the rights to make final decisions. They tend to be well prepared for the subjects and issues in the negotiation. Informal negotiations, on the other hand, are tentative. People may not get prepared before an informal negotiation, since it only serves to make notification, explain positions and establish relationships.

Question: How can negotiations be classified?

的份额；在整合式谈判中，参与者有更强烈的合作倾向，期望做到相互受益，达到双赢结果。

根据正式性的不同，谈判可分为正式谈判和非正式谈判。在正式谈判中，参与者通常有决策能力，对谈判主题及所涉及的问题做了精心准备；而非正式谈判通常是暂时性的，参与者可能不需要特别精心准备，因为它往往只涉及表达意向、解释立场和建立关系。

1.3 Business Negotiation (商务谈判)

Negotiation is a part of everyday life, but in business it's absolutely critical to success. Poor negotiation can cripple a company just as quickly as losing key customers. In order to be a successful business negotiator, we need to understand the definition and principles of business negotiation.

1.3.1 What is a Business Negotiation (什么是商务谈判)

Business negotiations are negotiations on business affairs; specifically they refer to the behavior and processes of exchanging ideas through dialogue about business affairs between two or more than two business organizations or individuals, in order to achieve agreement or enter into a contract in the interests of both parties. Business negotiations take place under the following circumstances: 1)Both parties (or all the parties)have some common benefit and some disagreement; 2)Both parties (or all the parties)are willing to solve problems and disagreement;3)Both parties (or all the parties)are willing to do something to conclude a contract; and 4) Both parties (or all the parties)strive to achieve mutual benefit and reciprocity.

商务谈判是以商业事务为主题的谈判，具体是指两个商业组织或个人通过有关商业事务的对话和观点沟通的过程与行为，旨在达成符合双方利益共识或签订符合双方利益的合同。

1.3.2 Characteristics of Business Negotiations

(商务谈判的特点)

Negotiations about buying and selling goods, project contracting, technology transfer and financing affairs are examples of business negotiations. As a subcategory of economic negotiations, business negotiations have their own characteristics.

1. Aiming at Economic Interests

Different negotiators have different aims. For example, negotiations about foreign affairs involve national interests, which could but not necessarily be economic. Business negotiations, however, always give economic interests top priority, and put non-economic interests to second seats. Therefore, people often cite economic return as the yardstick for success of a business negotiation.

1. 以经济利益为目标

商务谈判中，经济利益总会得到优先考虑，经济回报也通常被当作商务谈判成功的衡量标准。

2. Centering around Prices

Though business negotiations involve complex elements, price tends to be the core and plays the most important role. The reason is twofold: first, price directly reflects the

2. 以价格为中心

虽然商务谈判涉及许多复杂的因素，但是价格往往是最重要的。原因有两个，一是

distribution of interests among different parties; second, changes of price can reflect and make up for gains and losses in other elements of interests.

For example, quality can be measured by prices. Better qualities tend to be priced higher, and worse qualities tend to be priced lower. Price differences practically indicate quality differences. Quantity differences can also have some reflections in prices. “The more, the cheaper” features many business contracts. Payment terms are also indicated in price differences: in many business contracts, the earlier one pays, the more discounts one can have.

Convertibility between price and other interest elements means that negotiators can take two different strategies: 1) Always center on prices, and never give up stances on prices; 2) Make some concessions in terms of prices, while trying to gain more of other interests. Many negotiators take the second strategy. They apparently don't focus on prices, but keep translating price changes into changes in other interests.

3. Paying Attention to Contracts

Business negotiations usually lead to business contracts, which put rights and obligations in written forms and safeguards interests of all the parties. Therefore, precision of business contracts is an important prerequisite of a business negotiation. Business negotiators should pay attention to not only oral promises, but also clauses in a written contract. There could be traps of wordings, making contracts not strict or even illegal, and negotiators need to be aware and careful about that.

1.3.3 Principles of Business Negotiations

（商务谈判的原则）

It is in both parties' best interest if a business negotiation can create a win-win situation. But how can negotiators achieve a win-win situation? Two professors from Harvard University, Roger Fisher and William Ury, introduced a

价格很多时候直接体现谈判双方利益的分配；二是价格的变化可以反映和弥补谈判双方在其他利益方面的得失。价格与其他利益之间的可转换性决定了谈判者可以采取两种不同的策略，一是永远以价格为中心；二是在价格上做出让步，但是在其他方面获取更多。

3. 重视合同

商务谈判通常以商务合同为结果，合同将双方的权利和义务以书面形式记录下来，以保障双方的利益。

美国哈佛大学的两位教授罗格费舍与威廉尤里提出四项原则，它们可以帮助商务谈判者取得双赢的结果。

framework of Collaborative Principled Negotiation, which is widely accepted as principles of business negotiations. The theoretical framework of Collaborative Principled Negotiation consists of four basic components:

- People: separate people from problems;
- Interests: focus on interests rather than positions;
- Gaining: invent options for mutual gain;
- Criteria: introduce objective criteria.

1. Separate People from Problems

In business negotiations, oftentimes when people try to defend their positions, negotiators' personal feeling is mingled with interests and problems under discussion. For example, one may find a touch of arrogance in the other party's tone of speech. Even if it turns out to be a misunderstanding, one may still feel quite uncomfortable with it. Therefore, one probably tends to do something to knock their arrogance off, which may invite retaliation from the other party. Then negotiators shift their focus from interests or important problems to personal feelings. To separate people from problems, one needs to pay attention to people's perceptions, emotions and communications.

When dealing with people's perceptions, one can do three things. First, put yourself in their shoes. The ability to see a situation as others do is one of negotiators' most important skills. That will reduce conflict with the other party. Second, do not blame them for your problem. Blaming is more often than not counterproductive, even if it's justified. Third, give the other side a stake in the outcome by making sure they participate in the process. If you want the other side to accept a disagreeable conclusion, it is crucial that you involve them in the process of reaching that conclusion. Being involved improves the possibility of approving the conclusion.

Negative emotions could quickly bring a negotiation to an impasse or even an end. To deal with the other party's emotions

1. 人事分开原则

即将人与谈判问题区分清楚，不要将个人情绪与谈判涉及的利益和问题相混淆。为此，谈判者应当重视对方的认知、情感和沟通。在认知方面，谈判者应当做到如下几点：第一，设身处地为对方着想；第二，不要因为自己的问题而批评对方；第三，保证让对方参与你的提议的产生过程，即让对方清楚知道你的提议的产生过程，从而提高他们认可的可能性。在情感方面，谈判者应当给予对方发泄的空间；而在沟通方面，谈判者应当学会主动倾听，说话时学会正确使用第一人称的方式，同时不要将对方当做对手或敌人。

wisely, one should allow the other party to let off steam. That is, one should help the other side release their feelings of anger, frustrations, disappointment, and so on.

Letting off steam may make it easier to talk rationally later. On the other hand, when others are releasing their emotions, one should not react to their emotional outbursts, because if one doesn't refrain from reacting to other negative emotions, it could lead to violent conflicts.

Communication is never easy. To have effective communication, firstly, one should listen actively and acknowledge what is being said. Listening intently not only is a way of paying respect, but also helps one to understand others' perceptions and emotions, while acknowledging others' words makes others know that they are heard and understood. Secondly, speak about oneself, not about others. It means that when certain problems arise, it's more helpful to describe the problems in terms of their impact on oneself rather than what others did or why. For example, "I feel let down" is better than "You are a racist", because the former is difficult to challenge, while the latter tends to irritate others. Thirdly, avoid treating the other party as opponents. Some negotiators tend to take a negotiation as a debate or a trial, which is wrong. On the contrary, one should put oneself and the other party in the role of two judges trying to reach agreement on how to decide a case and work out a joint opinion.

2. Focus on Interests Rather than Positions

The reason why negotiators should focus on interests rather than positions is twofold: first, every interest can usually be satisfied through multiple ways and approaches; second, two opposite positions are in many cases indications of more complementary interests than conflicting ones, and the complementary interests are possibilities for agreements. Actually, in almost every negotiation, multiple interest pursuit

2. 关注利益而非立场的原则

谈判者应当关注利益而非立场，这两个原因。一是各种利益都可以通过多种方式、方法得以满足；二是在很多时候，两个对立的立场有可能体现出具备互补性的利益，而这正是达成一致的可能性。谈判者应当询问对

is just an extension of human beings' basic needs. If those basic needs are cared about, it's easier to achieve agreement. On the other hand, if some basic needs are not fulfilled, negotiations are easy to go to an impasse.

One way to find out about the interest behind others' positions is just to ask why they are taking that position. The purpose of doing so is to understand the needs, hopes, or even fears that the position tries to fulfill. If the other party is not doing as one wants, try to figure out what interests are stopping them from doing so. If one wants to change others' minds, figuring out where their minds are is a good start.

If a party of a negotiation is made up of multiple negotiators, it should be noted that everyone in the party has multiple interests. Therefore, one should examine different interests of different people in the party, and avoid the common error of assuming that all the people have same interests. In order to make one's interests understood, one should try to state their interests clearly and specifically. A detailed and specific description of interests makes them more believable and convincing. On the other hand, other people's interests should also be cared about when stating one's own interests. People tend to be nice to those who show sympathy to themselves.

Therefore, "Be hard on problems, but soft on people" could be a wise guideline for negotiations.

Case Study: Why Exclusivity not Possible

A few years ago, Chris's company entered into negotiations with a small European firm to buy an ingredient for a new health care product. The two sides settled on a price of \$18 a pound for a million pounds of the substance annually. However, a disagreement developed over terms. The European supplier refused to sell the ingredient exclusively to the U.S. firm, and the U.S. firm was unwilling to invest in a product that was based on an ingredient its competitors could easily acquire. With considerable hesitation, the U.S. negotiators sweetened

方为什么采取他们的立场，以了解该立场所体现的需要、希望甚至担心。当对方有多个谈判人员时，应当注意每个人所追求的利益都可能不同。