

Chapter 1

The Nature of Negotiation 1

A Few Words about Our Style and Approach	3
Joe and Sue Carter	4
Characteristics of a Negotiation Situation	6
Interdependence	10
<i>Types of Interdependence Affect Outcomes</i>	10
<i>Alternatives Shape Interdependence</i>	12
Mutual Adjustment	12
<i>Mutual Adjustment and Concession Making</i>	14
<i>Two Dilemmas in Mutual Adjustment</i>	14
Value Claiming and Value Creation	15
Conflict	18
<i>Definitions</i>	18
<i>Levels of Conflict</i>	19
<i>Functions and Dysfunctions of Conflict</i>	19
<i>Factors That Make Conflict Easy or Difficult to Manage</i>	21
Effective Conflict Management	21
Overview of the Chapters in This Book	25
Endnotes	27

Chapter 2

Strategy and Tactics of Distributive Bargaining 28

The Distributive Bargaining Situation	29
<i>The Role of Alternatives to a Negotiated Agreement</i>	32
<i>Settlement Point</i>	33
<i>Discovering the Other Party's Resistance Point</i>	33
<i>Influencing the Other Party's Resistance Point</i>	34
Tactical Tasks	36

Assess the Other Party's Target, Resistance Point, and Costs of Terminating Negotiations 36

Manage the Other Party's Impressions 38

Modify the Other Party's Perceptions 40

Manipulate the Actual Costs of Delay or Termination 41

Positions Taken during Negotiation 42

Opening Offers 43

Opening Stance 44

Initial Concessions 44

Role of Concessions 45

Pattern of Concession Making 47

Final Offers 48

Closing the Deal 49

Provide Alternatives 49

Assume the Close 49

Split the Difference 49

Exploding Offers 50

Sweeteners 50

Hardball Tactics 50

Dealing with Typical Hardball Tactics 51

Typical Hardball Tactics 52

Chapter Summary 58

Endnotes 58

Chapter 3

Strategy and Tactics of Integrative Negotiation 60

An Overview of the Integrative Negotiation Process 60

Creating a Free Flow of Information 61

Attempting to Understand the Other

Negotiator's Real Needs and Objectives 62

Emphasizing the Commonalities between the Parties and Minimizing the Differences 62

Searching for Solutions That Meet the Needs and Objectives of Both Sides 63

Key Steps in the Integrative Negotiation Process 63

Step 1: Identify and Define the Problem 64

Step 2: Surface Interests and Needs 67

Step 3: Generate Alternative Solutions 70

Step 4: Evaluate and Select Alternatives 76

Factors That Facilitate Successful Integrative Negotiation 80

Some Common Objective or Goal 81

Faith in One's Problem-Solving Ability 81

A Belief in the Validity of One's Own Position and the Other's Perspective 82

The Motivation and Commitment to Work Together 82

Trust 83

Clear and Accurate Communication 85

An Understanding of the Dynamics of Integrative Negotiation 86

Chapter Summary 86

Endnotes 87

Chapter 4

Negotiation: Strategy and Planning 89

Goals—The Focus That Drives a Negotiation Strategy 90

Direct Effects of Goals on Choice of Strategy 90

Indirect Effects of Goals on Choice of Strategy 91

Strategy versus Tactics 92

Accommodation, Competition, and Collaboration 92

Getting Ready to Implement the Strategy: The Planning Process 93

 1. *Defining the Negotiating Goal* 97

 2. *Defining the Major Issue Related to Achieving the Goal* 97

 3. *Assembling the Issues, Ranking Their Importance, and Defining the Bargaining Mix* 99

 4. *Defining the Interests* 100

 5. *Knowing Your Alternatives (BATNAs)* 101

 6. *Knowing Your Limits, Including a Resistance Point* 101

 7. *Analyzing and Understanding the Other Party's Goals, Issues, and Resistance Points* 102

 8. *Setting One's Own Targets and Opening Bids* 104

 9. *Assessing the Social Context of Negotiation* 106

 10. *Presenting the Issues to the Other Party: Substance and Process* 110

Chapter Summary 113

Endnotes 113

Chapter 5

Ethics in Negotiation 114

A Sampling of Ethical Quandaries 114

What Do We Mean by "Ethics," and Why Do They Matter in Negotiation? 116

Ethics Defined 116

Applying Ethical Reasoning to Negotiation 117

Ethics versus Prudence versus Practicality versus Legality 117

What Questions of Ethical Conduct Arise in Negotiation? 119

<i>Ethically Ambiguous Tactics: It's (Mostly) All about the Truth</i>	120	4. <i>Issue Framing and Risk</i>	152
<i>Identifying Ethically Ambiguous Tactics and Attitudes toward Their Use</i>	122	5. <i>Availability of Information</i>	153
<i>Deception by Omission versus Commission</i>	125	6. <i>The Winner's Curse</i>	153
<i>The Decision to Use Ethically Ambiguous Tactics: A Model</i>	126	7. <i>Overconfidence</i>	153
Why Use Deceptive Tactics? Motives and Consequences	126	8. <i>The Law of Small Numbers</i>	154
<i>The Power Motive</i>	126	9. <i>Self-Serving Biases</i>	154
<i>Other Motives to Behave Unethically</i>	128	10. <i>Endowment Effect</i>	155
<i>The Consequences of Unethical Conduct</i>	129	11. <i>Ignoring Others' Cognitions</i>	156
<i>Explanations and Justifications</i>	131	12. <i>Reactive Devaluation</i>	156
How Can Negotiators Deal with the Other Party's Use of Deception?	133	Managing Misperceptions and Cognitive Biases in Negotiation	156
Chapter Summary	137	Mood, Emotion, and Negotiation	157
Endnotes	137	Chapter Summary	163
Chapter 6		Endnotes	163
Perception, Cognition, and Emotion	139	Chapter 7	
Perception	140	Communication	165
<i>Perception Defined</i>	140	What Is Communicated during Negotiation?	165
<i>Perceptual Distortion</i>	140	1. <i>Offers, Counteroffers, and Motives</i>	166
Framing	142	2. <i>Information about Alternatives</i>	166
<i>Types of Frames</i>	143	3. <i>Information about Outcomes</i>	167
<i>How Frames Work in Negotiation</i>	144	4. <i>Social Accounts</i>	167
<i>Another Approach to Frames: Interests, Rights, and Power</i>	145	5. <i>Communication about Process</i>	167
<i>The Frame of an Issue Changes as the Negotiation Evolves</i>	147	<i>Are Negotiators Consistent or Adaptive?</i>	168
Cognitive Biases in Negotiation	150	<i>Does It Matter What Is Said Early in the Negotiation?</i>	168
1. <i>Irrational Escalation of Commitment</i>	151	<i>Is More Information Always Better?</i>	168
2. <i>Mythical Fixed-Pie Beliefs</i>	151	How People Communicate in Negotiation	169
3. <i>Anchoring and Adjustment</i>	152	<i>Characteristics of Language</i>	169
		<i>Use of Nonverbal Communication</i>	170
		<i>Selection of a Communication Channel</i>	172
		How to Improve Communication in Negotiation	174
		<i>The Use of Questions</i>	174
		<i>Listening</i>	176
		<i>Role Reversal</i>	178

Special Communication Considerations
at the Close of Negotiations 179

Avoiding Fatal Mistakes 179

Achieving Closure 179

Chapter Summary 180

Endnotes 180

Chapter 8

Finding and Using Negotiation Power 182

Why Is Power Important to Negotiators? 182

A Definition of Power 183

Sources of Power—How People Acquire
Power 185

Informational Sources of Power 186

*Power Based on Personality and Individual
Differences* 188

*Power Based on Position in an Organization
(Structural Power)* 190

Power Based on Relationships 196

Contextual Sources of Power 197

Dealing with Others Who Have More
Power 199

Chapter Summary 201

Endnotes 201

Chapter 9

Relationships in Negotiation 203

Challenging How Relationships in Negotiation
Have Been Studied 203

Negotiations in Communal Sharing
Relationships 207

Key Elements in Managing Negotiations
within Relationships 208

Reputation 208

Trust 210

Justice 213

*Relationships among Reputation, Trust,
and Justice* 217

Repairing a Relationship 217

Chapter Summary 218

Endnotes 218

Chapter 10

Multiple Parties, Groups, and Teams in Negotiation 220

The Nature of Multiparty Negotiations 220

*Differences between Two-Party Negotiations
and Multiparty Negotiations* 221

*What Dynamics Can Make a Multiparty
Negotiation Effective?* 226

Managing Multiparty Negotiations 228

The Prenegotiation Stage 228

*The Formal Negotiation Stage—Managing
the Process and Outcome* 231

The Agreement Stage 237

Chapter Summary 240

Endnotes 240

Chapter 11

International and Cross-Cultural Negotiation 242

What Makes International Negotiation
Different? 244

Environmental Context 244

Immediate Context 247

Conceptualizing Culture and Negotiation 249

Culture as Learned Behavior 249

Culture as Shared Values 250

Culture as Dialectic 253

Culture in Context 253

The Influence of Culture on Negotiation:
Managerial Perspectives 254

Definition of Negotiation 254

<i>Negotiation Opportunity</i>	254	3. Identify and Work the BATNA	275
<i>Selection of Negotiators</i>	255	4. Be Willing to Walk Away	276
<i>Protocol</i>	255	5. Master the Key Paradoxes of Negotiation	276
<i>Communication</i>	256	<i>Claiming Value versus Creating Value</i>	276
<i>Time Sensitivity</i>	256	<i>Sticking by Your Principles versus Being Resilient Enough to Go with the Flow</i>	277
<i>Risk Propensity</i>	257	<i>Sticking with Your Strategy versus Opportunistically Pursuing New Options</i>	277
<i>Groups versus Individuals</i>	257	<i>Being Too Honest and Open versus Being Too Closed and Opaque</i>	278
<i>Nature of Agreements</i>	258	<i>Being Too Trusting versus Being Too Distrusting</i>	278
<i>Emotionalism</i>	258	6. Remember the Intangibles	278
The Influence of Culture on Negotiation: Research Perspectives	258	7. Actively Manage Coalitions—Those Against You, For You, and Unknown	280
<i>Effects of Culture on Negotiation Outcomes</i>	259	8. Savor and Protect Your Reputation	281
<i>Effects of Culture on Negotiation Process and Information Exchange</i>	261	9. Remember That Rationality and Fairness Are Relative	281
<i>Effects of Culture on Negotiator Cognition</i>	263	10. Continue to Learn from Your Experience	282
<i>Effects of Culture on Negotiator Ethics and Tactics</i>	264	Endnotes	282
Culturally Responsive Negotiation Strategies	265	Bibliography	283
<i>Weiss's Culturally Responsive Strategies</i>	266	Index	307
<i>Low Familiarity</i>	267		
<i>Moderate Familiarity</i>	267		
<i>High Familiarity</i>	268		
Chapter Summary	269		
Endnotes	269		

Chapter 12

Best Practices in Negotiations 273

1. Be Prepared 273
2. Diagnose the Fundamental Structure
of the Negotiation 274