

## STRATEGIE COMUNICATIVE E NEGOZIALI INGLESE (1 LEZIONE)

Conflicts are something that need to be overcome to reach an agreement which is mutually satisfactory.

We need to make ourselves heard in the correct way.

It is important for all the members of the group to feel supported by others to be more motivated to achieve a satisfying outcome.

It is very hard to access to negotiation data.

Four skills: reading, listening (2 passive), speaking and writing (2 active)

**Employability skills** (which are important to get a job, are palatable): soft skills (collaboration, problem solving, communication, being able to motivate others, flexibility). These skills are called soft and are more related to personality (as opposed to hard: technical specialized knowledge).

**Soft skills** are also called transferable skills can be transferred to one domain to another, these are not specific to a job but are key to any job.

Communication skills (which are part of the employability skills)

### a) Communication skills:

- **Written communication:** no matter the job, what is important to get the job? The *genre/* text style. One has to be able to write reports, to deliver a presentation, to persuade people, to explain something.
- **Oral communication:** what is it important to be able to do when communicating orally? *Gestures* (the discipline, which studies gestures is kinesics), *distance* (an issue when delivering a presentation or when people from other cultures are involved. It is studied by proxemics).
- **Nonverbal communication skills:** it is also important to listen → active listening: *eye-contact*; *nodding* (fare sì con la testa); *interaction* (by asking questions for clarification). These features usually take place in large audience. But what happens in small groups, i.e. on the phone? There are *response tokens*, one signals that he/she is listening. It is in our nature to provide feedbacks and it is not easy to be there without participating. It is important to support the person who is speaking.
- **Giving and receiving feedbacks.**

### b) Interpersonal skills:

- **Problem solving:** why do people engage in problem solving? To find a solution and to make a decision.
- **Collaboration:** building rapport. What does it mean to establish a rapport with people? An harmonious understanding, getting on well with people. Sometimes they happen naturally or by chance. Sometimes you build a rapport, so one should have an ability to build them. But how can you build them? One establishes common ground (interests in common), one establishes a bond. To build a bond you need to be empathic, which means to understand feelings and needs of someone else and to have tact.
- **Teamwork**
- **Negotiation**
- **Building rapport**
- **Empathising**
- **Conflict resolution**

Employability skills:

- **Critical thinking skills:** critical thinking, problem solving (to do that you need to collect data that you will analyse and interpret), decision making, negotiating
- **Presentation skills:** selecting and organising content, delivering the presentation, managing time (an issue when presenting content), coping with anxiety (particularly when delivering oral presentations).

- **Personal development skills:** concerns how people evolve, how their attitudes to work change → nobody is stuck in the same position and attitude and this is an important factor. Employers look for people with the right attitude to work.

## STRATEGIE COMUNICATIVE E NEGOZIALI (2 LEZIONE)

### Negotiation

The process through which two or more people who are in conflict over outcomes attempt to reach agreement. It is the constructive, positive alternative to haggling or arguing; it is aimed at building an agreement rather than winning a battle. (Pillutla and Nicholson 2004)

This definition stresses out the fact that negotiation might be multiparty, there might be more parties involved.

Focus on the use of metaphors when analysing negotiations.

When does negotiation occur? When there is something to discuss and there are various possible outcomes. Negotiations are likely to occur in business but also in daily life.

Let's focus on business negotiation → which situations can you imagine? Which are the negotiating parties?

Ex. During a job interview, you negotiate a contract, the working schedule, the career path.

Ex. Negotiations between companies, within teams

Other situations that have nothing to do with business → bank robberies, hostage negotiations, or among nations.

What are the benefits of negotiations → why learn to negotiate? What are the advantages for people to learn how to negotiate: have **better outcomes**, to have an upper hand (vantaggio). The advantages can be: having a quicker solution for your issue (you spare time) and time is an important factor. Negotiation is important to maintain good relationships.

Better outcomes can be in terms of money or **not having bad feeling** but also to **better understanding of other's aims, motivations and beliefs**. This results in better (business) relationships.

The benefits of businesses: **better deal making, more opportunities for business developments, better relationships and less stress**.

The most common form of negotiation:

- Taking and giving up a series of positions
- TELLING the other side what you want

So, each party takes a position and gives up that same position.

Peel: buccia. Tax holiday for new companies: esenzioni fiscali temporanee. To foot the bill: pagare il conto.

Video getting to yes:

- Presents negotiation through the story of an orange at the end the solution is a win-to-win. To do that you need to find shared interests.
- In negotiation, we should not just focus on our position and focus on the reasons that underlie our position and we often miss the solutions that are more suitable. We must search for a mutual gain.
- Shared interests: you have to work hard to identify them, turn opportunities into shared goals, focusing on them can make negotiation friendlier and smoother.
- It is important to identify what is important for the other part and to find common grounds. This is achieved by brainstorming.

This video stresses out the fact that we need to focus on reasons not on positions.

**Positional bargaining** means taking positions, negotiation which consists in taking positions.

The danger of taking a series of positions:

- locking oneself into positions: if you lock yourself into specific position it becomes difficult to leave that position.
- not paying attention to underlying interests: we forget the reason why we want the orange and the reasons remain under the level of awareness.

In **positional bargaining** typically **starts with**:

- taking an extreme position (this is what I want).
- It may also involve deceiving the other part → you don't make your views and ideas explicit
- you make small concessions (because you are stuck in your position).

We need to associate these functions of the language with the negotiation scenes that you choose. There is a relation between functions and forms.

When negotiations are based on positional bargaining reaching a decision takes time. The **tactics usually used in positional bargaining** are:

- dragging feet: making the process extremely slow
- threatening to walk out: common feature of positional bargaining, threats can be of various kinds (how are these threats expressed → ex. Either you do this or....) and the most frequent is the one to walk out (leaving the negotiation table)
- stonewalling: refuse to provide information

The **risks of positional bargaining**:

- time- consuming
- no agreement: possible consequence is the lack of an agreement

How can we sum up positional bargaining with a picture: a battle, a fight in which there might be a harder player, who makes threats, and a softer player, who is more vulnerable is more likely to lose the game. Do we have to choose between hard or soft? NO, there is a third way which they called: principled negotiation

**Soft positional bargaining**

The soft players often:

- offers and makes concessions
- trusts the other side
- is friendly
- avoids confrontation

**Risks**: the soft player yields

Getting to yes is based on the Harvard negotiation project which suggests to “change the game”. But in order to change it, we need to know all the types of games.

We need to explore in details the 2 styles of negotiation: distributive vs integrative.

**DISTRIBUTIVE NEGOTIATION (VIDEO)**

- kind of negotiation in which my goals directly conflict with your goals (ex. sell of a car)
- the seller wants to get as much as he can, the parties try to get as much as possible for themselves, this is a value claiming type of negotiation.
- bargaining zone: the zone between the maximum amount the buyer wants to pay and the least amount the seller wants to get.

Distributive negotiation is characterised by: competition among the parties (Who will be able to claim the most value and obtain the most from the negotiation) → Value claiming. Each part wants to be the upper

hand and get the most everybody wants to obtain as much as possible and one's goals are in conflict with the other wants.

This kind of negotiation has also been called:

- confrontational (the two parties are seen as competing against each other)
- zero sum
- win-lose (**win** result → outcome in which parties are satisfied, **lose** is the scenario in which the result is worse than expected and here one of the parties perceives that he has won and the other party that he has lost). Win and lose come from game theory.

The **features of distributive negotiation** are:

- the parties have conflicting goals (ex. one wanted to win and gain as much as possible)
- resources are limited
- goal: maximise one's own share

Distributive negotiation

- is based on positions and differences
- limited flexibility
- lack of focus on relationships
- focus on short term gains, risking long term losses → for ex. risking to ruin relationships
- do not reveal important information → one party will try not to reveal important information about themselves and on the other hand will try to know as much as possible about the other because I want to deceive him and to gain as much as possible for myself. The less the other party knows about myself the better it is for the other party.
- Find out: why they want the deal, their interests and constraints, the point at which they are going to leave the negotiation table, their other options.

## STRATEGIE COMUNICATIVE E NEGOZIALI (3 LEZIONE)

### INTEGRATIVE NEGOTIATION

- Starts with the basic assumption that there are not compatible goals and that there are going to be needs that are in contrast.
- We don't necessarily take combative view
- Negotiation can be about a variety of subjects (city I am going to locate in, salary), we discuss the issues that we can trade off, try to roll the pie between us and then we cut it

The idea is that some issues might be more important for one of the parties and that people might negotiate multiple issues. The idea is to enlarge the pie and then cut it.

How can we create mutual value?

- The **parties collaborate**/cooperate to create mutual value (how can we all win)
- It is **based on interests** (of the parties, that are not necessarily competitive)
- It can be described as **win-win** (based on perception)
- It implies the fact that one of the parties may yield a bit (give up some of their objectives, goals)
- This kind of negotiations is based on the idea that **all the parties can win** or at least achieve a part of their interests, **overcoming their differences**

Consider the effects of integrative negotiation on:

- Decision making: it is going to be more flexible

- Creativity: there is going to be more space for creativity
- Relationship building: it makes relationships much better (as they are not based on differences)
- Agreements

The behaviour that leads to integrative negotiation:

Don't

- Hurt the counterpart
- Be coercive/exploitive
- Aggressive or greedy

Do

Help the counterpart at little cost to you and have the counterpart help you at little cost for them. While in the distributive the parties try to conceal information about themselves, in the integrative people need to share information, otherwise they will never discover their interests, constraints (ex. They can't take a decision until they have talked to their boss). This is the only way the parties can reach creative options.

### INTEGRATIVE OR DISTRIBUTIVE

<b>Integrative negotiation</b>	<b>Distributive</b>
Free & open flow information, share information openly	Concealing information
Attempt to understand what the other side really wants and needs	No effort to attempt the needs of the other side
Finding common grounds, emphasizing common interests and goals.	Emphasizes differences in goals, objectives, interests
Search for solutions that meet the needs of both (all) sides	Search for solutions that only meet the needs of one party and blocks the other from reaching its own needs

What kind of information should you share for a negotiation to be integrative?

- Information about your preferences, constraints, interests and resources

We need to create value in a business negotiation and price should not be the only subject to be discussed but also other issues: services, quantity, quality, delivery terms, payments, relationship, finding resources.

### ISSUES IN WIN-WIN NEGOTIATIONS

It doesn't mean that all the parties obtain everything they want but get what they value the most. It means that to get what they value the most they should give up less critical factors.

- Sometimes the parties' interests do not clash (compete)

The negotiator's dilemma

- Should I compete for as a big share of this small pie as possible?
- Should I collaborate?

In most negotiations: both in distributive and integrative negotiators ask themselves these questions

The principle of *How to do things with words* (Austin) is that: when we say something, we are also doing something.

Speech acts and negotiations

J.L. Austin → how to do things with words.

Some researchers have come up with a coding system which places speech acts along a scale ranging from integrative to distributive. They also observed that by classifying the speech in the first half of a negotiation it was possible to predict the outcome of it. If integrative methods were used in the first part of the speech, this meant it would have been a successful negotiation. Asking a question or stating something is not something typical that happens in every negotiation. Threats to take actions occur most typically in distributive negotiations.

### Negotiation Outcome classification

**Table 2** Speech act coding scheme for individual utterances adapted from Donohue and Roberto's integrative/distributive coding scheme

Rating	Label	Description	Example
1	No code	Statements are not codable	"hmh"
	Comply	Agreeing with other's position	"Yeah that's what we agreed on"; "that would be okay"
2	Integrate	Proposing flexibility or giving support to the other's position	"You don't have to go exactly by that if you see it differently"
3	Question of fact	Asking the other about the situation, status of particular events, etc	"What happened Monday and Tuesday?"
4	Statement of fact	Stating a fact or perception about the situation	"She's sixteen going on nine she has problems and she needs help"
5	Statement of demand	Demanding the other comply with a request	"I want him to see the baby"
6	Avoidance	Attempts to move away from the conflict	"It does and it doesn't all right?"
7	Reject other's demand	Denying the other's demand	"No way no way every other weekend is sufficient"
8	Threat to take action	Promises to take punitive action	"Go to court"

**Integrate:** proposing flexibility or giving support to the other's position → you don't have to go by that if you see it differently (you give options to the other party).

**Statement of demand:** I want him to see the baby → demanding the other to comply with a request

Asking a question or stating something can be seen as neutral.

Is not easy to apply question of fact or statement of fact specifically to integrative or distributive negotiations, while the others of the table can be more easily applied.

Threats to take actions occur most typically in distributive negotiation.

### NEGOTIATION (THE PROBLEM)

We focus on the method suggested by the author of the book "getting to yes"

Principled negotiation: win-win negotiation. It describes how win-win can be achieved. This means management and conflict solutions.

### THE METHOD

Is based on these principles:

- **Separate the people from the problem** (means focus on relationships) \*
- **Focus on interests, not positions**
- **Invent options for mutual gain**
- **Insist on using objective criteria**

Separate the people from the problem

\*Which is the language used for relationship building? How a language can be used to enhance and strengthen relationships?

The authors of "Getting to yes" focus on what people bring to the negotiation table. People are not abstract representative of companies/Unions but they are human beings. When we think of human beings, we should think about their emotions, background, take their values into account, perceptions, there are many issues involved. This means focusing on people and on their needs (problems), not just in the negotiation (→ what they want to achieve) but also to feel good, accepted and liked. It also means to bear in mind that people might get offended.

We need to ask ourselves: are we paying enough attention to the people problem?

## FACE-Goffman

The problem of paying attention to people can be linked with the linguistic concept of FACE (originated in China). The concept of face has to do with the idea of reputation and oneself image, with the idea of being accepted and liked.

Face is a sociological concept which refers to the image and impression that somebody wants to show to other people. It has to do with the way somebody wants to be perceived.

In a negotiation, we want to appear: competent, sophisticated.

**Social contact involves facework:** attempt to communicate a positive image of oneself, and the effort to appear competent and educated. We want to prevent loss of face, which occurs when the other side appears not trustworthy or competent.

This notion of face has the following premises, when we are on good terms with people this is what typically happens:

- Each person values one's own and the other's face → we care about the way we are perceived by the people and want to maintain others people's image.
- Therefore, we maintain one's own and the other's face (we try to maintain this positive image)
- When one loses face, one tries to restore it → so he says something in order to catch up. If people are on good terms, they try to alleviate this feeling of having lost the face by making a joke.
- When one loses face, the other party tries to help the first party restore it.

## Lim and Bowers (1991)

These two authors focus on the wish to be approved, namely face, identifying two facets:

- Solidarity face: the need to be accepted, liked etc.
- Competence face: the need to be perceived as competent

This distinction is important for negotiation discourse.

How can speakers defend the other party's solidarity face?

## Solidarity face

Speakers, to make the other party feel accepted:

- **Before expressing disagreement, they seek alignment** (I see your point but...can we do that?)
- **Hedge demands:** hedge, linguistic concept, which means to make things mightier (softer) → express a demand less directly in order not to hurt the other party.
- **Give justifying accounts when asking delicate questions,** is like when before asking a delicate question you say "posso farti una domanda personale?" this is a pre-question
- Are tentative: being hesitant

See accounts and assumed agreement in the handout

### Accounts

Brenda: just out of interest, what is your capacity now? -I mean, you know, we might be thinking of expanding

### Assumed agreement

Burt: it will come as *no surprise* to you I'm sure that [the price came as] a bit of a shock

Burt: the drivers' strike was *obviously* not your responsibility ... but

### Joint reasoning

Simon: if *we* shut capacity that's because we say well, look, have we got an order for tomorrow to fill in that plant (B1: Sure) yes - or the day after. I mean, *the stronger* you can say to us 'we believe this is the sort of number we are going to want at some point in the future,' *the more evenly paced* can be our own investment decisions and capacity planning, which will *then* reflect through to you in terms of the overall package you get, in terms of price, quality and the rest of it - yes?

### Reframing

Simon: I'd like to make a general comment on *price* ahm - I think we're in a *quality* business. We're also in a *long-term* business. We've supplied you for five years and I think we ought to carry on supplying you at the *right price*, *the right quality*, and I know, Steve, what your feeling is, I know ehm mine is quite strongly that we have to look at the issues that make you

comfortable over all. Here's a package - yes - and you may find you'd be able to go and buy this year something *cheaper* somewhere else. What about next year. -ahm I think we have a certain degree of *stability* to offer and I think that stability is actually reinforced by ahm International Mining taking over Rockley.

Listeners (in order to make the other party feel accepted) they do:

- Listen- “the cheapest courtesy of all”
- Show that they are listening (nod)

Competence face

Speakers, to appear competent:

- May rely on figures
- Use specific terms
- Use logical reasoning
- Are precise

(see joint reasoning in the handout)

### Scheda Accounts

- What are your capacities now? This is a delicate question which is preceded by an account. An account is a justification which is offered for disagreement or for an imposition of somebody's time. Another example of an account may be: I am sorry, it is not in my power → rather than saying no! I say that this is not in my power and I give you a reason why I can't do what you are asking me. By giving an account I am protecting the other party's solidarity face (desire to feel accepted). If we had said something directly, we would have hurt the other side, on the other hand this account can be considered as a powerful move because by using an account you refuse to the other party the option of objecting. We are stressing the fact that the other side will agree with us. We lead the party to agree with us.
- **Assumed agreement:** the driver's strike was *obviously* not your responsibility...but → the person stresses the fact that he and the other party agree on something. The speaker here is treating his judgment as if it was common sense. Assumed agreements are simultaneously polite moves, as we protect the other party solidarity face, but on the other hand this is again a power move because the addressee feels he has to accept the view which has been expressed.
- **Joint reasoning:** if we shut capacity that's because we say well, look, we have got an order for tomorrow to fill in that plant (B1: sure) yes - or the day after; I mean, the stronger you can say to us... Joint because the speaker is using the WE. Here the seller (Simon) demonstrates his reasoning than drawing a logical conclusion. So, therefore, consequently → these markers make the speaker appear competent, argumentation in general makes the speaker appear competent.

Now let's go back “to getting to yes”

### Separate the people from the problem

The authors distinguish between: substantive interests and the relationship. The result of a negotiation might be to get what we want but we ruin the relationship (let's consider if that is a temporary relationship, and one has anything to do with the specific person, or if that is an established partner). The authors stress the fact that relationships in negotiations tend to get untangled with the problem. He gives tips to keep them separate (problem and people).

The pieces of advice that he gives are to base the relationship on:

- Mutually understood perceptions
- Expression of emotions without blame
- Clear two-way communication

The techniques that are suggested to separate the people from the problem can be divided in:

- Perception

- Emotion
- Communication

**Perception:** the authors stress that the problem can be perceived in terms of how the people involved see the problem.

It is important to put oneself in other people shoes.

Another tip they give is avoiding blaming people. If we don't attack them we maintain their solidarity face. If we say "your company is unreliable" we attack and people become defensive when attacked. If we don't attack them we maintain their solidarity face.

They will react badly:

- resist what we say,
- abandon the negotiation,
- cease to listen
- or they will attack.

When it comes to perception others' perceptions must be discussed

We must also give the other party a stake in the outcome (perhaps the single most important factor in determining acceptance of a proposal) → involve them early, ask for advice

Face-saving: the proposal should be made consistent with the values of the other side.

(see reframing in the handout)

Terms negotiated may be phrased or conceptualised differently

## **STRATEGIE COMUNICATIVE E NEGOZIALI (4 LEZIONE)**

### **Separate the people from the problem - EMOTIONS**

Reframing (foglio addizionale della volta scorsa)

He talks about relationships and quality, which are both relevant. The initial idea of the buyer is that he can buy elsewhere at a different price. So, relationship and quality matter more than price. So he's making his proposal consistent with the -. The seller is saying that quality and stability is better than a cheaper price. The buyer cannot know what will happen next year. He has an assumed perception that the two things are important, reframing the buyers' objection that he doesn't want to but the good because it's too expensive.

Kind of emotions: anger, fear, tension. They can affect the way a negotiation goes, as well as the result of the negotiation. So, it's important to deal with emotions, recognize them, verbalize them and allow the other party to off steam them, they have to talk about the negative emotions.

As for allowing the other side to express their negative emotions, there are some tips.

- Recognize emotions: don't interrupt polemical remarks, listen quietly, don't respond to attacks, encourage the speaker to speak himself out.
- Make emotions explicit
- Allow the other side to let off steam: Don't interrupt polemical remarks; Listen quietly; don't respond to attacks; encourage the speaker to speak himself out
- Don't react to emotional outbursts

Paying attention to emotions also means to pay attention to core concerns: appreciation, the desire to be approved and feel valued by other people, affiliation, role, status, autonomy.



- Consider the role of identity

The authors of the book also remind us of the importance of identity and to non-threat others' identity. If we want to make them feel at ease and we want an integrative negotiation, we have to avoid the other party's solidarity and identity. Use symbolic gestures, that can be either linguistic (shaking hands, eating together and so on) or non-linguistic, which can express sympathy, regret.

"An apology may be one of the least costly and most rewarding investments you can make

Separate the people from the problem – COMMUNICATION

"Without communication, there is no negotiation. Negotiation is a process of communicating back and forth for the purpose of reaching a joint decision".

3 problems:

- One side is no longer attempting serious communication
- One side is not paying attention
- Misunderstanding: "Even when communicators are in the same room, communication from one to the other can seem like sending smoke signals in a high wind. When the parties speak different languages the chance for misinterpretation is compounded"

'compromise' in Persian

'mediator'

→ **Solutions:**

1. Listen actively

"the cheapest concession you can make to the other side is to let them know that they have been heard" (p. 37). Interrupt occasionally and reformulate ('Did I understand correctly that you are saying that...?').

- Techniques of good listening

BRAINSTORM...

IN MOVIES: which expressions are used? Which function do they have?

- "Let me see whether I follow what you are telling me. From your point of view, the situation is..."

"You have a strong case. Let see if I can explain it"

2. Speak to be understood

"A negotiation is not a debate. Nor is it a trial".

A negotiation resembles a situation in which two judges trying to reach an agreement

- Establish a private means of communicating
- Reduce the size of the group

3. Speak about yourself

Avoid condemning the other side

"I feel let down" vs "You broke your word"

"We feel discriminated against" vs "You're a racist"

4. Speak for a purpose

Before making a significant statement, know what you want to communicate

PREVENTATION WORKS BEST

Build working relationships

get to know the other side personally before the negotiation

Face the problem, not the people

Genre analysis: identifying the phases (=moves). We can perform a genre analysis on any text.

What are the moves (=phases) of the negotiation which are represented in the movie?

Focus on the type of negotiation, in particular on the linguistic aspects: is the negotiation integrative or distributive? Does it have elements from both? It's useful to refer to the speech act used to refer to the negotiation. If it is integrative or if it has integrative elements, which strategies are portrayed (solidarity face, competence face)? Are there accounts of reframing, assumed agreement, joined listening, shepherding, ecc? Also, the way offers or proposals are made: directly, indirectly, imperative, use of "we need/can", ecc.

Elements from a negotiation theory: if you think there are words that you assume your colleagues are not familiar with, or technical terms, state the source (it is not compulsory, but if you want to explain the word, put the source).

Write a script of the senses. We need to compare what it's actually said by the characters as opposed to the transcript that we provide. Prepare the presentation selecting the most relevant aspects. Practice your presentation. Post a brief summary and the transcript so that the others can check it. Write an analysis either before or after the presentation. So two different texts: ppt and the full report of the analysis.

### Imitation game (foglio addizionale)

!!!!su foglio!!!!

There are various lists of negotiation strategies

Distributive negotiation

- **Generating competition:** strategy of distributive negotiation. Inform the other party that rival parties have a comparable product at a lower price.
- **Satisfying needs:** Point out that a product does not fully satisfy your needs (e.g. colour, special features) and ask for a reduction in price since your needs are not fully satisfied. The product is not perfect, there are imperfections in the product, therefore you you're entitled to a discount.
- **Off-tackled slant:** when you bring something back and you have a discount on the next good. Deal with a secondary element related to the total price to get a discount. e.g. "I'd like \$150 for trading in my present refrigerator. It's in excellent shape"
- **The ultimatum:** it can be hard ("take it or leave it") or soft ("I accept your position, but this is all I've got", "I recognize what you're giving me, I wish I could, but it's all I have")
- **The nibble:** (=to eat in small bits). You buy a suit after 3 hours in a shop. You ask: "Can I have a free tie?". This is a nibble. The more you spend on something, the less you're willing to let it go. He really wants you to buy it because he spent so long with you, that he'll eventually give you the tie.
- **Weakness as strength:** the bank wants repayment from a bank. He replies with a helpless answer that portrays you as a needy person. If you sound and look down, this may help you get a discount or an agreement. Being or looking helpless undercuts the bargaining ability of the creditor.

I don't know / I don't understand / Help me

DUMB IS OFTEN BETTER THAN SMART The other party will help/give info

A client to a bank, calling to express dismay over a delay in repayment of a loan "I'm really glad to hear from you, because our financial situation has recently deteriorated. In fact, the only chance of avoiding bankruptcy is for you to reduce the interest rate to prime, or prime plus one and a half percent, and defer payments on the principal for at least a year"

Helplessness undercuts the power and bargaining ability of the creditor

### **Tricky tactics used in distributive negotiations:**

It's clearly a strategy for distributive negotiations, because when you use tactics, then it means that you're not helping create an open flow.

- **Deliberate deception:** Making false statements → ambiguous authority
- **Making people feel uncomfortable** → attacking the person verbally or non-verbally, making them wait, avoiding eye-contact, playing the good guy/bad guy routine
  - Personal attacks: verbal and non verbal communication (on clothes, appearance, status; by interrupting the negotiation refusing to listen, refusing eye contact
  - Stressful situations: due to the setting
  - The good guy/bad guy routine: two people on the same side stage a quarrel. One of them grants concessions
  - Threats - Explicit: "If not X, then z" (If you don't work hard, I'll fire you) - Thromise = promise + threat - hybrid speech act (Stay with me and prosper)
- **Positional pressure tactics:** → Refusing to negotiate  
WHAT TO DO: Find out why they don't want to negotiate. Suggest options (e.g. mediating third parties). Ask them which principles they think should apply.

- Making extreme demands and offering too little
- Escalating demands: making demands higher and higher, typically reopening issues and aspects of the negotiation that have already been settled. WHAT TO DO: Take a break; ask for justification
- Lock-in-tactic: claiming one will never accept less than a certain amount/goal. WHAT TO DO: deemphasise the claim (e.g. talk about your goals / tell a joke)
- Hardhearted partner: "my boss will never accept it". Claiming one's partner won't accept the conditions. WHAT TO DO: get the consent of the person you are negotiating with – better in writing – and speak to the hardhearted partner
- Calculated delay: putting-off decisions. WHAT TO DO: make the tactic explicit; create a fading opportunity (e.g. start talks with another company); look for objective conditions for deadlines.
- Take it or leave it → like ultimatum, some strategies are similar to other sources but with another name. Solution: ignore it; introduce other solutions; tell them what they will lose.

## **STRATEGIE COMUNICATIVE E NEGOZIALI (5 LEZIONE)**

### **WHAT IS NEGOTIATION?**

Negotiation is a process of communication and relationship building undertaken with the objective of arriving at an agreed outcome.

- We have to study the counterpart (you have to know where people come from, if there are religious and political problem)
- We adjust to the counterpart
- We must deal with people, try to be flexible, have a common goal
- The environment can be tough
- It is really fundamental to listen, don't just talk

If you are a good negotiator you must believe in what you are saying and in what you want.

- The language is very important (Italian is more redundant than English)

### **HUMANITARIAN NEGOTIATION**

- Humanitarian actors (they are very numerous)
- Humanitarian objectives in negotiation
- Countries affected by conflict
- Intercultural Communication
- Negotiation Theory and Process

Complex Emergency

- A humanitarian crisis in a country, region or society
- Caused by internal or external conflict
- Breakdown in effective authority
- Requires an international response exceeding the capacity of any single agency

It is important to think long term even if you are staying in the country for a short amount of time.

It is important to build the right team.

Dual flag principles: in any country where we have a team, outside the office we have a flag of that country and an Italian flag.

You have to be persistent.

- To be a good negotiator you need to be a leader

“Around the world, a growing eco-system of humanitarian actors ranging from local communities to national governments, international organizations and the private sector is delivering life-saving assistance and protection to people in need. Their work is more necessary and courageous than ever.”

### **Purposes of humanitarian negotiation**

- Humanitarian access
- Protection of vulnerable groups
- Assessment and assistance
- Promoting respect for international law

It is fundamental to know who is coming to the negotiation.

### **Humanitarian Negotiations: Motivations and Partners**

- Knowing when to adopt a more cautious approach
- Being clear about reasons for negotiating
- Focus on HUMANITARIAN OUTCOMES
- Separation of political- and humanitarian negotiations
- Learning about the other party: Motivations; Structure; Principles of Action; Interests; Constituency; Needs; Cultural and Ethnic Dimensions; Control of Population and Territory

### **Boundaries and Framing Components for Humanitarian Negotiations**

- Humanitarian Principles: Humanity, Neutrality, Impartiality
- Elements of International Law:
  - International Humanitarian Law. E.g. Four Geneva Conventions of 1949
  - International Human Rights Law. E.g. Convention on the Rights of the Child
  - International Criminal Law. E.g. Rome Statute of the ICC

### **Humanitarian Negotiations**

- The stakes are high - life and death for vulnerable populations
- De facto power imbalance between the stakeholders
- Motivations, objectives, operational cultures differ sharply
- Commitment to outcome of negotiation may be difficult
- Acute time and communication constraints on negotiation

### **The Three Levels of Negotiation**

- HIGH-LEVEL STRATEGIC → Negotiate organisation's entry into a conflict theatre.
- MID-LEVEL OPERATIONAL → Negotiate a set of practical and effective daily activities that is acceptable to all parties and produces the desired effects.
- GROUND-LEVEL FRONTLINE → Sudden, reactive and often also high-risk negotiations requiring quick decision-making in the face of unexpected developments.

### **SEPARATE THE PEOPLE FROM THE PROCESS**

- Negotiations involve substantive AND relational issues
- Methods to handle relational issues:
  - See conflict from their perspective
  - Active listening
  - **Make emotional issues explicit and legitimate**
  - **Acknowledge anger and feelings**

### **GETTING TO YES**

- **Don't bargain over positions** → use principled negotiation; problem solving

- **Separate the people from the problem** → build working relationship; be soft on the people, hard on the problem
- **Focus on interests, not positions**
- **Invent options for mutual gain**
- **Insist on using objective criteria**

### Issues in Negotiation

- **The Role of Personality Traits in Negotiation**  
→ Traits do not appear to have a significantly direct effect on the outcomes of the negotiating process
- **Gender Differences in Negotiations**  
→ Women negotiate no differently from men, although men apparently negotiate slightly better outcomes  
→ Men and women with similar power bases use the same negotiating styles  
→ Women's attitudes toward negotiation and their success as negotiators are less favorable than men's

### Cultural Differences in Negotiation

Cultural context significantly influences...

- The amount and type of preparation for bargaining
- The relative emphasis on task versus interpersonal relationships
- The tactics used
- Where the negotiation should be conducted

### Emotions and culture

- Cultural factors influence what is or is not considered emotionally appropriate
- Seems to be high agreement of meaning by emotions within cultures
- What's acceptable in one culture may seem extremely unusual or dysfunctional in another

### LOW CONTEST SOCIETIES

- Message is explicit and the speaker tries to say precisely what is meant
- Direct style: focus on speaker's statements
- Silence may make people uncomfortable
- Facial expressions and body language may be easy to interpret, if you understand the gestures of the speaker's culture
- Meetings are often focused on objectives.

### HIGH CONTEXT SOCIETIES

- Meetings with new contacts focus on relationships first. Business comes later.
- Indirect style: speaker does not spell out his message
- Avoid saying "no"
- Avoid embarrassing people