THE ART OF BUSINESS NEGOTIATION

ARTA NEGOCIERII ÎN AFACERI

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Abstract: *The negotiation is a usual practice and can appear in various situations, even in our proximity. Frequently people participate to negotiation without knowing it. But if they are invited to a formal event they would be reticent. Their reaction depends frequently on a misunderstanding of the negotiation process because it is a type of human interaction where the partners are independent but also separated by diverging interests in certain problems. The fundamental principle of the negotiation is do ut des (I give if you give) or facio ut facies (I do if you do). This represents the idea that the negotiation means an exchange of values. The exchange of values is necessary also because each of the parties have the possibility to prevent the opponent's action, otherwise the common project will not be realized or the common problem will not be solved. For this reason each negotiator should take into account his/her interests but also the interests of the other parties.*

Key words: *business negotiation, techniques of manipulation, interaction*

INTRODUCTION

The negotiation is a form of human interaction with certain costs – time, psychical effort, other material and human resources. The negotiators need time to prepare the meeting with the partners; the negotiation deployment needs also time so that the involved parties build their common reference points in order to adapt their behavior and to find solutions for the problems. The involvement in the negotiation needs also psychical effort determined by the tension of the interaction between the persons with other interests or by the necessity to give up on something or to request something.

The usage of some techniques and tactics is necessary so that the negotiation deploys in a simple and efficient way. The negotiation is similar

to a trip – you can not foresee the result. You can only plan the itinerary and to discover that the best way to get there is not the one you planned. In a similar way the strategies and the tactics for negotiation should be prepared before starting the discussions but neither for this there is no guarantee that everything will deploy as planned. It is possible to draw the conclusion that the planned approach is full of traps and it is necessary a different approach in order to get a constructive agreement.

MATERIALS AND METHODS

Communication is the central element of negotiation: it creates negotiation, reflects negotiation and is the major mean in obtaining benefits.

Starting with specialized literature, any discussion about negotiation in managerial communication could be, from the start, questioned and considered useless through the simple statement that negotiation is a complex notion. We can also ask ourselves if negotiation plays an important role in the management of an organisation. Of course, because people are the heart and soul of an organisation and they need, in order to be productive, to negotiate to obtain benefits. The study is based on a documentary bibliography from different theoretical sources and on the examination of the subjects' behavior during the negotiation.

RESULTS AND DISCUSSIONS

The negotiation is a way of thinking, an attitude, a behavior, a science, a philosophy. Being a complex process, officially the negotiation is realized taking into consideration several specific techniques and tactics like:

Techniques to discuss the object of the negotiation:

- the extension of the negotiation object means to extend the initial agenda of the negotiation, with the subjects identified by the parties during the negotiation. Frequently these new negotiation elements which extend the object are the result of the creativity of one or both parties.

- the transformation of the object of negotiation: means its total or partial redefinition, which can lead to a new negotiation different from the initial one

Techniques to discuss the elements of the negotiation:

- the horizontal approach: means that the negotiator formulates the offer for all discussed elements. From this starting point, the negotiation can be deployed in several rounds of debates, each of them leading to an agreement on several subjects. Finally, the agreement is reached when all the differences for all elements are covered.

- the vertical approach: means to discuss separately each element and when all the differences for this subject are covered the discussion will move to the next subject.

Techniques to present and discuss the offers:

- leader type technique: one of the negotiators presents his/her offer and the partner asks clarification questions and then presents the objections - which obliges the bidder to reject them, brings arguments and changes the offer. The entire debate is focused on a single offer which is discussed, attacked and sustained, the other partner tries to change it without presenting his/her own offer. The negotiator who proposes the offer becomes the leader.

- independent type technique: means that a negotiator presents his offer and provides the clarifications requested by the partner and then the partner presents a counter – offer which will be discussed.

1. Distributive negotiation tactic

- is mainly a negotiation dedicated to one subject, a winning or losing type negotiation where a fixed quantity of values is divided between the parties, placed on the competition style and obliging style axis where parties will tend to compromise;

2. Integration negotiation tactic

- starts with the assumption that the solution of the common problem can generate a gain – gain type situation where the values which are due to each party can be multiplied and needs a high level of creativity. Most of the people are not very creative and the negotiation stress does not offer the best climate for them.

3. Rational negotiation tactic

- consists in clarifying the issues based on their characteristics and not through discussion which are similar to bargain between the parties.

5. How to pretend tactic

- reflects the way to act in case of problems which are not important to us in order to satisfy the partners; it is one of the most important tactics of a negotiation in our own advantage. It is in our advantage to give satisfaction to the partner (in some circumstances) and to maintain a good relationship with them but continuing to negotiate in our advantage, it consists in identifying the real needs of the opponents and to mislead them, concerning our own needs and real objectives. Used with ability this tactic is hardly discovered and counteracted by the others so it can have a positive influence without the risk of disadvantages.

6. Lack of authorization tactic*:* when the negotiator realizes that he/she is forced to compromise more than he/she wants to, can state that he/she is not authorized to sign an agreement in the discussed terms.

7.the hawk and the pigeon tactic or good guy – bad guy: in a team with two negotiators, one of them will lead the introduction phases and the other colleague will lead the final phases.

8.The change of objections in statements tactic*:* starts by highlighting the aspects where the opinions are not different, trying to demonstrate that both partners have the same purpose and the opinion differences are related to the methods used to reach it, example:

"Am I right when I think that you will not pay this price in any circumstances?" "Yes"

"This price is too high?" "Yes"

"The product quality is not good enough for paying this price?" "Yes"

"So it needs a better quality before reconsidering the price?" "Yes"

9. Why? tactic: the usage of "whys" can be positive outside the negotiation process and can help us to build an clear image of the real evaluation made by the partners and represents a part of the "armor" needed in this phase of the negotiation to attack this kind of tactics.

10. Testing proposal tactic: consist in trying to realize a sudden change toward a new type of arrangement or totally different terms versus those already proposed in order to study the reaction of the opponent.

11. Dilemma tactic: can be used as a temporary method of testing the position of the other part and to solve the dispute

12. Delay tactic: in this case the negotiator tries to avoid taking a decision by using as excuse the lack of documents, health condition, holidays, trips, emergences

13. Exaggerated politeness and flattering tactic*:* starts with the assumption that nothing can be refused to a nice and polite partner, sometimes such a tactic can hide the disregard, flattering we can highlight the real and imaginary skills.

14. Invoking the senses tactic: is used when the rational does not agree with something, we invoke the previous collaboration with the partner, personal or national pride, we invoke some pleasant hours spent together during some protocol activities (dinners, entertainment, etc).

15. Exploiting the first impulse tactic: during the negotiation, the negotiators are frequently tempted to act based on the first impulse.

CONCLUSIONS

After identifying the negotiation techniques and tactics, the persons involved in this complex process have to plan how to approach the problem, organizing their time and ideas. So, in order to have the desired results during the negotiation, the business people have to know to organize and lead the negotiation process follow specific steps like:

Preparation: the negotiators identify the negotiation subjects and the rage of objectives for each subject. We can notice that the techniques to discuss the negotiation and the objectives of the negotiation can be used here. In order to get information:

The direct question: what do you want exactly?

The usage of the partial interest: I notice that you cannot speak in the name of all employees, but which is the opinion of the sales department?

Calm speaking: You listened carefully our discussion. So, which is your opinion about….?

Incomplete information: It seems that you didn't receive the most recent figures. The last report shows that …?

The elaboration of a strategy: each party decides what style and what strategy to adopt. The techniques to discuss and present the offers have an important role here. In order to sustain your arguments and position:

Emphasizing the strength: Of course, you realize that we have contact other potential suppliers?

Reducing the weaknesses: We would like to solve this issue, but we don't have the necessary support for the moment.

The negotiation: the phase where everybody tries to obtain favors. In this stage the negotiators use several tactics depending on the situation. A recommended tactic would be using questions which generate action:

Pointing out the desire for action: I think that now we have a clear image related to everybody's opinion. Let's move to the subject….

Conditional offers: If you change your offer considering …., I am willing to reconsider my request for….

Linking the subjects: Do you think that it would be useful to consider subjects A and B as one?

Using pressure: Let's consider this subject closed and move to those which are more interesting for both of us.

Closing: final agreement or closing the negotiations without an agreement.

A good negotiator will always know that using certain techniques or tactics will obtain the proposed results.

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