Communication and negotiation are an integral part of life we all have to deal with.
Negotiation is a highly specialized form of human communication, usually considered as a compromise to settle an agreement or issue to benefit ourselves as much as possible.
Communication is always the link that will be used to negotiate.
Both communication and negotiation have the same dynamics. So each party involved in the process of negotiation gains by creating and maintaining clear two-way communication. No message is truly communicated until it is heard and understood.
Poor communication will only block the progress and ruptures negotiations and relationships, so it’s important the way that communication take place between negotiators.

The first spiritual instrument used in the process of human socialization is represented by communication, through which people succeed in understanding the process of knowing themselves and universal knowledge, to take action and to participate at social life with all its aspects.

Every moment, every day all of us have their own desire or interest or just their own point of view. At some point each of us persuade or is being persuaded, has something to exchange or has to come to an agreement. This art of understanding your exchange partner by avoiding all conflicts and misunderstandings can be named negotiation.

Negotiation is a highly specialized form of human communication. It is subject to the same dynamics as communications.
Negotiation is usually considered as a compromise to settle an agreement or issue to benefit ourselves as much as possible.
Communication is always the link that will be used to negotiate the issue/argument whether it is face to face, on the telephone or in writing.
So each party involved in the process of negotiation gains by creating and maintaining clear two-way communication.
No message is truly communicated until it is heard and understood. Poor communication will only block the progress and ruptures negotiations and relationships.

The process of negotiation begins with the participants fully aware that they are very different from one another. Negotiation is essentially a process of talking together in order to resolve those differences or reach agreement on some point of commonality.\(^1\)
It often involves disagreement, compromise and argument but it always involves communication.
In fact all interpersonal communication is to some extent a process of negotiation.

When two people engage in interpersonal communication, each person represents his or her own self in negotiating. Each communicator has interests, desires, motivation,

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\(^1\) Dan Voiculescu – Negocierea-forma de comunicare in relatiile interumane, Editura Stiintifica, Bucuresti, 1991, pag. 26
and goals that are quite different frome those of the other. The purpose of the communication process, then, is to arrive at some sort of agreement on areas common to both communicators.

Two different individual selves engage in the same activity, talk, in order to reach agreement on things about which they differ at the outset. Each communicator attempts to protect his or her self at the same time he or she is risking themselves by engaging in the social exchange of communication, by relating with the other person. To understand negotiation is to understand how it blends opposites together into the common interpersonal activity of communication.\(^2\)

The process of negotiation is specific to people and in itself is a subjective process, because people relate it to different values that are specific to them, so negotiation becomes a process that leads to the fulfillment of objectives, those who are involved wish to satisfy their own purpose.

Negotiation can’t be accomplished by one persone, it’s an participative process that is based on notion interaction. Every time you communicate with another human being, you are engaging in an act that contains both cooperation and competition. A negotiation process involves the exchange of commodities that one negotiating party possesses and the other desires. So as we can see communication is just one of negotiating’s condition. Every negotiation presumes a proces of communication, an interactive exchange of informations, and the understanding of it by the party involved.\(^3\)

Communication as an instrument, manifests all its advantages when it is realised in the process of negotiation. This setting puts the human being in a balance where he has to make his own decision about what it’s best for him to choose. Thus negotiation becomes the most efficient way of communication.

Many times negotiation is regarded as a form of communication whose only purpose is to settle some comercial conflicts. In the same meaning the negotiator becomes the person which only disputes comercial negotiation, but also the person who negotiate the most different aspects of human relationships.\(^4\)

Thus in different situation even without knowing the human being becomes a negotiator.

Negotiation starts from the fact that each of the party involved, has some direct or indirect needs that wishes to be satisfied.

Even though we don’t realise we are negotiating different things every day of our life either we are doing it at our jobs, at home, with our friends or in some public institution. In this way negotiation is daily integrated in the most uncommun situation. Therfore negotiation is a process through wich we obtain the things that we want from the people that also want something from us.

Now and then when a problem occures with many solutions we have to apply the negotiation process.

Through negotiation we obtain an optima solution accepted by the different party involved, so there isn’t a winner and a looser, is just a satisfying compromise for both parties.

We can use negotiation to achieve our goals, to solve some conflicts, to obtain some agreements etc.

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\(^{3}\) Ioan Deac, Introducere in teoria negocierii, Editura Paideia, Bucuresti, 2002, pag.7

\(^{4}\) Dan Voiculescu, op.cit.pag 21
We use negotiation in a specific background that contains the following elements:
The goal of negotiation, the objectives, the stake, the time and the place.

In negotiation are involved two or more voluntary persons. If you don’t want to you don’t have to negotiate, but if you would like to change something, to solve a problem, to reduce or even to eliminate a conflict then you would have to avoid the other person’s interests.

If those interests and needs have the same common area with ours but also conflictual areas then it’s better that we negotiate.

Many times we negotiate for being able to make some decision, to solve a conflict or to realize an economical exchange.

However a successful negotiation needs to be well prepared, so we have to go over some stages:

The first one is prenegotiation. This stage has the starting point with the first debate in which the parties involved in communication are interested in discussing one or more problems. It includes negotiation’s preparation and organization by gathering all the processed information, than choosing the right time and the place, than the approval. It ends only when the interest of party involved in that matter, is officially written down. In this first step, are established all the objectives of negotiation.

The effective negotiation materializes with a written agreement that contains all the measures which have to be accomplished for the achievement of the purpose. Is the stage of communication that is carried on at the table of negotiation, each party involved has to defend its own interests. Now it’s time for making offers and requests, assumption, agreements and oppositions in reaching a common point. A good negotiator is the one that is clairvoyant, has a sense of opportunity, in seizing! the right moment for the conclusion, in order to avoid the unnecessary extension of discussion.

Post negotiation starts with the settlement of all agreements. In this phase are settle some problems like the difficulties arised in concluding the contract, or the necessity to add some changes, to complete or extend the contract, to solve some litigations.

In the same time with these three phases another one is being prepared. This one is called protonegotiation and has the mission to create a proper climate for the negotiation process in order to facilitate the transactions and to stimulate the party involved. This phase has an important part in ending or eventually blocking the transaction, but it can’t replace the negotiation process in itself.

The proper context, background analyse in which the process of negotiation is being held it’s not only necessary but it’s also compulsory in order to create and maintain the possibility of a successful negotiation.

The success of negotiation depends also on the methods and tactics used in process. Therefore knowing the adequate techniques and tactics for the matter can generate an efficient negotiation.

There are numerous techniques of approaching the process of negotiation as many tactics, depending on the type of negotiation.

Therefore a problem can be approach in different ways by different people, this approaching is called the style of negotiation.

In the same negotiation the style can change depending on the new situation that has occurred. But this styles can’t be dissociated they are like a puzzle.

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Kenneth Thomas and Ralph Kilmann had classified this styles as follows: collaboration, authority, conciliation, compromise and avoidance.

The collaboration. Is used when the talked about problems are very important and can’t be discredited, but also for maintaining the relationship between the parts. It presumes a winning-winning position, and it takes a lot of time.

The authority Is used by the person who has all the power, and it referes to using some powerfull methods in order to take some quick decission or popular measures. This type of style implies a winning-loosing position, no matter how the relationship between the party is affected.

The conciliation is used when the negotiator realise that he is using a wrong path that might have undesireble consequences. It implies a winning-loosing position, the negotiator aiming small losses but also maintaining the relationship with his partener.

The compromise refers to finding some reasonable solutions for the party involved and it refers to a small benefit, profit but also to a small loss for the both partners.

The avoidance is used when there is no chance to solve the conflict and it presumes a loosing-winning position for the rival.6

Any negociator, even an experienced one can make a mistake if he doesn’t know for sure what is that he wants to obtaine through negotiation or if he doesn’t take into consideration his partener.

It is known the fact that a negotiation implies a battle betwen the two parts involved.

If the stake of negotiaion is high, than the negotiatores use all kind of tricks or cunnings in order to reach their goals. A highly well prepared negotiator can use genuine technics of manipulation to obtain the big price. It’s easy to come up with a recipe for disaster when the subject is negotiation. As in chess, once you sit down at the table every move counts. So many factors compete to undermine an optimal settlement: the emotions of both participants; the potential for misunderstanding what could be gained (or lost); differing interpretations of what constitutes fair play.

Even though it isn’t easy to avoid the negotiation’s manipulation however there are a few mistakes that can be avoid.

A rating of the most common mistakes that negotiators make it’s made by J.M. Hiltop and S. Udall in the Art of negotiation :

Approaching the one way situation (the negotiatores of one part try to impose their own solution to some problems to the other part involved).

Winning-loosing approaching (it is based on authority, the party involved are centered on their own interests)

Random walking approach (the negotiatores don’t prepare enough the negotitation)

Avoiding the conflict approach( the negotiatores don’t really want to solve the conflict)7

The art of negotiation is to find the common ground on which a deal can be made. For that we have to find the right time, information, options and approach.

The person who has the most time wins. If you have a tight deadline, the other side can wait you out to get the better deal. You feel pressure. The other side is calm, collected and patient.

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6 Ion Frunjina, Angela Tesileanu, Comunicare negociere si rezolvare de conflicte, Editura Maondan, Bucuresti, 2002, pag.107

7 Ion Frunjina, Angela Tesileanu,op.cit. pag 116
A good example is when a negotiator tells you that you can get their special deal if you act NOW. But if you decide against the deal and change your mind later, you're hooped. It is a sales tactic contrived to put you in a time constraint. Don't fall for it. Information is money. The more knowledgeable you are, the better a deal you will get.

We always have to keep our options open. To have a fallback position. At the same time, we don't give the other side too many options. It helps to negotiate one issue at a time.

This is really a common sense approach to people skills. As Shuttleworth put it, "People like to help nice people. They like to hurt jerks." So be nice! Be friendly! They, on the other hand, may not be nice. But we don't have to let their style distract us. We have to be focused on our goals and priorities. Shuttleworth also notes that the Pygmalion Syndrome comes into play here. "Have high expectations and you will achieve high outcomes". Shuttleworth went on to a number of negotiating tactics and counter-tactics.

- Prepare, prepare, prepare!
- Never let your ego negotiate
- Always let the other person save face
- Don't name a price first.
- Never accept the first offer.

As the author says, "we have to know when to fold. A deal may just not be in the cards. Know your bottom line and be prepared to stick to it. At the same time, never walk away from a deal with a "Take it or leave it" ultimatum. Always leave room for a reopening of talks. Walk away with "Looks like we can't agree today. Let's sleep on it and talk again later." And remember, it's all a game. Approach it as a game, and negotiating a deal can be both fun and profitable."

As we can see negotiating skills are a nonnegotiable requirement for success, but few people understand the structures, techniques and approaches available to them in an attempt to gain successful results. Effective negotiation means more than just getting what you want. It means arriving at a solution that satisfies all parties and creates future opportunities. Fine tune your communication style. Listening is a key part of effective communication. What is and is not said is key during negotiations and in building professional relationship. Establish an assertive approach, communicate in a clear fashion, remain professional, be patient, try to avoid aggressive behaviors. Neutralize objectives presented by the counterpart and negotiate with confidence.

As a conclusion, negotiation allows the creation, maintenance or development of human or social relationship with the help of communication. Negotiation as a process of communication, as a method of dialogue, as an instrument of agreement, is called to answer to the objective need of social, political, diplomatical, cultural and economical development of human relationship.
1. Ioan Deac - *Introducere in teoria negocierii*, Editura Paideia, Bucuresti, 2002
3. Ion Frunjina, Angela Tesileanu - *Comunicare negociere si rezolvare de conflicte*, Editura Maondan, Bucuresti, 2002