**INDEX**

5R Tool 202–3

A
Abbas, Mahmoud 69
absent speech 136
accommodation 55
accusatory reflex 125, 126, 128–9
accuser’s bias 24, 125–6
active listening 129–34
    engagement in 169
    principles of 131–3
    salesperson example 145–9
active speaking 135–44
    salesperson example 145–9
    ten principles 138–44
Adair, Wendy 229, 230, 245
adaptability 60
adaptation 86–8
adjournment 80
    informal 217–18
validating commitments before 80–2
agenda 51, 70
agenda preparation 82
agenda setting 82
agent 83, 178
    employing 180–1
    expertise 180
    keeping in check 185–6
    motivations of 184
    network 180
    process-oriented skills 180
    reputation 185–6
    tactical and strategic advantages 180–1
aggressive negotiator
    alternative behavioural responses 169–74
    effects of typical behaviours 168
    instinctive behavioural responses 166–8
    provocative behavior 160, 161–3
    thoughts and feelings of 163–6
aggressive speech 138
agreement
    to continue 216
    on process 216
    reason for accepting 210–12
    sequence leading to 208
    timing 208–10
    type 212–17
Air France 76
Airbus 76
Allen, Woody 22
alliance management 189–92
Allred, Keith 24, 126, 229–30, 241, 243
alternative behaviours 169–74, 174–5
ambiguity 140
anchoring 105–6, 116
anger 37, 69, 153
    dealing with 171–2
antagonistic relationship 34
anxiety 69
apology 68
appeal
    to external authority 46
    to law 46
Arafat, Yasser 54, 69
Aragon, Louis 22
arbitrary solutions 23
Arc de Triomphe roundabout 92–3
Aristotle 143, 233
  Rhetoric 135, 158
arrogance 137–8, 224
Arrow, Kenneth 230
Arusha Agreements 136, 215
aspiration 112
assertiveness 42
asymmetry, types of 220–5
attacks ad personam 162
attrition phenomenon 124–5
Axelrod, Robert 140, 230, 244

B
backup solution 46
Bacon, Laurence 244
bad faith, acting in 161
Barnier, Michel 62
Bazerman, Max 232
Beaufort, Viviane de 230, 242
Belmont, Charles 242
Bely, Lucien 233
benchmarks 49
benevolent listening 131
Berman, Maureen 78, 233, 242
Best Alternative to a Negotiated
  Agreement (BATNA) 47
betting against oneself 106
bid escalation 110
blockage 46
bluffing 107, 144
body language 199
Boileau, Nicolas: Art poétique 137,
  243
Boltanski, Luc 233, 245
Bonaparte, Napoleon 127
bond 32
Bonnot de Mably, Gabriel 229
bonus 184–5
Bordone, Robert 241
Boulware, Lemuel 110
Boulwarism 110
brainstorming 44
Braudel, Fernand 194
breaking off 79
Brett, Jeanne 229, 230, 245
brevity 139, 140, 141
Burundi 136, 202
business relationship 65

C
calculations 49
Callières, François de 22, 34, 37, 66,
  130, 138, 157, 210, 229, 241–4
Camp David Accords 19, 79
cancellation clause 214
Carlo, Laurence de 242
ceiling 112
change clause 213
change management 64
changing negotiators 68–9
cherry on the cake tactic 111–12
chères 137
Churchill, Winston 27
civic realm 198
clarity 140, 141
  subjective 121
clichés 123, 193
closed questions 132–3
coaching 98
colaboration before participation 63–5
colaboration building 189–92
cocktail diplomacy 67
Cogan, Charles 230
cognitive bias 37, 122
communication, validation before
  adjourning 80–2
communication 52–3, 119–20,
  211
  multicultural negotiations
    199–201
  in multilateral negotiations
    187–8
  obstacles in 125–9
  sequence 120–2
compensation 184
competition 90, 117, 178
competitive approach 16–17
complexity 30
compromise 178
conceding 67, 168
concessions 106
concessive approach 18–19
c onciliation 168
c onclusion
  away from the table 79–80
  of listening phase 133
  of session 85–6
conditioning 127–8
confidence 66
confidential information 53
confidentiality 82–3
conflict negotiation 3
conflict of interests 185
conflict prevention system 100
conflict resolution 3, 20–1, 95, 100
conflicts, passionate 154–5
consolidation plan 142
constructive ambivalence 140
contact, establishing 65
c ontext of negotiation
contingent agreement 212–14
  cancellation clause 214
  change clause 213
  preliminary conditions 212–13
  suspension clause 213
contracts
  negotiation 179, 181
  standard 49
contractual negotiation 3
convergence 193
conversation, creation and
  maintenance of 144–51
cooperation 90, 91, 92, 116
cooperative approach 17
corporate diplomacy 204
counterproductive reflexes 128–9
country risk 213
creativity 41, 43–4
crescendo approach 51
crime, fight against 100
crisis negotiation 3
cultural circles 193
cultural harmonization 193
cultural identities, multiple 193–5
cultural mediator 203
cultural variables 196–7
customs 50, 200–1

D
deadline 51
deal-making 3
debriefing 13
decision, making
  inventing solutions before 77–8
  mechanisms 187
decrees 49
decrescendo approach 51
deferring to third party 104
delagate 182
deliberative rhetoric 143
Delta Airlines 76
denial reflex 158
Descartes, René
  Discourse on Method 12, 191, 233,
  241, 245
  rules 191–2
details 78–9
differential relationship 34
diplomatic negotiations 179
directive listening 131
directives 49
discretion 52
distracted listening 130
distribution solution 42
divergence 193
divide and conquer 116–17
domestic realm 198
dominant parties 191
downstream participation 64
Dupont, Christophe 230, 241

E
EADS 76, 200
economic indicators 49
economic realm 198
economic sanctions 46
economies of scale 97–8, 101
economies of scope 98–9, 101
efficiency 30
emotions 37–8
  broadened rationale and 155–7
  continuum of 163–4
  involuntary 158–9
positive or negative effects 157–8
timeline of 164
empathy 42, 135, 150–1
vs agreement 134
Epictetus 66, 242
equipment 56
Ertel, Danny 231, 241
escalation of bids 110
ESSEC IRENE 72, 235
ethical considerations 27, 37
European Question 62
European Union directive 63–4
evidence 49
exasperation 153
excusatory reflex 125, 126, 128–9
excuser’s bias 24, 125–6

F
fair values 115
faire-savoir 227
fallow, negotiation 67
Faure, Guy-Olivier 230, 245
favours, for sake of relationship 108
feedback phase 181, 183
fees 183–5
Felice, Fortuné de 157, 229, 244
feminine societies 197
fertile spirit 41
Field, Patrick 171, 172, 233, 242, 244, 245
fight 167–8
financial compensation 214
financial value of solution 50
Fisher, Roger 17–19, 29, 89, 230, 231, 241–4
fleeing 167, 168
flexibility 87
floor price 50
force, transition to 46
forced occupation of space 162
formal negotiation 1, 2
formalisation
of agreement 80–2
of disagreement 217
formula 78–9

G
Foster, Dean Allen 231, 245
foul language 162
framing, positive 142
France 62, 73, 76, 78, 194, 200, 204
frustration 69, 153
fundamental singularity 195
future orientation 143
G
Fisher, Roger 17–19, 29, 89, 230, 231, 241–4
Girard, René 154, 174, 234, 244
Giscard d’Estaing, Valéry 204
give and take, logic of 117
Goldberg, Stephen 231
good cop/bad cop 108–9
Groom, A.J.R. 234
H
Habits 200–1
Hagège, Claude 200
Hall, Edward T. 234, 245
halo effect 123
Hampton-Turner, Charles 234, 245
hands are tied tactic 109–10
Heen, Sheila 233, 244
Hitler, Adolf 27
Hofstede, Geert 196–7, 234, 245
Holbrooke, Richard 234, 241
holism 196
honour, misplaced 162
hostage-taking 27, 74
hostile takeover 75
Hotman de Villiers, Jean 229
hourly rate 184
I
I-message 170
implementation phase 181, 182–3
improvisation 178
independent parties 191
indices 49
individualism 196
industrial realm 198
inflexibility 87
influential relationship 34
information
  accuracy 53
  gathering 52, 83
  exchange 101–4
informed practices 224
inspiration, realm of 198
instinct 225
instinctive negotiation 20–1
instruction phase 181
integrative solution 42
integrative style 141
interest 37
internal clock 165
internal signals 165
internal voice, suspension of 132
International Monetary Fund 194–5
interpersonal skills 32
interpreter 203, 204
intrapersonal negotiations 2
invention phase 78
irresolution 210
Israéli—Palestinian negotiations 19, 79, 124–5, 128

jargon 136, 137, 199
Japan 201, 204
jealousy 37
jiu-jitsu technique 169
job interview 83–4
joint recommendations 214
joint venture 38, 39, 43
Joseph, father 210
joy 157
jurisprudence 49
justification criteria 48–50, 85, 112, 211

K
Kahneman, Daniel 231, 233, 244
Klerck, Frederik de 79
Kornhauser, Lewis 245
Kundera, Milan: The Book on Laughter and Forgetfulness 143, 244

L
La Fontaine, Jean 246
Crow and the Fox, The 74
Have and the Tortoise, The 209
Labour negotiations 180
language obstacles 199–200
last impressions 217–18
law 49
lawyer 4, 180
Lax, David 231, 243, 246
leading questions 133
learning curve 226
learning cycle, absence of 12–14
learning process 225–7
lease, ending 214
legal negotiations 180
lethargy 139
leverage 222–3
Levinson, Barry 244
Lewicki, Roy 232, 243
Light, Margot 234
linkage 106–7
listening
  active listening 131–4
  before speaking 73–4, 119–51
  incapacity 161
  providing 52–3
  styles to avoid 130–1
litigation 46
loaded questions 133
loan, obtaining 213
location 82, 98
logistical resources 55
logistics 53–8, 212
logorrhoea 140
looping 133–4
lose-lose equilibrium 91
Louis XIV, King of France 22, 116
lying 107, 144
Lytle, Anne 229, 230, 245

M
Maastricht treaty 62
MAC (Material Adverse Changes) Clauses 213
malleability 87
managers 4
mandate 33, 211
negotiation phases under 181–3
respect for 44
unrealistic 222
Mandela, Nelson 79
Marie-Louise, Empress 127
marital dispute 124
market prices 49
masculine societies 197
Mazarin, Cardinal Jules 68
measurements 49
meeting 50–8
structure 50–1
memory enhancement 128
merger 97
Meyer, Michel 232, 234
Minton, John 232, 243
mirroring effect 174
misunderstanding 122
Mitterrand, François 204
mixed payment structure 184–5
mixing people and problem 20–1
Mnookin, Robert 133, 230, 232, 241–6
Moffett, Michael 241
Monde, Le 98
monochronic cultures 197
mono-variable negotiation 94
Montesquieu 70, 198
motivation analysis 83–4
motivations 211
depth 35–49
prioritizing 39–40
multicultural negotiations 177–9, 192–205
communication challenges 199–201
cultures and borders 192–5
interpretation 195–9
methodology and 201–5
multilateral negotiations 34, 177–9, 186–92
coalition building and alliance management 189–92
communication difficulties 187–8
prevention of bottlenecks 186–7
strategic complexity 188
multilevel negotiations 177–9, 179–86
definition 179–80
fees 183–5
keeping agents in check 185–6
management 180–1
negotiating phases under a mandate 181–3
multiparty negotiation 64
mutual unfamiliarity, situation of 34

N
Nash, John 232, 243
National Dialogue for Europe 62
Neale, Margaret 232
needs 95–6
negomania 26–7, 45, 207, 209
negotiation contract 179, 181
negotiation sequence 59–60, 82–6
negotiation situations 1–2
negotiation table 41
shape of 55–6
solutions at the table (SAT) 40–5, 84–5, 211
solutions away from the table (SAFT) 45–8, 79–80, 85, 211
negotiator’s dilemma 90–1
Nissan 204
non-reciprocity, principle of 224–5
non-verbal communication 199

O
object of negotiation 30
obstructive listening 130
Ockham’s razor 140
OECD 186
Okumura, Tetsushi 229, 230, 245
Olbrechts-Tyteca, Lucie 231
one foot out the door tactic 109
one-text procedure 215
open-ended questions 132
opinions, realm of 198
opportunities 142
Optimal Aspiration Value (OAV) 112, 113, 117
organizational cultures 194–5
organizational negotiations 179
Oslo Process 54, 79
overconfidence 24–6, 128–9, 137
overoptimism 116
overpessimism 116

P
package deal 99
participants, choice of 187
passion 135, 158–9
patience 67, 88, 159, 224
Patton, Bruce 230, 233, 244
Pecquet, Antoine: Discourse on the Art of Negotiating 67, 229, 242
people
  dimension 30, 32–5, 57
  putting first 65–70
Peppet, Scott 232, 241–3
perception, problems of 37
Perelman, Chaïm 115, 234, 243
perpetual negation 67
personal negotiation method 226
personal relationships 32–3, 210
personalisation 65–6
‘phew’ agreements 77–8
physical agitation 162
place of negation 55
‘Plan B’ 46
Plantey, Alain 232, 234
pleasure 157
political leader 4
political negotiations 2–3, 179
polychromic cultures 197
position of power 75
positional reflexes 129
positionalism 14–16, 29, 128, 178, 182, 187
positions 38
positive framing 142
post-settlement settlement 99
power 37
  distribution 196
  negotiation 47, 56–7
Pratt, John 232, 244
precedents 50
precision 140, 141
prejudice 69
premature closure 77–8, 99, 209
preparation 29–58, 61–3
price floor 112
price and volume 213
prices, market 49
pride 37
principal 33, 178, 223
  motivations of 183
principal/agent relationship 179, 183, 222
principled negotiation 17, 89
principles 49, 82–3
probability of future event 97
problem dimension 30, 35–50, 57
problem-solving, process before 70–3
procedural response 153
process 211
process before problem principle 87
process dimension 30, 50–8
process negotiation 105
professional culture 194
professional standards 49
project management 204
projection 125
pseudo-negotiations 154

Q
quality of solutions 209
quantity of solutions 209
questions 52, 102–3, 132–3
Rabin, Yitzhak 54
Raiffa, Howard 232
Rain Man 165
rational intelligence 156
rationality 37, 153, 155–7
reactive devaluation 126–7
reactive listening 130–1
real estate negotiations 180
realistic solutions 44
reasoning 49, 135
reciprocity, principle of 133
red herring 107–8
reference point 47
reformulation of statements 132
reframing 169–70
regional cultural belonging 193
regulations 49
rejoicing 77
relational intelligence 156
relational response 153
relationship
  building 65–6, 82, 105
  cultivating 67–70
  favours for sake of 108
  restoring 68–9
  to uncertainty 196–7
relief 77
Renault 204
repetition, continual 161
Reservation Value (RV) 112, 113
resource differences 95
restructuring plan 142
retailer/supplier negotiations, France
  71–3
retrospective analysis 13
rhetoric, classical 135
rhetorical questions 133
Richelieu, Cardinal 62, 67, 210, 229
ringleader 129
risk, differences towards 96
Rocard, Michel 55, 64, 139, 188, 234
Rogers, Carl 233, 243
Rogers, Nancy 231
Roosevelt, Theodore 143
Ross, Lee 126, 233, 243
Rousseau de Chamoy, Louis 229
Rubin, Jeffrey 230
Sadat, Anouar 139
Saint-Simon, Henri de 198
salary
  fixed 184
  negotiations 221
Sander, Frank 231
Sartre, Jean-Paul 24
Saunders, David 243
Sauzay, Brigitte 204
Savir, Uri 54, 234
savoir 225, 226
savoir-être 4, 226–7
savoir-faire 4, 225, 226
Sebenius, James 231, 233, 243, 246
Schroeder, Gerhard 204
Scodellaro, Mathieu 232
seating arrangement 56
secrecy 54, 55
Security Council Resolution 242
  140
selective perception 124
self-awareness 12
self-complacency 129
self-fulfilling prophecies 125, 193
self-importance 129
Sharon, Ariel 69
Sharp, Alan 231
shift towards the process 170
Shikhirev, Peter 229, 230, 245
short-term preference 21–2
Sinaceur, Marwan 233, 244
sincerity 134
sit-ins 75
Slovic, Paul 231
Smith, Adam 198
Socrates 2
soft language 138
solutions at the table (SAT) 40–5,
  84–5, 211
solutions away from the table (SAFT)
  45–8, 85, 211
  before concluding 79–80
speaking, active 138–44
speaking, listening before 73–4
speech for oneself 136
Spinoza 24
spokesperson, changing 171
stakeholders’ map 34, 36, 211
standard contracts 49
statutes 49
stereotypes 123
Stone, Douglas 233, 244
strategic information 53
strikes, pre-emptive 75
structuring principles 60–82
style 135
subjugated parties 191
submission 167
substantial response 153
success fees 184
suggestive speech 141
supplier’s contract 81
suspension clause 213
suspensions 80
Susskind, Larry 171, 172, 232, 233, 242, 244–5
sustainability 212
synergies 97–8

T
Taba accords 70
Talleyrand, Charles-Maurice de 68, 73, 74, 123, 217
target value (TV) 112–13
technical speech 136–7
tension 117
within relationships 69
rational 154–5
territorial annexation 75
Thevenot, Laurent 233, 245
thick interpretation 195–6
thin interpretation 195
threats 162
time 68
availability 30
cultural, relation to 197
‘for oneself’ 68
management 86–8
preferences 96
setting 82
timeline
of emotions 164
preparation 82
Tinsley, Catherine 229, 230
trade-offs 43
transition to force 46
transparency in communication 122
Trompenaars, Fons 234, 245
trustee 182
trying 166–7
Tulumello, Andrew 232, 241
Tversky, Amos 230, 231, 233, 244

U
ultimatum 110–11
‘unique solution’ trap 22–3
United Nations 186
unsaid 132
upstream participation 64
Ury, William 17–19, 89, 171, 230, 233, 241–4
Usunier, Jean-Claude 242

V
validation 133
value creation 76, 77, 89–90, 92, 93–104, 116, 157
information exchange 101–4
by leveraging differences 94–7
post-settlement settlement and 99
by preventing recurring conflict 100–1
by realizing economic gain together 97–9
sources of 93–4
through process 101
when all else fails 104
value distribution 104–17
bargaining tactics 104–12
methodological approach 112–16
vanity 74
vengeance, desire for 37
vertical relationship 33
Vienna Congress (1814) 73
virtuous learning circle 14, 135, 226
voice
  raising 162
  tone of 132

W
Walder, Francis 234
war 46
Wheeler, Michael 244
Wicquefort, Abraham de 229
win/lose approach 18
win/win approach 17, 104, 117, 221
working relationship 32

Z
Zartman, William 78, 233, 242, 243
Zeckhauser, Richard 232
Zen technique 171
zone of partial agreement 215
zone of possible agreements (ZOPA) 42, 112–15

Index compiled by Annette Musker