

PIOTR MAMET  
University of Silesia, Katowice

## THE LANGUAGE OF TRADE NEGOTIATIONS

The language of trade negotiations is a complex phenomenon that escapes classifications based on a single criterion. The article analyses lexical, grammatical, textual, and stylistic properties of trade negotiations.

### **1. Introduction: Theory of negotiations versus language study**

The practice of negotiations might have started when Abraham tried to save the cities of Sodom and Gomorra from God's punishment (Nierenberg 1997: 15).

The theory of negotiations has been developing rapidly since the sixties and its theoreticians offer their concepts of the language of negotiations. Complex linguistic research works such as Forth's *The discourse of negotiations: Studies in language in the workplace* (1995) or Mulholland's *The language of negotiations* (1991) are far less frequent. The job that remains to be done is to design a linguistic model of negotiations that would satisfy the needs of the process.

This analysis will concentrate on a prescriptive model, i.e. the model of the language as it appears in the theory of negotiation and in ESP literature including samples of negotiations. Such an approach is justified by practical and theoretical reasons. Trade negotiations are usually confidential and, in many cases, the quality of the language used might blur the picture. The general objective is to present how the nature of trade negotiations influences the features of the language used.

### **2. Negotiation**

G. Kennedy's definition of negotiations as "... synonym for trading; for exchanging things we have that others want, for things we want from them" (1992: 1) seems to be suitable for trade negotiations in which parties try to buy/sell something or start collaboration on some market.

The prevailing style, the win-win one, assumes that negotiation is a process in which a conflict of interests may be resolved in a peaceful and collaborative way through exchanging offers, gains and concessions until the mutually satisfying solution is reached. The *win-win* style may be opposed to the *win-lose* one in which one party dominates the other.

### 3. The language of trade negotiations

#### 3.1. The competence model

The model presented below tries to put the language in the right position within a set of factors which determine a successful negotiation, i.e. kinds of competence which must be combined to negotiate successfully:

- business competence – the knowledge about the product and the principle of trade, which determines the decision to negotiate and the objectives of the process;
- the competence to negotiate – the knowledge of negotiation tactics, strategies and styles;
- communicative competence – choices between using verbal and non-verbal communication and their efficient use.

There is a feedback in the model, e.g. language skills may offset the lack of negotiating skills.

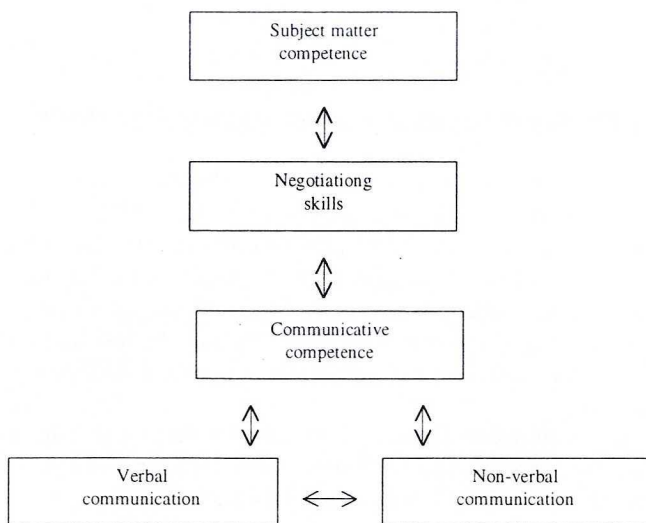


Figure 1. The competence model

#### 3.2. Trade negotiation as a genre

The aim of a trade negotiation is a commercial agreement (the communicative purpose), it goes through stages and prefers certain grammatical as well as lexical forms and they fulfill the criteria of a genre as defined by D. Nunan (1993: 120).

One has to realize that other genres may appear in trade negotiations such as product description, specifications, contracts or commercial documents. All those genres should be considered as auxiliary to the major one, the negotiation itself, since they are used to contribute to the desired outcome of the main process.

### 3.3. Trade negotiation as a discourse type

Mulholland (1991) defines negotiation as "... a discursive practice in society, of which the two major elements are social interaction and communication about matters" (1991: 14). Trade negotiations easily fit into the scheme because the parties communicate about business matter and interact to influence each other.

The discourse of negotiation may be divided into stages. The division made by Mulholland (1991), a linguist, coincides with that made by Lewicki et al. (1994), theoreticians dealing with negotiations.

Mulholland (1991: 45-47)	Lewicki et al. (1994:179-197)
1. Initial phase	1. Beginning stage
2. Central phase	2. Middle stage
3. Closing phase	3. End stage

Table 1. Stages of negotiations – a comparison

In the initial phase the parties establish a good rapport and define their initial positions. The central phase involves actual negotiation, or bargaining, and the parties draft the final agreement in the closing phase.

### 3.4. Language skills in trade negotiation

The discourse of negotiation involves a number of language skills such as:

- socializing in order to start or maintain a good relationship with the other party;
- participating in meetings and discussions, e.g. turn taking, handing over to a colleague;
- drafting commercial agreements;
- actual negotiation, i.e. making one's own offers and dealing with the other party's offers.

The core feature of the language used in this process is tentativeness, which makes it possible to avoid commitment and to modify one's position during the negotiation. If the language used in negotiations does not have a tentative character it means that either the final contract is being drafted or that the *win-lose* style dominates.

## 4. Types of vocabulary in trade negotiation

There are three areas to be analyzed:

### 4.1. Vocabulary connected with the process of negotiation:

A. Vocabulary of the language of meetings (*meeting*, *agenda* or *setting* being most obvious examples).

B. Vocabulary that is used to carry out the negotiations as such, i.e. to influence the other party and to react to the other party's behavior. This includes the use of:

- nouns, e.g. *token fee* (Howe, 1989: 43)
- verbs, e.g. *seems to be* (Howe, 1989: 60)
- adjectives, e.g. *comprehensive agreement* (Howe, 1989: 60)
- metaphors, e.g. *the seeds of a deal ...* (Howe, 1989: 55)
- word-signals, e.g. *our normal price is* (Kennedy, 1992: 25).

#### 4.2. Vocabulary connected with the subject of negotiation

Trade negotiations, which are generally concerned with buying/selling and collaboration on the market in order to manufacture and sell a product, must involve the following areas of human activity and related vocabulary:

- The description of the product (English for Industry and the Language of Presentations)
- Payment for the purchased items, which involves banking and finance vocabulary (English for Banking and Finance)
- Drafting the final agreement (English for Law)
- Transport and insurance of goods (English for Industry, English for Law).

#### 4.3. Word meaning – from ambiguous to univocal lexical items

In the early stages more general words appear which serve to hint the general objectives and expectations of the parties. Then the words are gradually replaced with ones that have more specific, and finally, univocal meaning. In Howe's *Visitron* (1989) the British company is looking for a partner to manufacture and sell goods internationally. Originally they speak about collaboration or comprehensive agreement, then a joint venture and finally of buying their shares by the Japanese partner. In terms of lexical items the negotiation may be described as moving along the following line:

COLLABORATION/COMPREHENSIVE AGREEMENT → JOINT VENTURE → SHAREHOLDING  
(Howe, 1989)

### 5. The grammar of trade negotiations

Dudley-Evans and St. John (1989) indicate that "... there is, as yet, no identifiable core grammar and lexis for Business English ..." (Dudley-Evans and St. John, 1989: 65). Without trying to solve the problem I would like to indicate the following grammar issues which play a major role in the process of negotiation, i.e.:

#### 5.1. Questions

Nierenberg (1985) identifies five functions of questions in negotiations:

- cause attention, e.g. *How are you?*
- get information, e.g. *How much is it?*
- give information, e.g. *Did you know you could handle this?*
- start thinking, e.g. *What would your suggestion be on this?*
- bring to conclusion, e.g. *Isn't it time to act?*



Generally speaking the theory of negotiation stresses the role of wh-questions. They make yes/no answers impossible thus avoiding impasses and offer opportunities to continue the negotiation (Fisher et al., 1998; Kennedy, 1992, 1998).

## 5.2. Compound sentences

Negotiations are dominated by compound sentences which play a variety of roles:

- the signaling the role in which the introductory phrase prepares the listener for an opinion which is to follow, e.g. *I thought we should begin today by going over the main points we agreed yesterday* (Owen, 1992: 138);
- turn-taking and/or interruptions, e.g. *I'm sorry to interrupt you but I want to get this clear* (Howe, 1989: 43);
- to express a negation in a delicate way, e.g. *I'm sorry Mr. Park, this point is not negotiable* (Owen, 1992: 139);
- as reported speech to make sure that a given issue has been understood or, especially, to draw conclusions that suit the speaker, e.g. *You are not trying to tell me that your company doesn't have a US bank account?* (Owen, 1992: 140);
- descriptions with the application of relative clauses, e.g. *It's a product which does not yet exist* (Howe, 1989: 60).

## 5.3. Continuous forms

Continuous forms have a more tentative character than the simple forms and they are used to stress that a given issue, offer or solution has no final character, e.g.

- *...would you be willing to grant global licenses for the new products?*
- *Well, we'd be willing to offer safeguards* (Howe, 1989: 48).

## 5.4. Conditional forms

Negotiation is a process in which we give something in exchange for getting something. This is done by means of the conditional language, e.g. *If you agree to limit compensation for damages to £ 35,000 then we will issue a credit note to this amount on next year's business ...* (Kennedy, 1992: 39-40). Speaking in terms of grammar we can say that:

- the *if + sentence* defines the price of the thing offered, the action that the other party has to take to get something from us.
- the *then + sentence* part defines what we are prepared to exchange for the price.

## 5.5. The passive voice

The passive voice is useful in the process of negotiation because:

- problem solutions may be indicated without committing oneself to taking any action, e.g. *The problem in question may be solved by applying to the National bank of Poland* (Woytiewicz-Neymann, Ruhan, 1995: 125);
- it may be stressed that certain factors shaping the negotiated agreement are beyond the powers of the parties, e.g. *... the time limit for reaching such an agreement is limited* (Howe, 1989: 36);
- to define the problem itself in an objective way without making any suggestions as to the speaker's or the other party's behavior, e.g. *... Our proposals were based on a global package ...* (Howe, 1989: 54).

## 6. Negotiation versus speech act theory

The language of negotiation may be analyzed in terms of Austin's theory of speech acts. An offer is an act of illocution. If it is accepted, or at least modified, it is successful illocution. To make a success in negotiations one has to make successful illocutionary acts and to identify the intentions (illocution) of the other party in the proper way and react accordingly.

There are a number of negotiation tactics, which are used to embarrass the other party, e.g. the killer question, e.g. *Is this your final offer?* (Kennedy, 1998: 135). In terms of locution, the grammar structure determines this as a *yes/no* question. It is the knowledge of the theory of negotiations which helps one to classify it in terms of illocution as a kind of pressure. This will lead to an avoidance of *yes/no* answers or ignoring the killer question.

A specification of speech acts that are essential for the process may only be arbitrary yet the following speech acts seem to be most relevant.

### 6.1. Making offer

Offers are an essential tool in negotiations and they form the subject matter from which the final agreement may be shaped.

Mulholland (1991) points to the following five ways of making offers and the criteria used are that of "ownership" of the offer and the kind of reaction they may lead to.

- *My view is that we should ... What do you think?* The speaker identifies himself with the offer and its acceptance confirms his dominating position;
- *In my view it needs a report. I am willing to do one if you like.* The offer has a double character (the need to write a report and the person to do it) and it requires two acceptances or rejections thus putting more stress on the hearer.
- *I've just had an idea. Why don't we do ...?* There is no link between the offer itself and its owner. It is possible to accept it without losing face.
- *I heard this useful idea last week ... why don't we ...?* The offer is a second hand one so the hearer's reaction or rejection is easy.
- *Why do you think of the idea of doing ...?* There is no mention of ownership and it has the most tentative character (Mulholland, 1991: 189-190).

### 6.2. Giving responses

A major skill here is that of giving dispreferred responses, which do not correspond with questions or offers in terms of form and subject matter.

Mulholland (1991) distinguishes a number of ways to give dispreferred responses, which I illustrate with examples:

HESITATION + DISPREFERRED REPLY	<i>From my point of view we ... we'd prefer to see magnet and detector production within the join-venture</i> (Howe, 1989: 54)
PROVIDING EXPLANATIONS	<i>From my point of view this is a central issue to our decision whether to invest in Poland</i> (Woytowicz-Neymann, Ruhan, 1995: 109)
APOLOGIES	<i>Sorry Mr. Hamilton. This is not the real problem</i> (Howe, 1989: 55)

RECOGNITION +        *We appreciate your gesture, Mr. Yasukava. At this stage, however,*  
DISPREFERRED REPLY   *we do not see this as a viable option* (Howe, 1989: 60)

TOKEN SIGNAL +        *I think it would be fair to say that this will be a bit difficult*  
DISJUNCTION            (Woytowicz-Neymann, Ruhan, 1995: 111)

(based on Mulholland, 1991: 48)

These concepts are basically connected with the polite, win-win negotiating strategy but in a given situation less tentative solutions may be considered as:

- a simple rejection of the offer;
- a negative answer;
- ignoring the other party's offer and making one's own offer.

## 7. Conclusion

The language of trade negotiations is a complex phenomenon that escapes classifications based on a single criterion. Its basic function is to realize, together with non-verbal communication, the process of working out an agreement that usually takes shape of a commercial contract. The language of negotiations uses general vocabulary together with the vocabulary of all types of ESP that are related to the subject of negotiation. In terms of grammar it uses the structures which are most suitable for negotiating, i.e. questions, continuous forms, conditional sentences, compound sentences and the passive voice. In terms of discourse analysis the language of negotiations may be defined as an exchange of speech acts used to influence the other party by means of making offers and replying to them in a variety ways. The language of trade negotiations has a tentative character. It makes it possible for the speaker to avoid taking any final position too early and to change its position without losing face. It also has a dynamic character since the linguistic means chosen by the speakers are determined by the style and stage of the negotiation.

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