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Raluca BONTA

Cooperation and Conflict in the Public Sphere: Two Instances of Negotiation

University of Bacău, ROMANIA
ralucabonta@yahoo.com

Introduction

Negotiation is considered to be a type of human interaction that generates a conflictual relationship between the participants who, at the same time, share some common interests and try to adapt their claims in order to reach a mutually acceptable compromise. Starting from the definition of this process, from its basic classification into conflictual negotiation (based on rivalry and competition) and cooperative negotiation (based on collaboration and mutual understanding) and from the strategies and tactics characteristic for each of these two types of negotiation, we suggested an analysis of two different tactics. The title of the paper refers first of all to the two types of negotiation, and also to two materializations of these types: the bribery tactic (that belongs to the conflictual negotiation) and the nibbling tactic (that is an example of cooperative negotiation).

In order to understand the two instances of negotiation we chose to describe first in parallel some stylistic, pragmatic and argumentative markers that may generally appear in a conflictual tactic and in a cooperative one and then to analyze an example for each of them.

1. Types of Negotiation

Negotiation can be defined as a type of human interaction, a process of communication in which the participants are connected by a certain ratio of forces and by interdependent relationships; the participants are, at the same time, separated by divergent interests concerning different problems. Through negotiation they "voluntarily choose to work together in order to solve some common problems by reaching a mutually advantageous agreement". (Vasile 2000:138)

Negotiation is primarily a communicational approach, whose consequences are pragmatic and which can generate a conflictual and oppositional relationship between different social actors through the exchange of arguments and through mutual concessions. It is also the expression of a mutual interest regarding the modalities of accomplishing the interests manifested with concern to the object that is negotiated.

No matter the domain/field of activity where it is used, the term *negotiation* is associated with the notion of conflict. Negotiation appears thus as a process of solving a conflict through which participants change their claims in order to reach a mutually acceptable compromise. Consequently, negotiation is shaped between two extreme poles, dissension and agreement. Two instances of negotiation have made

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the object of investigation for theoreticians (Bellenger 1984: 35): the "conflictual" or "distributive" negotiation; the "cooperative" or "integrative" negotiation.

The conflictual negotiation (Bellenger 1984: 37) is based on rivalry, competition, the protagonists perceiving themselves as adversaries. Each participant in negotiation follows his objectives, which he considers totally opposite from those of his interlocutor. Following their own interests, the participants in negotiation often act against their interlocutors, their signs of cooperation and interdependence being weak. That is why it is considered that the conflictual negotiation implies domineering and authoritative relationships between the participants that orally manifest through verbal aggressions, threats, acts of intimidation, rhetorical schemes based on dissimulation etc.

In the cooperative negotiation (Bellenger 1984: 46) the participants do not consider themselves as adversaries anymore, but as partners. They want to mutually reach their objectives and, at the same time, to maintain a long-term collaborative relationship. In this type of negotiation the participants also try to satisfy their own interests, but, at the same time, they try to work together; they try to clarify their problems rather than to impose solutions. In the cooperative negotiation the ratio of forces is not so obvious, but the phenomenon of power is not completely lost: the opinion and competence of an expert are accepted, but everybody speaks from his own position, without an abusive use of authority.

These two poles of negotiation, conflict and cooperation, shape the general frame for other types of negotiation, depending on the elements that constitute this process. Thus, any negotiation can be classified according to:

- the object of negotiation (from this point of view, there can be mentioned three types of negotiation: economical, political and social);
- the participants in negotiation (negotiations between persons, between persons and groups, between groups, negotiations with representatives and without representatives, negotiations with arbitration and without arbitration);
- the interests of the parties involved (negotiations with divergent interests, negotiations with convergent interests);
- the place of negotiation (negotiations on the territory of one party, negotiations on a neutral territory);
- the time and duration of negotiation (negotiations prepared in advance, negotiations in crisis situations, negotiations with determined duration and without determined duration);
- the manner of ending the negotiation (negotiations ended with a verbal agreement, negotiations ended with a written agreement.

2. Strategies and Tactics of Negotiation

Any negotiation, no matter whether conflictual or cooperative, is based on different strategies and tactics.

The term *strategy* designates the general method and the essential resources used in order to achieve certain goals. In any negotiation the strategy must be understood as "a dynamic way of thinking" (Prutianu 2000: 17), becoming a way of approaching a confrontation between negotiators. Taking into account the ratio of forces between the participants, there can be mentioned two types of strategies: direct strategies – when the ratio of forces between the participants is unequal; indirect strategies – when the ratio of forces between the participants is equal.

At the same time, the two main types of negotiation previously mentioned (conflictual and cooperative) are based on two types of strategies. Thus:

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- the conflictual negotiation is based on conflictual strategies – these strategies are especially used when the participants are placed on unequal positions, thus considering each other as adversaries. The conflictual strategies are characterized by lack of desire for compromise and lack of interest in the other participants' aims and points of view;

- the cooperative negotiation is based on cooperative strategies – these strategies consist in promises, recommendations, concessions, rewards, being used especially when the participants are placed on equal positions and consider each other partners. The cooperative strategies are characterized by the desire for conciliation, doubled, however, by firmness regarding the main objectives as well as by the taking into account of the different points of view expressed by the partners of negotiation.

There can be noticed that the direct strategies are mainly conflictual, while the indirect ones are mainly cooperative.

As there are two main types of negotiation to which there correspond two types of strategies, there can also be mentioned two categories of tactics, conflictual and cooperative, each of them with several subtypes characterized by different stylistic, pragmatic and argumentative markers.

3. Two Instances of Negotiation

In order to underline the two instances of negotiation we have chosen to describe (first in parallel) some stylistic, pragmatic and argumentative markers that may appear in a conflictual tactic and in a cooperative one and then to analyze the two tactics, the bribery tactic (for the conflictual negotiation) and the nibbling tactic (for the cooperative negotiation) [1].

The Bribery Tactic	*The Nibbling Tactic*
1. Stylistic markers	1. Stylistic markers
- at the *phonetic* level: - mainly falling intonation, rapid tempo of speech (suggesting the desire to intimidate manifested by the speaker)	- at the *phonetic* level: - mainly rising intonation and rapid tempo of speech for the first proposition (out of the desire to avoid a rejection) and falling intonation and slow tempo of speech for the second proposition (suggesting confidence)
- at the *morphological* level: - verbs at the imperative mood (suggesting cold resoluteness); - interjections that accompany the gesture of giving something)	- at the *morphological* level: - modal verbs used to formulate polite requests; - interjections that indicate insecurity for the first proposition and satisfaction for the second
- at the *syntactic* level: - assertive exclamatory sentences; - repetitions that suggest the intensity of a conviction	- at the syntactic level: - interrogative sentences, to introduce requests; - assertive exclamatory sentences, to express joy
- at the *nonverbal* level: - up-down look, raised head (suggesting domination); - relaxed gestures (suggesting confidence)	- at the *nonverbal* level: - down-up look, bowed head for the first proposition (suggesting obedience); - up-down look, raised head for the second proposition (suggesting domination)

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2. Pragmatic markers	2. Pragmatic markers
use of illocutionary acts of promissive type (offer); threatening acts for the locutor's negative face	use of illocutionary acts of directive type (requirement); threatening acts for the interlocutor's negative face
3. Argumentative markers	3. Argumentative markers
use of interrogation as argumentative strategy	use of cooperation as argumentative strategy

4. The Bribery Tactic

It is an unfair tactic that consists in giving material advantages to the adversary in order to reach the aimed goals.

X: I have a little girl and <R I want to enter her name> on the list for this kindergarten ↑ as I know it's the best ↓ I've heard there are no places available ↑ but I don't think [this is a problem ↓

Y: you've heard right] ↓ the list is closed. you know ↑ the classrooms are small ↑ and I can't accept more children than the number on the list ↓

X: <R but you'll accept my daughter TOO> ↓ don't you?

Y: I'm sorry ↑ but <S we also have rules> =

X: = come on ↓ who cares about the rules nowadays? come on ↓ better tell me how much it costs me ++

Y: ++ <L I don't understand> ++

X: here (slips some money on the desk) a small present. after all ↑ everybody [needs to live.

Y: madam don't] =

X: = I don't care if <R my little girl sits in a corner> ↑ or in the back of the classroom ↓ the essential is to be in this kindergarten. and <S I do anything ↓ I give no matter how much ↓ for this>

Y: madam ↓ I don't think you understood. there are no places available ↑ and <R I can't do anything for you>. come on ↓ please ↓ take this ↑ (pushes the money away) and <R leave the office at once>

In the fragment presented, X (parent) negotiates with Y (headmaster of kindergarten) the admission of X's child in the small group of kindergarten even though the list is already full. During the negotiation X tries to bribe Y in order to reach her purpose.

X announces from the very beginning the object of discussion (*I have a little girl*), resorting to a strategy of minimalization by the use of the indefinite article *a*. Then, through an illocutionary act of a comportative type, uttered in a rapid tempo of speech, she expresses her desire to enlist her child for the courses of the respective kindergarten, giving arguments to support her choice: *<R I want to enter her name> on the list for this kindergarten ↑ as I know it's the best ↓*. In fact, X flatters the interlocutor seen as the supreme representative of the institution.

Using an illocutionary act of the representative/assertive type (*I've heard there are no places available*) X proves that she knows the situation very well; at the same time, she proves self-confidence for what she is going to do (the bribery), relying on the knowledge regarding previously heard situations or that usually happen: *but I don't think [this is a problem ↓*

Y, as voice of authority, confirms the situation and also what X already knew (*you've heard right] ↓ the list is closed*), offering at the same time an explanation,

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although it hadn't been asked for: *you know ↑ the classrooms are small ↑ and I can't accept more children than the number on the list ↓*

Despite the explanations received, X tries to skip over some imposed rules (*<R but you'll accept my daughter TOO> ↓ don't you?*), manipulating through a rapid tempo, the stress on the adverb *TOO* and the tag question *don't you?* implying that a positive answer is expected.

The perlocutionary effect of X's act materializes in Y's refusal, introduced in a polite manner (*I'm sorry*), X thus trying to diminish the force of the refusal. This refusal is completed by a justification that brings into discussion its legal basis, justification uttered in a slow tempo, in order to be better understood: *<S we also have rules>*.

The idea of rules and regulations is minimized by X, who uses the imperative *come on*, that continues with a rhetorical question (an argument based on illustration): *who cares about the rules nowadays?*, that underlines the idea of generalizing the attitude. By using the imperative *come on* for the second time and the imperative *tell me*, X addresses a request (illocutionary act of directive type), that tends to initiate a negotiation (*come on ↓ better tell me how much it costs me*). The adverb at the comparative degree *better* introduces a presupposition that suggests the existence of a hidden reason for the refusal.

The perlocutionary effect of X's act is that of surprise, underlined in Y's answer by the low voice: *<L I don't understand>*.

In order to persuade, X uses the strategy of reciprocity: *here (…) a small present*. The meaning of the adverb used imperatively *here* is underlined by a nonverbal act (*slips some money on the desk*), thus X causing a threatening act for Y's negative face, act which is, however, attenuated by the euphemism *present* (used instead of the nouns *money* or *bribery*), preceded by the adjective *small*, in order to minimize his deed. X justifies her gesture by a generalization (*after all ↑ everybody [needs to live*), which is, at the same time, a conclusion based on some previous experiences.

The perlocutionary effect of X's act hasn't been reached/fulfilled, as Y comes with an attempt of refusal: *madam don't*. But she is interrupted by X, who uses again a minimizing strategy: *I don't care if <R my little girl sits in a corner> ↑ or in the back of the classroom ↓*. She tries to give new arguments, underlying the importance of reaching the objective (*the essential is to be in this kindergarten*), showing that she is capable of anything in order to reach her goal: *and <S I do anything ↓ I give no matter how much ↓ for this>*. The performative verbs *do* and *give*, as well as the indefinite pronoun *anything* show relaxation, minimizing the sacrifice.

Again the perlocutionary effect of X's act hasn't been reached, Y refusing firmly: *madam ↓ I don't think you understood*. In order to justify, Y repeats the idea previously mentioned (*there are no places available ↑ and <R I can't do anything for you>*). The verbal markers of refusal (the imperatives *come on*, *take* and *leave*) are completed by nonverbal ones (*pushes the money away*). Y manifests contempt (by using the spatial deixis *this*) and resoluteness (by using the adverb *at once*): *come on ↓ please ↓ take this ↑ (pushes the money away) and <R leave the office at once>*.

5. The Nibbling Tactic

The tactic requires first of all the request of something insignificant, but difficult to refuse and of the same nature with what is really wanted. Only then the real request is formulated.

X: I've brought you the final chapter of my paper (offers the papers).

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Y: very well. let me see (takes the papers). [ok

X: and when] could I come to take it back?

Y: <L in a week>

X: oh me! <R couldn't it be a little earlier?>

Y: I don't think so. I can't ↑ as I have your colleagues' to correct as well ↓

X: but you see ↑ I don't have a computer ↑ and <R a friend is typing it for me at work ↓ and he can't do this all the time>. and in two weeks' time <R we have to hand them over> ++

Y: ok then ↓ I'll correct yours first. <H is it all right if you come for it next wednesday?>

X: yes ↓ wednesday is perfect ↓ but <S can I leave you> ALL my paper?

Y: what for? I have already read it ↓ haven't I? I have [only the last chapter.

X: yes ↓ I know ↓] but I added some new things. <R please tell me if they are good>. <H I'll come for it on WEDNESDAY>.

X (student) negotiates with Y (teacher, supervisor for the final degree paper) the period of time for the correcting/reading of the paper. X wants the teacher to read the entire paper in a very short period of time, but she asks first for the correcting of the last chapter and only then does she formulate her real and important request.

X makes use of an illocutionary act of directive type, indirectly expressing the less significant request (*I've brought you the final chapter of my paper*), accepted by Y (*very well. let me see (takes the papers). [ok*). The request and the acceptance are also marked nonverbally: X *offers the papers*, Y *takes the papers*.

Y is the one that imposes a temporal limit for the correcting of the chapter from the paper (*in a week*), as an answer to X's open question (*and when] could I come to take it back?*) marked by a certain degree of politeness, underlined by the use of the modal *could*.

X's discontent (expressed by the interjection *oh me!*) is immediately followed by the less significant request, through which X negotiates on the time of correcting (*couldn't it be a little earlier?*). This request is also uttered in a polite manner (by the use of the modal *could*) under the form of a question pronounced in a rapid tempo in order to prevent any refusal from the part of Y.

The perlocutionary effect of X's act isn't the one desired, as Y refuses X's request. But his refusal (*I don't think so*), followed by a justification that appears as an indirect excuse (*I can't ↑ as I have your colleagues' to correct as well ↓*) encourages X to bring arguments in order to sustain the negotiation: *but you see ↑ I don't have a computer ↑ and <R a friend is typing it for me at work ↓ and he can't do this all the time>. and in two weeks' time <R we have to hand them over>.*

The perlocutionary effect of X's act has been reached: Y gives in (*ok then ↓ I'll correct yours first*), coming with a new suggestion (*is it all right if you come for it next wednesday?*).

X agrees (*yes ↓ wednesday is perfect*), but, using a deceiving strategy in order to manipulate, formulates the real request: the reading/correcting/recorrecting of the entire paper in a very short period of time (*but <S can I leave you> <P ALL> my paper?*). This time as well the request appears under the form of a polite question, uttered in a slow tempo and with a stress on the adjective *ALL*, that suggests X's self confidence.

Y tries to refuse (*what for? I have already read it ↓ haven't I? I have [only the last chapter*), but X comes with a new argument (*yes ↓ I know ↓] but I added some new things*), followed by another request (*please tell me if they are good*) and a categorical imposing of the correcting time (*I'll come for it on WEDNESDAY*) that leaves Y no possibility of refusal.

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Final Remarks

No matter the domain where the term *negotiation* appears, it is generally associated to the notion of conflict, but also to that of adjustment of opinions of those involved, in order to move from an ideal solution to a real one. That is why there can be mentioned a first (general) classification of negotiation, in conflictual and cooperative negotiation, each type relying on different strategies (conflictual and cooperative, respectively).

Judging by the elements that form the structure of this process we identified other classifications depending on the object of negotiation, the participants, their interests, the place of negotiation, the time and duration of negotiation and its manner of ending.

The examples chosen for analysis, that belong to two different tactics of negotiation (the bribery tactic and the nibbling tactic) emphasize some stylistic, pragmatic and argumentative markers characteristic of the conflictual and cooperative negotiation.

Notes

[1] As the two tactics have been recorded and then transcribed, we have chosen to present the texts with the paraverbal markers as well, using the conventions for transcription suggested by L. Hoarță-Cărăuşu (Hoarță-Cărăuşu 2005: 11-13):

TEXT	emphatic accent
text =	intervention started by a speaker and continued, after interruption, by another speaker
= text	
+	short pause
++	longer pause
↑	rising intonation
↓	falling intonation
<S>	slow tempo of speech
<R>	rapid tempo of speech
<H>	high voice
<L>	low voice

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