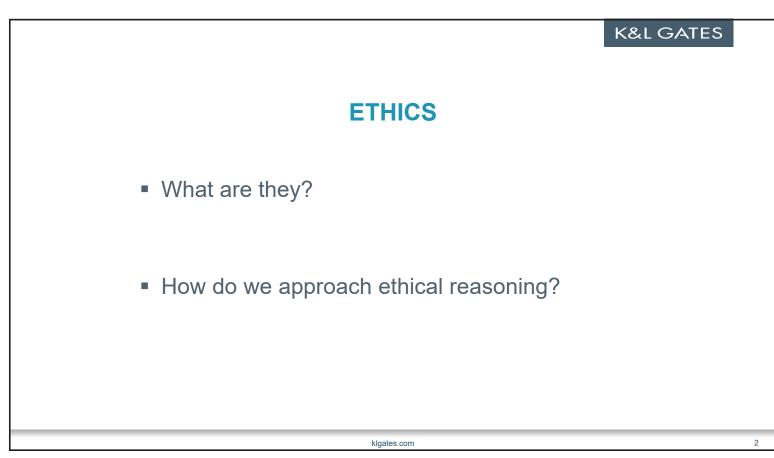


ETHICAL OBLIGATIONS DURING NEGOTIATIONS

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NEGOTIATING

Bargaining (give and take) process between two or more parties (each with its own aims, needs, and viewpoints) seeking to discover a common ground and reach an agreement to settle a matter of mutual concern or resolve a conflict.

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DOES GAINING AN ADVANTAGE REQUIRE DECEIT?

Scholarly studies reveal that:

- "Commercial negotiations appear to require a talent for deception;" and
- When someone asks, "What is your bottom line, few negotiators tell the truth;

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- They dodge the question;
- They change the subject; or
- They lie."

EXAMPLE DOES GAINING AN ADVANTAGE REQUIRE DECEIT? • To gain a concession on what really matters, even the most cooperative bargainers: • inject straw issues; • exaggerate the importance of minor problems; and • communicate they are firm on positions, when they are, in fact, flexible – in short, they bluff about their intentions.

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Title search: Ethical Obligations in Negotiations

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First appeared as part of the conference materials for the 18th Annual Renewable Energy Law Institute session "Ethical Obligations in Negotiations"