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POWER IN THE PROCESS OF NEGOTIATIONS

Abstract

The aim of this article is to provide a general overview of the factors that empower a negotiator and open the way for establishing supremacy over counterpart(s) in the process of negotiations. In addition, the hypothesis that 'soft' negotiations as a form of power are rather underestimated as a possibility to reach mutually acceptable agreements, will be presented. In a number of situations, power in the process of negotiations is accomplished not only by the objective factors of supremacy over counterpart(s), but also by subjective factors.

Psychological power is widely used in negotiations, and it is particularly effective if it involves a large intellectual power as well. This sort of soft power is based on subjective factors in negotiations, and it is one of the biggest challenges that any professional negotiator may face. It can be practiced by only a handful of negotiators, as it requires wider education, nerves of steel and patience.

The primary aim of this work is highlighting the advantages of the so-called 'soft' approach, which results in negotiating supremacy based on subjective factors, as opposed to the approaches based exclusively on objective factors (strategic, market or financial supremacy). In this way, it will point out different aspects of the subjective power that could influence the outcome of negotiations.

Keywords: *Soft power; Hard power; Negotiator's mental toughness, Confidence factor, Types of attention.*

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INTRODUCTION

Extensive academic study of communication begun in the 20th century. One of the simplest definitions of communication is that it is a process by which we understand others, and in return strive to make others understand us.² Overall, communication consists of communication cycles. This is an action between the sender and the recipient. The sender is responsible for ensuring that communication is complete. It's the right of recipient to refuse communication. The communication cycle is an active process of transmission of thoughts from one individual to another. You have sent a thought to the other party. The new cycle is that now the other party sends its message to you. If communication has to be fully completed, it's up to the sender to bring it to an end. The more complete communication you materialized, the more power you have. Charles Berner points out that the principle: 'I sent a message that I wanted, and if someone wants to, he will receive it if he's ready', does not work in practice.³ He cites the example that "one of the greatest civilizations that existed on the planet was completely wiped out because of this factor. They thought that the recipient is partly responsible for the completion of communication. These were the first, second and third early Egyptian dynasties. This civilization has been able to grow and expand across the globe [...] their religion was elevated and laid the foundation for the success of Egypt over the next six thousand years. They were successful in the military, political and financial-economic sense. However, they failed [...] because they did not take responsibility for the completion of communication with their neighbors and other people on the planet who have not respected and understood their religion."⁴

Also, today there is a lot of inefficient communication that occurs mainly due to excessive acceleration which we live in. In other words, the primary goal in life is to achieve the best communication possible between yourself and the others. This axiom is especially important for negotiations. Negotiations are the most complicated part of communication. Negotiation connects us, but if we do not apply it correctly, it could separate us. In the process of negotiations, the two sides exchange thoughts in order to alter mutual relations, reach an agreement or resolve the problem.

2 Miljević M: *Poslovna etika i komuniciranje*, Univerzitet Singidunum, Beograd, 2010, p.18.

3 Berner Charles: *Communication Mastery*, European Clearing Association, 2002, p. 64.

4 Ibidem, p. 65.

The power in the negotiation process means that the negotiator, who is backed up by powerful economic, military and strategic position, has a more powerful position from the start. As a rule, the negotiators in this situation are usually acting from a position of force - applying the so-called Power contest. Besides Power contest, Rights contest and Interest reconciliation are the most commonly used negotiation approaches. These are the classic approaches to negotiations. The key principle of a successful negotiation is to reach a common cooperation agreement based on Interest reconciliation, which is in the greatest possible extent the acceptable solution for all parties.

Cultural differences, differences in mentality, and especially differences in the power level can be observed in international political and business negotiations. Even the formal procedures of communication opening are different in different cultures. Therefore, preparation for negotiations has to be done with the understanding that other cultures think and perceive things differently.

In this article will be presented: the possibility of achieving power in the negotiation process by creating strategies based on respect for the objective criteria of power, as well as for the subjective factors of power; thesis that there is no single best solution for achieving power in negotiations; the importance of cultural perception of the opposite side; and the necessity of Respect concept for reaching power in negotiations.

1. CLASSIFICATION OF POWER

What is power? 'For the term that is so often used, 'the power' is surprisingly elusive and difficult to measure.⁵ Considering that the power is used for achieving personal, group or social interests, it can be defined as personal, group or social. In the context of the negotiation process, power is observed as a social phenomenon in which economic and political power is closely related. Professor Dragan Simeunović indicates that 'economic power is the base of political power and as such it is closely associated with it. Possession of the former is the requirement for possession of the latter, and vice versa, the role of political power is to increase economic power. With other kinds of power, they represent social power.'⁶ Any kind of power in negotiations demonstrates some sort of inferiority or superiority

5 Naj, Dž.: *Budućnost moći*, Arhipelag, Beograd, 2012., p. 19.

6 Simeunović, D.: *Teorija politike*, Udruženje "Nauka i društvo", Beograd, 2002, p. 145.

and of course, the one who has the greater power has greater impact. Professor Simeunović states that ‘among the definitions of power as the ability to influence, we can relate to Oppenheim’s definition of power which states that the power is ability to influence, to restrict or to punish’.⁷ Another one among the definitions of power is Weber’s, who said that the power is use ‘of every chance to implement one’s own will within a social relationship, even against resistance and regardless of what this opportunity is based on.’⁸

Power is always observed from the perspective of having the control of resources, sometimes even possession and the use of force, if necessary. However, all the authors agree that the most important base of power is always economic. ‘Also, in the 10th chapter of ‘Leviathan’, Hobbes has noticed that even the perception of one’s power by actual or potential objects can significantly contribute to maximizing the potential of one’s real power.’ [...] “The greater object’s perception of power, the greater is the possibility to come to their willingness to realize their interests and goals while sending a message in which is expressed or hinted that such reaction is expected of them.”⁹ The brief history overview of the resources of state power: in the 16th century, Spain had the power thanks to colonies and the gold robbed from them; in the 17th century the Netherlands had the power based on the powerful trade; in the 18th century there was the power of France as a country with a strong army and a numerous population, with the possession of a colonies as well; in the 19th century the power of Britain, which besides owning colonies and significant fleet, grew through the industrial revolution. History shows that countries with the greatest economic and military power dominate. September 11th 2001 showed that the IT revolution and globalization introduced another significant aspect of power - non-state actors. During the terrorist attack conducted by Al-Qaeda on September 11th, a non-state actor in New York City killed more people than Japan did in the attack on Pearl Harbor in 1941. The Japanese attack on the American naval base Pearl Harbor killed around 2,400 US sailors and civilians, and during the attack on September 11th, the number of victims was 2,753 people.¹⁰ In other words, measuring the concept of power is much more complicated in the 21st century. In any case, one thing is certain - the stronger economy and the gross

7 Oppenheim, F.E.: *Dimensions of Freedoms: An Analysis*, New York, 1961, p. 7. u Simeunović, D.: *Teorija politike, Udruženje "Nauka i društvo"*, Beograd, 2002, p. 146.

8 Weber, M.: *Wirtschaft und Gesellschaft*, Tübingen, 1956, p. 28. u Simeunović, D.: *Teorija politike, Udruženje "Nauka i društvo"*, Beograd, 2002, p. 146.

9 Simeunović, D.: *Političko nasilje*, Radnička štampa, Beograd, 1989, p. 9.

10 <http://edition.cnn.com/2013/07/27/us/september-11-anniversary-fast-facts/>, 06.05.2017.

national income a country has, the more power it has. This is clearly observed on the example of dramatic growth of China in the last twenty years.

In case of necessity of application of hard power up to the level of force for the implementation of power in the negotiations, the negotiator must use this tool carefully and as rarely as possible. The basic psychological law assumes that excessive and irrational highlighting of the hard power, which is manifested by force in the negotiations, increases resistance, and is not a factor that increases the authority, because it almost always causes hidden revolt of the other side. A professional negotiator, therefore, carefully combines approach of hard power with approach of soft power. No matter what type of power he uses, the negotiator should know the general basis on which the power rests. According to professor Simeunović, there are different grounds of power: material, social, psychological, informational, empirical and scientific.¹¹ Hard power is often used in international negotiations. The strategy of hard power involves practice that powerful negotiators are using the principle - to get as much as possible from the opponent, and to make as few concessions as possible. That strategy includes blackmails, threats of sanctions, ultimatums and other forms of economic and military coercion. Strategies of hard power can be effective in cases of extortion of concessions in negotiations. However, they are less effective in cases where the aim is to build trust and achieve long-term relationships with partners.

Sources of negotiation power include, apart of economic superiority, combination of hard and soft power in the following aspects: knowledge, language, needs, relationships, time. Business and technology *knowledge* provide significant economic and therefore political dominance. *Language* is an important factor in soft power negotiations in international talks. Both in political and business negotiations, power generally depends on 'who is in greater dependence'. The greater the *need* of one side is, the greater is the power of the negotiator of the opposite side, who is able to satisfy that need. In both international politics and in business, establishment of relationships has great importance. For example, different cultures have quite different perception of time management.

Another kind of power in the negotiations is soft power. The term soft power was established by Joseph Nye, who analyzed this concept in his book 'The Future of Power'. This dimension of power with which we 'persuade others to do what we want' without coercion is called soft power. The art of using soft power requires

¹¹ Simeunović, D.: *Političko nasilje*, Radnička štampa, Beograd, 1989, p. 8.

great skills of negotiator. Joseph Nye explains the structure of power in the modern world and the kind of power from military and economic to soft and smart power, and especially the power games in relations of the US, China, EU, Russia and BRIC. Soft power represents all resources which are important for society and for the people who make a society. Nye highlights the following as the most important resources for the country's soft power: culture, values, legitimate policy, a positive domestic model, successful economy and capable army.¹²

Soft power is an academic term that moved to the headlines, but its widespread use sometimes means misuse of the term as a synonym for everything except military force. Like any form of power, it can be used for good or bad purposes.

2. OBJECTIVE AND SUBJECTIVE FACTORS

The power in political or business negotiation process means that negotiator, who is backed up by more powerful, economically stronger country or company, due to objective factors, has a more powerful position from the start. The economic strength increases the power of the country, and it includes: financial stability, industrial and agricultural development, stability of intellectual property, participation on markets, training of personnel, creativity in leading of politics and business, professionalism, and in today's globalized world - the monopoly power of giant companies in world markets.

In order to take into account by which kind of objective and subjective factors power can be achieved in negotiation process, it is important to develop smart strategy which, according to Nye, provides answers to five questions:

- What are the desired goals and outcomes?
- What resources are available and in what contexts?
- What are the positions and preferences of selected targets which we are trying to influence?
- What forms of behavior have the best chance of success?
- What is the probability of success?¹³

12 Naj, Dž.: *Budućnost moći*, Arhipelag, Beograd, 2012, p. 129.

13 Naj, Dž.: *Budućnost moći*, Arhipelag, Beograd, 2012, p. 248, 249.

The first question involves setting priorities and further structuring of compromise. Nye pays attention to the topic: 'Which goals include zero-sum outcome of power over others, and which are the ones that include mutual gains that require power with others?'.¹⁴ The desired goals and outcomes are subjective factors.

The second question involves knowledge of own objective and subjective factors - what resources are available and how they can be changed depending on situation.

The third issue involves a clearer insight into the information about needs of the other side, about its strong and weak points, and what is the possibility of them changing their preferences and to which extent. Our knowledge about the opposite party is the objective factor of our power or our powerlessness in relation to the other party.

The fourth issue involves planning of quantity of the eventual use of hard power over the use of soft power, or vice versa. In other words, which combination of commanding or persuading and attracting is the best approach to negotiations in a particular situation.

The fifth question involves carefully analyzing the probability of success. In other words, not to be carried away with excessive optimism that can make negotiator mindless, but never to fall into pessimism.

If the estimated likelihood of success is small, it is useful to review the goals and have several possibilities of compromise in mind. In negotiations, each party must usually give up something for the sake of an agreement. The negotiation process can take place only with the free will of the participants to negotiate, but not with mutually imposed ultimatums. Ultimatums mainly lead to lose-lose situation, while in a hypothetical worst case, entering into negotiations gives an opportunity for a win-win outcome. In other words, one's own interests and therefore any kind of objective and subjective power can only be achieved by entering into negotiations in order to use one's hypothetical chance.

14 Naj, Dž.: *Budućnost moći*, Arhipelag, Beograd, 2012, p. 248,249.

3. SUCCESSFUL NEGOTIATIONS

The significance of successful negotiations was also recognized by a thought of Vladeta Jerotic, member of the Serbian Academy of Science and Arts: ‘It is a great skill to know how to talk to a person’.¹⁵ The art of conversation skill with the person is the great subjective power of good negotiator who is able to successfully direct negotiations towards progress.

For successful negotiations, there must be a negotiating strategy, i.e. the direction and tactics for achieving the goal. Every successful negotiation must be clearly defined, and the principles on which the process takes place must be agreed upon. The principles ensure that the negotiations are conducted in a professional and efficient manner, and that the agreed results are accomplished in reality. It is recommended that each negotiator makes up its individual principles of negotiation. Some of the general recommendations for successful negotiations are: the concept of respect, focus on the negotiation’s subject, there is no single best solution, objective criteria. The concept of respect is an important principle which means showing the collocutor that he or she is respected as a human being, although it is not obligatory to agree with their views. This ensures that no one feels bad. If any kind of conflict is observed from the impartial view, it becomes clear that it is being created by both opposing sides. A conflict can only be interrupted if one side interrupts the vicious conflict circle, refuses to participate in an existing conflict and imposes a new code of conduct. In this way, the negative reactions are interrupted, and a new cycle of constructive negotiation starts.

Focus on the subject of the negotiations is another important principle on the daily agenda of a negotiator. The topic of negotiations often becomes worthless because the discussion on different positions starts instead of the discussion on common interest which has to be achieved. Interests can be confronted, but they can be common and compatible as well. Negotiator’s ability of strong focus can lead to a large quantity of mutually compatible interests.

‘There is no single best solution’ is a third principle of good negotiating strategy. It means that negotiator must be flexible and must leave space for a broader insight into the situation despite of his preparation and pre-prepared solutions. This is important in order not to neglect not only the whole range of ideas that can be upgraded on existing ones, so that creative and complex solutions that satisfy both sides can be offered. The process of creating ideas should be clearly separated from

15 Simeon Marinković, Slađana Ilić: *Misli velikih ljudi*, Kreativni centar, Beograd, 2008, p. 87.

the process of analyzing and making a final decision. With this approach, one idea can stimulate another or build on it.

Objective criteria will help both parties reach solutions more easily and maintain good relations. The use of objective standards and values gives a better chance for solving the problem in a fair way. The precondition is that the two parties agree on the use of objective criteria, i.e. on using professional standards, laws, expert opinions, official indicators/facts. Objective criterion is the criterion set by a third party, and it is independent of negotiating parties subjective opinions.

Professional negotiators achieve the power in the negotiation process following the basic tips for successful negotiating such as: *Good preparation*, which includes information about the opposite side's negotiator, plan development and leaving space for flexibility. If the negotiator is not completely ready, it is better to postpone a meeting rather than trying to hide unpreparedness. In the beginning of negotiations, it is important to make eye contact and be attentive listener. It is necessary to pay attention to the tone of voice, the way the opposite side is sitting, dressing style and body language during a conversation, because these factors are reflecting the goals of the opposing party.

Keeping to own goals is the most important task of a negotiator. The negotiator must have a precise plan regarding which elements of the agreement should be given special attention, as well as which elements he or she is willing to give up in order to achieve the goal. The focus is on the goal of negotiations, not on emotions.

Always *have a 'Plan B'* means not only that negotiator does not lose from his focus on what he wants to achieve, but also having a backup plan for an acceptable solution. The negotiator needs to have ready answers to the following questions: 'What if my plan does not suit them, if they refuse it?', 'What if the stakes are too high?' or 'What if the opposing party offers different terms than expected?'

Attacking the problem, not each other in the discussion means that the facts and problems of the past must not draw away concentration from the current flow of negotiations. It is important to answer the question: 'What is it that we have to achieve now in order to reach an agreement?' Sometimes a group conversation leads to successful negotiations, and sometimes one to one talks provide a better solution to many issues. The negotiator must be careful not to fall into the trap of believing that he or she is exclusively unmistakable. There is always a risk that the negotiator's personal point of view might get in the way of negotiations, and

then success becomes a matter of principle, and the principle itself becomes more important than the final result of the negotiations.

Tactic of limited authorization gives good results in negotiations, but it must be implemented carefully, for example by reference of necessity for approval of superiors (in political negotiations - adjustment in Parliament, with the coalition partners, or public opinion).

Professionalism represents the image of a person of integrity and trust, which increases the subjective power of the negotiator. It is important to take interlocutor seriously and with respect. In order to successfully persuade the interlocutors, the four-key elements are important: credibility, the commonwealth, obvious facts and emotional connection.

It is necessary that the negotiator invests effort in order to end negotiations positively. A large number of unsuccessful negotiations occur because of 'understanding of negotiation as a bargaining, expressed most often with the metaphor zero sum-game, in which one participant gains what the other loses.'¹⁶

Types of attention for the acquisition of subjective power

Developed attention and focus of the negotiator are essential for achieving greater subjective power in the negotiation process. Psychologists suggest that the ability to maintain attention to one goal while neglecting everything else takes place in the prefrontal regions of the brain. Richard Davidson, an expert in neuroscience at the University of Wisconsin, underlines focus as one of the few key life skills, based on separate systems of nerves, which lead us through the turbulent inner life, interpersonal relationships and all the other challenges that life brings.¹⁷

The negotiator who is able to completely maintain its attention is resistant to emotional disturbances, which allows him to remain calm in a crisis. Strong attention allows negotiators to be so committed to concentrate on the main goals of its negotiations, and in such way become unaware of any audio or visual distractions. Related to this, Daniel Goleman makes distinction between terms:

¹⁶ Kovačević, Ž.: *Međunarodno pregovaranje*, Albatros Plus, Beograd, 2010, p. 85.

¹⁷ Davidson J. Richard, Begley Sharon, *The Emotional Life of Your Brain*, New York: Hudson Street Press, 2012. u Goleman Danijel: *Fokusiranost*, Geo poetika, Beograd, 2015, p. 23.

the top-down attention and the bottom-up attention, and concludes that ‘as if there are two active minds’¹⁸.

A mind that works bottom-up is faster in terms of the brain functioning, it works in milliseconds; it is automatic: always active; intuitive, operates through a network of associations; instinctive; forefront of our activities and executor of common actions; govern our mental models of the world.

In contrast, the mind which operates top-down is slower; willing (non-automatic); requires effort; it is a center of self-control, which can (optionally) overcome the mechanical habits and quench instincts driven by the emotions; able to adopt new models, make new plans and gain control over automatic repertoire of actions, to a certain extent.¹⁹

For the negotiator, the ideal situation is - developed combination of functioning of both mentioned mindsets, because in this way the negotiations can reach an ideal level of productive attention, self-control and control of automated actions (which sometimes can lead to hasty reactions). The negotiator empowers its subjective power in negotiations when he or she is familiar with these psychological differences in the types of attention, because in this way he can specify which is type of attention of his interlocutor is prioritized in negotiations, and accordingly adjust its own style of conversation. If the mind of a negotiator of one party in negotiations works bottom-up, and accordingly responds involuntarily and automatically, it is always active and instinctively guided by emotions; and for example, if the mind of the negotiator of the other party works top-down, and therefore is slower, has a strong self-control base, it is necessary that a negotiator whose mind works top-down puts an effort to be more active and perceive the emotional background of the opponent’s negotiating. Thus, professional negotiator acquires more power for better understanding with the other party, and by this, a better chance of finding a solution.

Based on the differences in the types of attention, choosing a suitable own model of attention in relation to the opposite side is necessary, because it contributes to increasing the level of power in the negotiation process.

18 Goleman Danijel: *Fokusiranost*, Geo poetika, Beograd, 2015, p. 29.

19 Ibidem, str. 30.

The balanced behavior as a predisposition for concluding an agreement

The balanced behavior is important, relevant feature of good negotiators, which gives them power in negotiations. Self-mastery depends on the strength of will of negotiators to self-regulate themselves in every moment of the negotiation process.

Willpower is important feature for good negotiators just as it is important for success in life. There are proven studies for this statement. Dunedin (New Zealand) has just over one hundred thousand habitants, and it has one of the largest universities in the country. This combination has made this city the perfect one for one of the most widely read study in the annals of science in terms of the elements necessary for life success. It turned out to be a big shock when the statistical analysis showed that children's level of self-control is an equally strong indicator of their financial success and health condition in the mature age (and also of their misdemeanor data), as well as a social class, the assets of the family or IQ. Willpower has emerged as a truly independent force in terms of life-success - in fact, when it comes to finances, it turns out that self-control in childhood is a more significant indicator of future success than IQ and social status of the family.²⁰ The balanced behavior as a predisposition of conclusion of any political or business agreement is especially important when the topic of negotiations is resolving a dispute or a conflict. According to Ivaniš and Subošić, 'consistent relationships between individuals or integrated communities are damaged by phenomena that we call disputes. The dispute means a delay in communication between two or more entities. When disputes prevail, the stage known as the conflict occurs.'²¹ In negotiations, disputes are arising due to conflicts of interest. On the other hand, if participants don't want disagreements to turn into a conflict, it is necessary to negotiate in order to turn conflict of interest into any kind of cooperation. It is clear that all countries are in some form interdependent, that every disagreement can turn into conflict, and every conflict into war. Present powerful weapons (nuclear, chemical, biological) in the moment can start or end the war with the complete destruction of all parties. Therefore, the four basic principles of professional negotiation: separating people from the problems; focusing on interests, not on positions; finding mutually beneficial options and insisting on the application of objective criteria, represent the alphabet for the balanced communication behavior, and are empowering even in the most conflicted negotiations.

20 Goleman Danijel: *Fokusiranost*, Geopoetika, Beograd, 2015, p. 74.

21 Ivaniš Ž., Subošić D.: *Bezbednosno pregovaranje*, Fakultet civilne odbrane Univerziteta u Beogradu, Beograd, 2006, p. 77.

A balanced approach to negotiations requires that in addition to objective understanding of the situation, the negotiator puts an effort and take into account all the subjective visions of the opposite side. This gives much more power for opening any kind of dialogue, and only through dialogue the conclusion of the agreement is possible.

The outcomes of negotiations

Effective negotiations help solving situations in which the two negotiating parties are in conflict or strive to reach a mutually beneficial agreement (interstate or business). The goal of effective negotiations is to find ways and solutions for satisfying both sides and that both sides maintain an impression of the attainment of victory (at least on the external plan, in order to preserve the face).

In accordance with various aspects of hard and soft power, there are different styles of negotiations. Hard power is used in order to achieve victory or prevent the other side to win outright. The implementation of this kind of power is possible only in the event of a major objective superiority, i.e. when the superior negotiating party is not interested in the opinion of the opposite party, as well as whether next talks are going to happen. Soft power, and accordingly the soft negotiating style, from my business negotiating experience, is a better way of negotiating, even in situations when there is not much objective power in comparison with the other side, because it does provide with the ability to negotiate and reach some acceptable agreement.

Generally, in any kind of negotiations there are the following outcomes: win - win; win - lose, compromise and lose - lose. Certainly, a good negotiator strives to achieve a win – win outcome, but even the best negotiators are not always able to compensate the absence of understanding or desire for confrontation of the opponent. Therefore, any of these four outcomes can happen. Despite the outcome, it is important not to panic because it weakens the power. Power is reflected in the fact that even in the most unfavorable outcome, negotiator rethinks and tries to find a way to re-enter the negotiations.

4. TOP NEGOTIATOR'S CHARACTERISTICS OF POWER

Business negotiator's job is a real job in the most literal sense of the word, which implies an increase of subjective power through development of its own negotiating skills. A good negotiator makes post-analysis of conducted negotiations, admits what he or she did wrong and what could have possibly been done better. Top negotiators never stop refining their oratory culture, behavior, manners, appropriate dressing. They have a broad level of general culture and knowledge, which is one of the main aspects of greater personal power. For the top negotiators, it is vital to constantly extend their education, improve their personality of a presenter. The negotiator must develop its energy potential and charisma. This is achieved through reading, intellectual and personal improvement through diligence for adopting good manners.

In the current overly digitized and rapid way of living, a top negotiator needs to know how to use all these information resources, since modern IT power should not be underestimated. Of course, the best and most powerful information on the opposite side are internal ones, if they can be obtained, but if this is not possible, it is good to gather as much information available online as possible. Top negotiators carefully nurture their subjective power because, regardless of tranquility, anxiety or other unexpected factors in the negotiations process, they are sticking to certain rules in their approach, such as:

- adhering to the defined topic, they are focusing on it
- they are motivated for finding positive way forward
- they gladly give over the word to their opponents and carefully listen to them, they really want to understand their interlocutor.
- they examine both versions, their own and their opponent's. In that way, they have a better understanding of how the other side sees the key issues, and they increase the possibility of mutual understanding.
- they carefully identify and keep in mind their own interests, as well as mutual ones. They try to discuss their expectations as well as expectations of the other side. This creates, besides understanding, the possibility of mutual agreement.
- they are aware of variety of options and they accept mutual interchange of ideas for discussion. From this kind of brain storming, possible position for

an agreement between two sides often appears, and options that satisfy both sides are found.

- they determine agreement on concrete steps. Top negotiators do not fail to finish the talks without providing ideas for further action and agreements on these actions. In this way, the possibility of misunderstanding is avoided.

Some basic features of power top negotiators are: high expectations; listening skills; communication skills and adapting to different types of personalities; an assumption that there is a power to negotiate on everything; empathy and rationalization in observing the problems; a positive attitude and self-confidence; the power of having information; skills of asking questions; willingness to take risks.

The power of top negotiators is manifested through the fact that they always try to have more available options on disposition. If they depend on only one option - the successful completion of negotiations, they deprive themselves of the right to say 'no', to stand up and leave, thereby they put themselves in an inferior position.

Confidence factor

In the most general sense, confidence can be defined as the ability to defend personal rights, expressing personal thoughts, feelings and beliefs in a direct, honest and appropriate manner, while respecting same rights of others.²²

Having the confidence factor means for negotiators that they psychologically strengthen their courage through negotiations in order to change things. That courage increases subjective power in negotiations. Limits must be set in combination with certain flexibility. The logic is important, but the position of opponent is not always logical. Successful negotiators are not interested in who is right and who is wrong, for them, it is important to change what does not work. This reflects their self-confidence factor.

Confidence factor has to be distinguished from arrogance. Confidence does not mean that someone is never wrong, but that one is not afraid of making a mistake. Internal state of arrogant person is constantly shaken. Such person is always waiting for an opportunity for affirmation of its superiority. It is important to

²² Up. Hargie, O./Dickson, D. (1994). *Social Skills in Interpersonal Communication*, Londo, Routledge, u Tomić, Z.: *Razumevanje i nesporazum*, Čigoja štampa, Beograd, 2014, p. 128.

distinguish between signals of arrogance in negotiations (which does not have to include power) from signals of confidence (which always generates a dose of subjective power), and this is evident from a comparison of the elements of each. Arrogance comprises: ignorance and denial of all weaknesses, highlighting flaws of others, commanding tone, interrupting others, stubbornness, non-recognition of errors etc. On the other hand, confidence is reflected in: acceptance and recognition of weaknesses, supporting others, modesty, constructive dialogue, understanding, cultural behavior, desire to hear the other point of view, recognition errors, respect for people. One of the most recognizable differences is that the arrogance rejects people, and the confidence attracts people. It is known that a large ego is born of arrogance. Arrogant people need to show that they can do better than anyone, that they know more than everyone else, and they are unpleasantly competitive. Confidence means fairness, sense of proportion, respect for others, and willingness to take responsibility. Confident people treat others with respect, respect other people's boundaries, inspire, motivate and cheer others. For negotiators, it is important to know these differences, because the approaches in negotiations are quite different according to these categories. Confidence factor gives negotiator the power. These negotiators are in constant psychological training that includes: an independent thinking and a refusal to have to deal with people who do not treat people well; feeding the mind with quality contents; staying beyond someone else's tricks and power games, but keeping dignity, strength and concentration; non-expression of frustration, stress or anger towards others, even not taking out the inappropriate remarks and unsolicited criticism...

We can distinguish the characteristics of confidence factor of successful or powerful negotiators from the characteristics of the unsuccessful negotiators.

The confidence factor of successful negotiators means that: they always say 'I can!', they are brutally honest with themselves; they are aware that their main strength is not determined only by the power and prestige, but the courage of their moral convictions and sincerity; they set their goals and rank them; they are full of energy, they are focused and organized; they work on their own development; they do not burden the mind with criticism, but rather focus on creating; they learn from the others; they are effective; they do not waste time on negative people.

The lack of confidence factor among unsuccessful negotiators implies that: they always say: 'I wish I could ...' or they always say: 'I'd try' instead of 'I'll do it'; they often self-pity themselves; they procrastinate and delay decision-making; they have irrational thoughts, irrational ideas and negative emotions; they often ruin

opportunities; they spend too much time and energy arguing about things that did not and could not work, but they do not draw lessons. Confidence requires ethical platform of fair play and dignity of negotiators.

Emotional preparation of a negotiator for successful negotiations

Emotional energy is a special kind of power which melts the coldness of negotiations, and therefore of relationships. It is not good to dress negotiations exclusively in non-emotional armor. Coldness stems from the lack of ethical intelligence and gives birth to coldness in conversations and relationships. This does not lead to successful communication. Well mannered people have in their being a natural human warmth. This type of emotional energy captivates, it has the power to develop good will on both sides and leads to better results.

For negotiators, it is important not to make decisions while being tired or angry, because emotional energy is violated at those times. Negotiator should always respect the internal feelings, regardless of whether the situation requires soft or hard, political, business or private negotiations. The negotiators are preparing themselves psycho-emotionally in such way that they set their internal state on the winning outcome (for example, athletes are psycho-emotionally prepared for victory by their coaches). Emotional preparation is the one that increases the negotiator's own power before entering into negotiations. Negotiators need to train the ability to: train himself in a state of self-confidence, cut off any unnecessary thoughts and emotions, remove internal blockades and be focused on the topic, as well as on the interlocutor. In other words, the negotiator should focus his or her energy on negotiations, discarding all superfluous thoughts.

Positive emotional energy can be reflected in a passionate performance of negotiators who promote their ideas in that way. They attract with the help of their: clarity of expression, empathy, coolness, eye contact, appearance and posture, voice... Communicator feels the pulse of the audience and holds the attention by energy of alive speech. Emotions are an element that must be taken into account in the negotiations. Quiet reaction to emotional outbursts of the other party increases power in negotiations, thus it is the axiom of professional negotiators. Good emotional preparation before the negotiations does not mean impulsive reactions to attacks and elevated tones. 'It is best to calmly react to emotional outbursts of negotiators of the other side. It is important to preserve self-control, listen

calmly opponent's speeches, not respond to attacks, and even occasionally ask the speakers when in pause whether they want to say something more.²³

The art of positive closure of negotiations

Basic negotiating wisdom is not to enter in non-productive conflicts and quarrels which only diminish the subjective power of negotiators, but to negotiate constructively and patiently. Conflicts and quarrels distract from the main goal. Time, energy and money are spent. The interstate, business and interpersonal relationships that may have been built up for years, are then destroyed. Quarrels are completely dysfunctional and harmful. They occur if people at the negotiating table are not on the cultural level of civility related to their mutual relations. The main power characteristic of the strongest negotiators is that they are the artists of positive closure of negotiations.

We are the witnesses of contemporary aggressiveness of the political and business world. Disturbed system of values, greed, intolerance and fear is dominating. Persistence and courage are essential conditions that lead to a positive closure of negotiations. It is clear that the negotiator will take the hits that he/she did not expect. When the other party wins, perseverance of a negotiator is reflected in taking time out, however not to withdraw, but to gather the strength in order to return as soon as possible into "the fight" for achievement of the goal. The art of positive conclusion of negotiations indicates the power of a negotiator who knows how to win, knows how to lose and still knows that negotiating efforts are more worthwhile than a conflict.

CONCLUSION

Regardless that globalization actually dictates monopolization, this article represents a thesis that there is no single right way of achieving power in the negotiation process. It can be concluded that negotiations based exclusively on the position of hard power do not lead to productive long-term relationships. Therefore, it is wiser not to rely only on objective power, but to pay attention to all the factors of subjective power in the negotiation process. Subjective power, as well as the

23 Kovačević, Ž.: *Međunarodno pregovaranje*, Albatros Plus, Beograd, 2010, p. 119.

softer style of negotiations are not to be underestimated, and they can certainly give a positive direction to the outcome of the negotiations.

The power in the negotiation process, as far as it relied on an objective power, i.e. on strategic and market superiority, especially in small countries and in small businesses, has to be based on all the important subjective factors that have been overviewed in this article.

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Apstrakt

MOĆ U PROCESU PREGOVARANJA

Cilj ovog članka je generalno predstavljanje objektivnih činilaca koji utiču na moć pregovarača, odnosno daju nadmoć nad suprotnom stranom u procesu pregovaranja.

Takođe, biće predstavljena teza da su "meki" pregovori kao aspekt moći u pregovaranju dosta potcenjeni kao jedna od mogućnosti dostizanja uzajamno prihvatljivih sporazuma. Moć u pojedinim situacijama poslovnog pregovaranja se može dostići ne samo objektivnim faktorima nadmoći nad suprotnom stranom, nego i subjektivnim faktorima.

Postoji jedna vrsta moći koja se koristi u pregovaranju, a to je psihološka moć, koja je najjača kada u sebi sadrži i veliku intelektualnu moć. Ta vrsta mekane moći bazirana na subjektivnim činiocima u pregovorima, realno je jedan od najtežih zadataka sa kojim se profesionalni pregovarač može susresti i nije dostupna svakom jer prevashodno zahteva veoma široko obrazovanje i kulturu kao i gvozdene nerve, odnosno strpljenje.

Bitna namera ovog rada je da predstavi mogućnost takozvanog mekog pristupa, koji čini moć u procesu pregovaranja zasnovanu na subjektivnim činiocima, za razliku od pregovaračke moći zasnovane isključivo na objektivnim činiocima (strateška, tržišna i fiansijska nadmoć) i time ukaže na različite aspekte subjektivne moći koji mogu da utiču na rezultate tokom pregovora.

Ključne reči: *meka moć, tvrda moć, psihološka čvrstina pregovarača, faktor samopouzdanja, vrste pažnje.*