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DOCTORAL THESIS Multinational Corporations in Contemporary International Negotiations

- SUMMARY-

Scientific coordinator: PhD Candidate:

Associate Professor Dr. Melania-Gabriela Ciot Ana Damaschin

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ABSTRACT

The current process of economic globalization cannot be understood without the liberalization of trade, technological innovations, and especially the deregulation of national regulations on foreign direct investment in recent decades. As part of these developments, multinational corporations have played a vital role in the expansion of international economic integration, not only because of the financial flows they have produced but also because they have helped to shift trade patterns from inter-industry to intra-industry trade.

Multinational corporations are business institutions that have developed significantly over the last decade. Although the position of these entities is the result of development over several centuries, due to the intense process of globalization, in contemporary society, multinational corporations are not only production centers supplying crucial goods and trade; in value and size, they have grown to such an extent that they act as economic, political, social and cultural actors; non-state actors that set the terms of global evolution at the highest level.

Given the growing importance of these non-state actors, primarily due to the process of economic liberalization and increasing globalization, this paper aims to analyze the role of multinational corporations in international negotiations by providing some theoretical and practical clarifications on their implications as economic and political vectors in foreign policy and decision-making, on their bargaining power and last but not least, to identify the actors involved in negotiations and how intercultural elements can influence the negotiating framework and the behavior of negotiators.

Keywords: international negotiations, multinational corporations, bargaining power, informal negotiations, cross-cultural elements, two-level game theory, globalization, decision makers.

SUMMARY

This research thesis sets the framework for analyzing the role of multinational corporations in contemporary international negotiations as an emerging socio-economic, political and cultural mechanism. The analysis of the role of non-state actors in negotiations presents an important area of research involving the study of multinational corporations as economic and political vectors in foreign policy and decision-making and their bargaining power. Although two opposing perspectives are distinguished, the financial and the political with a rigid division between them in the past, today, increasingly elements from both perspectives are used to understand their dynamics and role in the new world order.

Due to the intense process of globalization, the importance and economic influence of multinational corporations in the context of negotiations and foreign policy are often discussed in the literature. Yet, few studies would map their extent as political vectors. In this context, the research approach examined the difference between multinational corporations and domestic firms as a first step in understanding the political influence of non-state actors on international negotiations and foreign policy by identifying soft, instrumental, and structural means of power and their power multidimensional assessment. The means of influence analysis takes Putnam's two-level game theory as its starting point of how factors at different levels of analysis (national and international) interact and work together to influence foreign policy and the negotiation process (outcome). Putnam argues that a move at one level cannot be made without a resulting movement at the other, the two levels being intrinsically linked. At the internal level, actors such as multinational corporations, interests, or lobby groups, can influence a preferred political outcome. Meanwhile, at the international level, governments seek to maximize their benefits and domestic actors' benefits.

This thesis aims to outline an approach to grounding negotiations in the contemporary world and understanding the role of multinational corporations in global governance and the context of contemporaneous international negotiations. Whereas the institutions of global governance are the result of a series of negotiations between states and non-state actors, actors that exist in a variety of forms, from smaller companies investing abroad to large groups managing subsidiaries in a significant number of countries, and because the boundaries between a corporation and its environment have become loose, foreign subsidiaries frequently cooperate with local companies and interact autonomously with other actors in their local business environment such as suppliers, distributors, customers, government - we argue that the preferences and power of multinational corporations vary across issues and sectors and from one negotiating forum to another, thus representing the uneven and fragmented nature of the settlement system. Given the complexity of foreign policy decision-making, it becomes clear that addressing the role of multinational corporations, focusing on their influence and impact in negotiations, is vital to understanding their defining role in the new world order and how they influence relations between states and multinational entities.

An in-depth analysis of multinational corporations contribute to understanding the negotiation process and the factors that determine the decision-making process, the outcome of negotiations, and the behavior of negotiators. The research aims at two types of objectives: general and specific. The broad objectives refer to the general concept of the multinational corporation and its role in the new world order. The specific goals of the research concern the

scope of negotiation and the role of multinational corporations in negotiations by identifying and exemplifying the steps taken by multinational corporations in the preparation of international bargaining, determining the level and means of influence exerted in the context of negotiation processes, determining how the negotiation outcome is influenced in both the home and host country and presenting the decision factors affecting the negotiation process and product and determining the impact of cross-cultural elements in negotiations.

The paper is structured into five main chapters, each divided into several sections. The research begins with a presentation of the historical development of the multinational corporation concept, the need for and dimensions of this concept, particularly after 1914, and their emergence as socio-economic actors at the international level. Particular attention is paid to the typology of multinational corporations and the role of these non-state actors in the context of the national and global economy. In the literature, there is no unified definition of a multinational corporation, with many different perspectives and views on the role of these entities in society. More broadly, multinational corporations as private and public entities engaged in international production through foreign direct investment, expanding their activities globally to exploit the vertical and horizontal advantages of economies of scale. In a narrow sense, multinational corporations are seen as companies that own and operate economic units shared between two or more countries but linked by ownership relationships.

The chapter "Multinational Corporations - Actors of the Contemporary International System" presents essential aspects to outline the role of multinational corporations as strategic vectors of socio-economic and cultural globalization. Common questions and concerns about how multinational corporations will be affected by globalization in the near future and how effective they are in adapting to potential fluctuations in market trends are essential aspects of the modernization process, significantly as globalization impacts all global spheres, including but not limited to economic, cultural, business, ethical and political spheres. The paper defines and presents several relevant concepts, namely the notion of 'state power,' 'corporate power,' and 'international politics' in describing and explaining the unmediated role of multinational corporations in contemporary society. This research effort allowed the formulation of a working definition for further research and establishing research boundaries.

To place the study in context and illustrate the relevance of the concepts of 'corporate social responsibility and 'legal liability, section two describes the social impact of multinational corporations due to the evolution of digital and information technologies, deregulation, and market liberalization. From a socio-economic perspective, multinational corporations play a crucial role in the growth of prosperous communities by contributing to the well-being of the

social environment. This potential derives from their position as contributors to economic growth, employment, and technological innovation, addressing environmental and social issues, accelerating sustainable transformation, and social engagement. Today, multinational corporations are becoming critical social actors with a capacity for self-definition, formulation, decision making, action on decisions, and accountability for their actions.

The chapter "The Role of Multinational Corporations in International Negotiations" presents the process of negotiating with multinational corporations by addressing their role in negotiations and leverage. The chapter presents the rational negotiation model applied by multinational corporations in the context of international business negotiations, highlighting the influence of transnational actors on foreign policy through lobbying (corridor negotiation).

The first section presents the theory and practice of negotiation through the lens of the three models that underpin the negotiation process (compromise, dominant element, and collaboration or joint problem solving). Next, the second section deals with how negotiations with multinational corporations emerge. The third section investigates the levers of bargaining power of multinational corporations, including referring to the economic approach to the contemporary international negotiating context, the rational bargaining model, and the influence of lobbying practice (informal/corridor bargaining) on foreign policy.

The importance of multinational corporations in defining critical issues of the international economy has increased. However, we note their continued dependence on states on two levels: at the level of domestic regulation of each state and at the level of intergovernmental law, where states together define rules governing the behavior of multinational corporations. Multinational corporations seek to influence states and coalitions between states using structural power and soft power. In a negotiation process, it is necessary to identify whether multinational corporations have affected partnerships between states and whether they have aligned their interests with the core interests of a coalition willing to support this position throughout the negotiation process. In a multilateral international context, multinational corporations follow a long path from national influence through aligning their interests with other corporations at the transnational level, aligning their interests with coalitions between states, and finally influencing the overall winning of the negotiating process based on each party's leverage. The power of the parties and the international context play defining roles in the conduct of the whole process.

The chapter entitled "Theoretical and Practical Aspects of International Negotiations with Multinational Corporations" in the first three sections presents the conceptual framework of international negotiations with multinational corporations, describing the

(distributive/integrative) strategies, techniques, and outcomes that determine the negotiation process and adapting Robert Putnam's two-level game theory to identify how factors at different levels of analysis (national and international) interact and work together to influence foreign policy and the negotiation process (outcome). The two-level game theory remains relevant in the digital age, where communication channels can affect the negotiation process and change the gain distribution between parties.

Hofstede's analysis of cultural dimensions and Hall's theory, which complement the initial idea presented in the fourth section, require a comparative approach across cultures to understand the behavior of negotiators who come from different cultural backgrounds and exercise different negotiating styles at the bargaining table.

The final section presents and analyses the implications of multinational corporations in negotiations, defining the background factors that affect the relative bargaining position of the parties and providing pointers for assessing benefit-sharing outcomes. Conflicting parties resort to negotiations when they have varying degrees of power but not absolute power to force a decision. Negotiations may prevail as long as the parties believe that the benefits of resolving a dispute through negotiations outweigh the perceived benefits of resolving a conflict through other means. In the case of multinational corporations, negotiations usually occur when the host government seeks to establish an express agreement tailored to the needs and specifics of a particular project rather than operating under the general laws of the country. Negotiations with multinational corporations are not only characterized by the three stages of negotiation: pre-negotiation, negotiation, and post-negotiation. Renegotiations often become necessary as a result of fundamental changes in the circumstances of a project or as a result of a general shift in policy orientation. There are several stages in negotiation, of which the negotiation process is the most intense. It describes the process of reaching potential consensus terms involving good preparation by the parties.

This section highlights some of the basic strategies and standard techniques used by parties at the negotiating table. As an outcome emerges from the negotiation process, often in an agreement, an inevitable question about consequences concerns the value or fairness of the contract. This requires consideration of the resulting benefit structure between the investor and the state invested in. The nature of the payoff distribution is a function of a party's relative bargaining position in an overall bargaining situation, which is affected by underlying institutional and behavioral factors.

The chapter "Research Design and Methodology" presents the study on the role of multinational corporations in negotiations using triangulation as a data validation technique.

This qualitative data validation technique allowed for the deepening and evaluation of the notions of the multinational corporation, as well as the overlapping and combination of various data collection techniques to compensate for the inherent biases of each, and allows for the verification of the fairness and stability of the results obtained.

The qualitative research presented is based on a case study research strategy, the data collection methods are unstructured interviews and participatory observation, and the data analysis and interpretation method is comparison.

The data collection method was developed using two sources of data: primary data was transcribed from unstructured interviews with executives, managers, and team leaders from IBM USA, IBM Japan, and IBM Romania to capture better the complexity of the relationship between different perspectives and business strategies, secondary data was data collection and interpretation. The study's objective is to triangulate the research strategy and both methods of data collection (interview and participatory observation) and interpretation and analysis (comparison) to reduce the likelihood of misinterpretation in data analysis using multiple perceptions.

Through the study, the author sought to explore the views of CEOs, managers, and team leaders in the three cultural settings on the role and impact of the multinational corporation in negotiations. Also, to investigate the presence of negotiation factors and cross-cultural elements that may influence the negotiation process in general and the negotiation outcome between a multinational corporation and the host state/s in particular. The final aim of the study is to compare information obtained from three companies belonging to different cultural backgrounds to identify differences and similarities between perspectives and to draw definitive conclusions.

The chapter "Conclusions and proposals for future research" contains the conclusions of the thesis, summarising the research hypotheses and results, future research directions, and bibliographical references.

The research is structured around three main research questions on the role and impact of multinational corporations in negotiations. First, it was necessary to identify perspectives that describe the fundamental characteristic of multinational corporations. Although at first glance, multinational corporations can be defined by intensive production and marketing activity in several markets simultaneously, within extensive networks of their branches and subsidiaries, carried out through direct foreign capital investment, based on standard global strategies and in the development of which national borders between countries are not taken into account, the research approach identified a veritable maze of competing regulations, which

to be socio-economically and politico-culturally neutral, use well-defined competitive concepts. The economic power of multinational corporations can therefore be illustrated in four concrete, closely related advantages: international distribution of entities and offices, cross-border mobility, transfer pricing, and intra-group reorganization of cross-border transactions (internalization). And the role of multinational corporations in the national and global economy is determined by the transfer of technology, know-how, and skills, by ensuring access to export markets, intensifying competition, by developing competitive policies and lobbying strategies. The role and impact of multinational corporations in negotiations can be analyzed by reference to the bargaining power of negotiating corporations and the importance of these non-state actors in the global economy and politics, lobbying practices conducted at the national and international level, negotiating techniques and strategies, and the importance of intercultural elements and cultural dimensions. Comparative analysis of the three cultures (Japanese, American, and Romanian) allows for identifying similarities and differences in the negotiation process and outcome.

Next, the paper examined whether, in the context of international negotiations, multinational corporations try to influence the decision-making process and the outcome of negotiations in the home and host country/countries. The analysis of the influence of multinational corporations on the decision-making process and negotiation outcome in the home/host country was based on the game theory developed by Robert Putnam and the schematic representation set by Sarfati. The use of two-level game theory allows the analysis of the behavior of the negotiating actors and the communication channels (physical/digital) that can influence the negotiation process and the distribution of benefits between the parties.

Putnam's two-level game theory is of unquestionable importance in the era of digital negotiation as it allows the analysis of the rational behavior of negotiating actors, which is influenced by digital communication elements. Negotiation channels can affect both negotiators' behavior and outcomes. While face-to-face interactions may reinforce interpersonal norms and encourage coordination, rapport building, and trust, online communication can create difficulties in understanding and communication. The application of two-level game theory allowed for analysis of the influence of non-state actors at national and international levels. Therefore, the researchers concluded that multinational corporations could influence the host country/countries at the national and international levels; they can control the negotiation process and outcome. The three cultures show similarities and differences in the elements that determine the influence of MNCs on host countries and the aspects that determine the power and impact of MNCs on the negotiation process and outcome. Thus,

multinational corporations can influence host countries/countries through the international flow of capital and technology, transfer of know-how, highly skilled labor, economic, financial, and infrastructure resources, foreign direct investment, informal negotiations (use of direct and indirect lobbying), local and international policy-making, access to export markets, increased competition, transfer of new resources, socio-economic and decision-making power and economic progress.

Multinational corporations can influence the negotiation process and outcome through the use of instrumental power, structural power, and soft power, and bargaining power is given by the possession of information and competitive resources (time, financial resources, technology, human resources, skills, and other necessary resources), bargaining environment (complexity of the issue and regulatory environment, relationship between parties, time constraints, and power exchange), negotiating parties and cross-cultural elements, negotiation strategies, and techniques, cross-cultural elements, and dimensions. However, the three cultures show differentiation regarding the role of coalitions between states versus the interests of non-state actors. According to the results obtained, we identify two different perspectives. According to the primary perspective, states alone cannot determine the distribution of benefits between parties. In this case, it is considered necessary to establish a Zone of Possible Agreement (ZOPA) as a zonal representation where the expectations of two or more parties may overlap. Like the perspective distinguished in international negotiations, the ZOPA can be achieved through several rounds of negotiations. Thus the impact of coalitions between states on multinational corporations could be represented as a long-term process. According to the secondary perspective, the power factor between partnerships between states and multinational corporations is determined by BATNA.

Lastly, as a consequence of the answers to the previous questions, the paper identified the factors involved in negotiations and how cross-cultural elements may influence the negotiating framework and negotiators' behavior. In recent international trade negotiations, the study identified the involvement of state actors (representatives of states or national governments) and non-state actors (representatives of multinational corporations), whose negotiation behavior may be influenced by intercultural elements. Cultural dimensions define intercultural aspects, which influence the negotiating framework, the negotiator's behavior, the negotiating style, and the outcome. Specific factors and conditions affecting the negotiation process can be divided into two categories. The first category, behavioral factors, refers to the particular conditions under which the process takes place, such as factors relating to the personal properties of the parties, their thought processes, their level of knowledge and

negotiating skills, their behavioral patterns, and the psychological framework of negotiations. These can be called behavioral factors. The second category includes general background factors: general, social, political, and economic environment.

Intercultural elements can influence international negotiations with multinational corporations through direct or indirect context, time orientation and power distance, verbal and non-verbal behavior, individualism/collectivism, masculinity/femininity, risk aversion, and uncertainty. Intercultural elements can influence the outcome of negotiation through the strength of the negotiating actors and related factors, the cultural framework of negotiation, cultural values, and norms influencing the negotiating actor's behavior, negotiation styles, strategies, and tactics.

The research aims to present an approach to grounding negotiation in the contemporary world and understanding the role of multinational corporations in global governance and the context of contemporaneous international negotiations. Due to the ongoing process of globalization characterized by increased interconnectedness, interdependence, and integration, multinational corporations occupy a central place in social, economic, cultural, and political life. In addition, the rapid pace of socio-economic and technological development gives the research topic flexibility and a need for continuous updating.

Thus, the present work represents the starting point for several future research directions. One of them concerns the analysis of the social implications of multinational corporations in current international trade negotiations in different fields of activity and foreign countries (the United States of America as the location of the parent company, in the Asia-Pacific region, the relevance of the study would present the analysis of countries such as India and China as states in a robust process of development, and at the level of the European Union we can talk about Western states such as Germany and France, as well as Central and Eastern European states - Romania and Poland). For a more significant impact of the research, social factors influencing the negotiation process and outcome can be identified, and an index of their evaluation created.

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