

Principled Negotiation: Teaching Problem-Solving, Decision-making and Critical Thinking Skills in Leaders

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This paper was completed and submitted in partial fulfillment of the Master Teacher Program, a 2-year faculty professional development program conducted by the Center for Teaching Excellence, United States Military Academy, West Point, NY, 2016.

The intended outcome of this literature review is to provide meaningful context on the effective teaching of negotiation skills. The recommended audiences for this essay are individuals seeking to build upon their personal knowledge of negotiation or quality of the negotiation program of study in their organization. This could include faculty members at USMA, other service academies, ROTC instructors, TAC officers, and leaders at nearly every organizational level. This paper will not provide in-depth discussion on content, but instead recommendations and insight on how negotiation training may be implemented to increase problem solving, decision-making, and critical thinking skills. My intention is that this essay will be more than an after action review of the past four years of my involvement in the West Point Negotiation Project. Included in this literature review is a personal story that I have used to illustrate the importance of teaching negotiation, reasons to study negotiation, definition of negotiation systems, effective design considerations, and recommendations for further scholarship.

Key words: negotiation, principled negotiation, circle of value, negotiation pedagogy, teaching negotiation, instructional design theory, case study, experiential learning

A Personal Negotiation Story “An opportunity for a better outcome” - Sayed Abad, Afghanistan

In 2007, I wanted to move a road. As a scout platoon leader, I was given a mission to partner with Afghan National Police (ANP), Afghan National Army (ANA), and local leaders to protect and improve the welfare of Sayed Abad, a district located between Kabul and Ghazni in Eastern Afghanistan. I had been in Afghanistan for approximately four months, and the mission began with a relief-in-place (RIP) of a Polish platoon that had occupied the small platoon outpost prior to our arrival. Immediately after being assigned this mission, I began analyzing the situation using a standard mission analysis framework.

My initial assessment of the mission and outpost left me most concerned about the threat of a vehicle-borne improvised explosive attack (VBIED) along the road adjoining one perimeter wall. If attacked, I worried about how I would defend the site with just 32 paratroopers, armed with only rifles, machineguns, and other man-portable weapons. I needed to be able to secure this outpost, afford my Paratroopers rest and refit, and simultaneously patrol and assist the community. Near the outpost was the district center that included a small “downtown” area, with about 20 government and commercial buildings, and a residential perimeter of about 60 homes and farming structures. The village was surrounded by farmland, with plots of land adjoining the backs of the residences that surrounded the district center.

To mitigate the risks associated with the threat, I decided I needed more “standoff” - more space between the walls of the outpost and the nearest place from which the Taliban could fire a weapon or detonate a VBIED. This would require me to restrict civilian access to some farmland, emplace some anti-vehicle obstacles, and remove some structures from which the enemy could engage our outpost. To do so, I needed to negotiate with the landowners in close proximity of the fire base. The owner of the field across from the outpost was a man named Haji Hab; he had a few farm animals but earned a living as a blacksmith in town. Before identifying Haji Hab as the landowner, I had a few conversations with the ANP commander (Captain Solongee), the ANA Commander (Captain Ahmeri), and the Village Elder (Haji Saiid). Each of these men said he was delighted to have a U.S. Army platoon so close to their district center because of the additional security their presence would provide. My initial plan was to find the landowner and offer him money for diverting the road through his property. After a brief exchange, we reached an agreement where I would take 300 meters of his land in exchange for “security.” He didn’t seem particularly excited about the outcome but I thought it was “good enough.”

The outcome of this negotiation was that I was able to increase the standoff distance to the outpost. And on the surface, this appears as a “win” for me. From a principled negotiation standpoint, which I’ll define below, there were a number of mistakes that could have jeopardized the mission in other ways, and certainly missed opportunities that could have led to increased partnership. I’ve reflected on this experience over the course of the last four years since first learning about principled negotiation as a graduate student. *Would the landowner retaliate by giving information to local Taliban? Did this action damage trust? Would locals resent the ANA and ANP for “siding” with us? Could I truly offer security in exchange for access through the field?* At the time, I certainly thought it was “fair.” As a Soldier, I assumed erring on the aggressive side was always the appropriate solution. Countless interactions such as these play out among leaders, both junior and senior, in the complex environments of military engagements. The zero-sum and positional ideas (“distributive” models) most people, including military officers, have about negotiation are so pervasive they are frequently unconscious and habitual.¹

Why Study Negotiation?

This experience, which critics could dismiss as a ubiquitous instructor war story or insignificant in tactical value, highlights something that happens to every person almost every day. Due to the potential danger, it meets the definition of “extreme negotiation” as defined by Weiss and Donigian.ⁱⁱ But it also happens among every segment of the population, from world leaders to babies each and every single day. Negotiation can be defined as “the process by which two or more parties seek to satisfy certain of their respective interests by attempting to come to some mutual agreement with another party.”ⁱⁱⁱ Given this definition it is logical to conclude that anytime a person attempts to influence another person without direct controlling them, they are involved in a negotiation. Since this interpersonal and multi-party interaction falls under the category of so many other social sciences and studies of human behavior, countless other theories overlap.^{iv} For instance, bases of power, irrational behavior, theories of organizational behavior, economics, game theory, sociology, and motivation theory all inform negotiation.^v

The necessity of negotiation as a leader competency is explained in Army doctrine written in ADP 6-22: *Leadership* though its summary of “Extends influence beyond the chain of command” in Table 6-3.^{vi} “Extends influence beyond the chain of command” is one of five components of the *Leads* competencies in the Army Leadership Requirements Model (ARLM).^{vii} Table 6-3 (See appendix) defines our responsibility in extending influence by stating:

“Leaders need to influence beyond their direct lines of authority and beyond chains of command to include unified action partners. In these situations, leaders use indirect means of influence: diplomacy, negotiation, mediation, arbitration, partnering, conflict resolution, consensus building, and coordination.”^{viii}

If we are indeed negotiating so frequently, and it is a prerequisite regardless of specified training, is it a skill that demands a place in higher education? This question and others were fielded by a group of faculty members of the Harvard Law School in the 1970s and 1980s, whose future program, Harvard’s Project on Negotiation (PON) would formally establish a connection with the United States Military Academy in 2006. It is also a relevant question for leaders seeking to prioritize efforts. Why is this program of study worthy of investment of time to prepare cadets or subordinates for their future responsibilities? How does an organization benefit from its members enhancing these skills? It would seem obvious that lawyers might need this training, but many academics dismissed early efforts to formalize negotiation training.

What is Principled Negotiation?

In their comprehensive review of negotiation literature, scholars Roy Lewicki, Stephen Weiss, and David Lewin identify 44 published models of negotiation; they further classify these models into one of three categories: distributive, integrative, and other.^{ix} Distributive models claim that value cannot be created by the two or more negotiating partners, it must merely be split or divided.^x There is one key assumption to this model that is worth noting; a belief that negotiators are economically rational and attempt to maximize economic outcomes.^{xi} Many models of negotiation don’t necessarily believe this assumption. In

contrast to distributive models, integrative models rest on a value system that emphasizes interpersonal trust and collaboration that facilitates joint problem solving.^{xii} Principled Negotiation, developed by Roger Fisher and William Ury in 1981, is a framework that shows it is possible to negotiate effectively with a partner who may appear to have different interests. Their approach, pioneered in their book *Getting to Yes*, called the “circle of value” approach, diagram below, encourages negotiators to: 1) separate the people from the problem 2) focus on interests, not positions 3) invent options for mutual gain and 4) insist on using objective criteria.^{xiii}

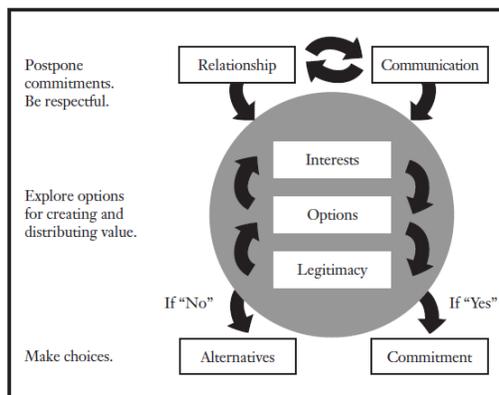


Figure 2. The Circle of Value Approach to Negotiation.

This model does not believe that negotiations are “zero-sum” and further believes that real value is created from the creative ability of both parties to partner together to solve the challenges identified throughout the negotiation. The last category of negotiation models that Lewicki, Weiss, and Lewin identify are “other.” These scholars classify any model that is not distributive or integrative as “other.” An understanding of this difference (distributive versus integrative), theory and associated strategies could have helped prepare me to make a more deliberate negotiation in the Sayed Abad scenario previously described. At a very minimum, I think using a problem solving technique like principled negotiation could have helped me frame the challenge in a different way (there were *many* ways that we could have collectively increased the security in the area - gaining standoff was just *one* possible way).

Challenges of Teaching Negotiation

In previous decades, skeptics of the “teachability” of negotiation primarily held two beliefs: First, that *negotiation was an art and not a set of prescribed skills*. And second, that *it was not capable of being assessed* and therefore disqualified from inclusion in an academic setting. Similar arguments had been made about leadership, and research provided evidence that the development of certain skills could, in fact, result in better outcomes.^{xiv} One concept, a core philosophy of the cadet experience, is *Experiential Learning* in which knowledge, experience and reflection drive the growth of leadership skills.^{xv} Like leadership, negotiation is not one skill, but a competency where practice, theory, and language familiarity can improve individual performance. Negotiation is also considered difficult to teach because of its focus on changing behavior, a task that is much different than just memorizing or reciting basic facts about events, people, places or time.^{xvi}

Bruce Patton, in his work, *The Deceptive Simplicity of Teaching Negotiation: Reflections on Thirty years of the Negotiation Workshop*, describes one of the largest challenges as “identifying the goal of the

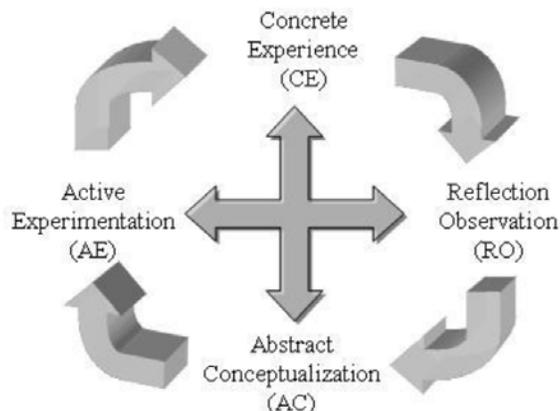
negotiation training.”^{xvii} Mr. Patton suggests that teaching people about historical negotiations is different than teaching people about what has been learned about negotiation, just as it is different from teaching people how to be effective as negotiators.^{xviii} His advice for this challenge is to identify your goal and then design a course based on that intended goal. In addition to this advice he presents design techniques that assist at tackling the tactical challenges of day to day teaching.

Methods of Teaching Negotiation

If we recognize both the need for negotiation instruction and the challenges faced when teaching negotiation instruction, the question then becomes *how*? One approach to answering this question might be to assess our course here, MG390: Negotiation for Leaders, and compare it to design theory. This approach could serve as a baseline from which to assess other models and/or methods of teaching negotiation at the undergraduate and graduate level. At the very least it will provide an assessment of how our course is viewed from a design perspective.

Negotiation instruction at West Point has been offered as a formal elective course in the Department of Behavioral Sciences and Leadership Department since 2005. Each year approximately 64 Cadets enroll in the semester long resident (not online) course to develop negotiation/problem solving awareness, learn negotiation tools/skills, and practice negotiation behavior in an effort to be better, more effective leaders. The course includes both bilateral and multiparty negotiations that are scoreable and non-scoreable. In order to achieve these stated course goals, the twenty lesson course includes twelve cases that vary in scope, difficulty, and context. The course begins with an introduction on recognizing assumptions and the impacts of those assumptions on the outcomes of a negotiated agreement. The course then transitions to the introduction of systems of negotiation. During this block, Cadets learn the positives and negatives of the two primary systems of negotiation (positional and principled). Cadets arrive at the conclusion that being purposeful and deliberate in choosing a strategy is ultimately much more effective than memorizing hundreds of strategies for different contexts. After completing the systems of negotiation lesson, Cadets are taught through the lens of principled negotiation (integrative). During each of these remaining lessons a new tool or framework allows the students to become more effective. These tools and strategies cover things like patrician perceptions, effective communication, procedural processes, relationship mapping, and even techniques for assigning decision making rights. The hope is that by lesson 20, Cadets have achieved the stated goals of the course.

Fundamental to the achievement of these stated course outcomes is a design that is supported by Kolb’s Experiential Learning Theory. Kolb, leveraging the work of other scholars, has developed a model that explains that “learning is the process whereby knowledge is created through the transformation of experience; further, knowledge results from the combination of grasping and transforming experience.”^{xix} He explains this learning through his establishment of a four stage model and posits that learner’s transition between four different stages throughout the learning process. This model, depicted below, includes 1) concrete experience, 2) reflective observation, 3) abstract conceptualization, and 4) active experimentation.



During the concrete experience stage, learners participate in an activity (experience). During the reflective observation stage, learners process why and how the experience resulted in the way that it did. During the abstract conceptualization stage, learners attempt to categorize or construct a model to explain what happened and or why it may have happened. During the active experimentation stage, learners determines how and where they may apply or test this theory at another opportunity. The theory is built on six propositions that are shared by all of the scholars (Kolb, Lewin, Dewey); these propositions serve as guidance for those attempting to build/design coursework. The six propositions are:

- 1) Learning is best conceived as a process, not in terms of outcomes. The best improvement of student outcomes occurs when teachers meet students with a process that includes feedback on the effectiveness of their learning efforts.^{xx}
- 2) All learning is relearning. The best process of learning facilitates an opportunity for students to learn why something happened; ultimately forcing students to examine where they've seen it before so that they can integrate it with other experiences and beliefs.^{xxi}
- 3) In order for students to learn they must move between modes of adaptation. These modes include reflection and action and feeling and action.^{xxii}
- 4) Learning is not just a process of adaption to the world, it includes the integration of thinking, feeling, perceiving and behaving.^{xxiii}
- 5) Learning stems from engagement with and in an environment.^{xxiv}
- 6) Learning is the process of creating knowledge.^{xxv}

The course design for MG390 intentionally aligns with Kolb's principles. This is further supported by the daily practice within each class, which includes: 1) the "why" of the content 2) the "what" (content) 3) the "how" and 4) the "if" of the content. In each of these areas, the class identifies the necessity of the learning, the actual content, a case to explore the content and then an opportunity to connect it to future opportunities. A more tactical explanation of that daily design can be observed in each of the 12 cases explored throughout the course. Casework plays a central role as it allows the Cadets to explore, through a different context, very unique situations they may themselves face. In each of the cases, the Cadets are required to conduct some sort of preparation activity (usually in the form of a 7 Element Prep sheet), conduct the case (role-play), participate in a deliberate debrief led by the instructor, and then conduct an individual reflection. The purpose of the 7 Element Prep sheet is to immerse the Cadet into the content and have him/her prepare deliberately, knowing that strong evidence exists connecting planning with outcome. The purpose of the role play is to provide the Cadet an opportunity to "experience/practice" the

case/situation, and for other members to watch in real-time (known as “fishbowl”). The purpose of the deliberate debrief is to uncover theory supporting why events may or may not have transpired as well as allowing Cadets an opportunity to self-discover behavior that led to a particular outcome. The purpose of the “worked well/do differently” is to create an opportunity for Cadets to reflect on their experience so as to use positive behavior for the future while acknowledging why some behavior might not have created the intended outcome. During each lesson, Cadets are responsible for preparing, negotiating, and then systematically reviewing their negotiation. This three step process sets the conditions for maximum achievement towards the stated goals above.^{xxvi}

Bruce Patton’s advice for teaching negotiation follows closely with Kolb’s Experiential Learning Theory. He provides quite a bit more tactical advice by suggesting 1) the necessity of robust exercise instructions, 2) combining exercises, theory and open inquiry 3) focusing on the big picture 4) focusing on micro-skills 5) giving people the help they need to change and 6) frontiers that should be more familiar.^{xxvii} Those wishing to teach or lead negotiation training should seek to incorporate both Mr. Patton’s recommendations as well as Kolb’s design theory.

An alternate format/method for teaching negotiation skills is offered by Jennifer Parlamis and Lorianne Mitchell. They suggest that there is not a particular difference in the outcomes of online negotiation training and that of resident (face-to-face) training.^{xxviii} An interesting point of their research is that some aspects of online teaching benefit students, such as those who may lack confidence in sharing their ideas in person. Their study researched similarly designed courses in both an online and an in person context. The design of the course was a “cognitive apprenticeship” approach where they first presented theories of negotiation and then the students participated in negotiation scenarios.^{xxix} At the conclusion of the negotiation exercises the students watched videos that demonstrated “appropriate” conduct during the scenarios.^{xxx} This study, with 37 MBA students, showed that there was not a significant loss in attainment of the stated learning outcomes by delivering a negotiation course online (through the web). The authors reveal that there are quite a few limitations to the online group, particularly associated to the level of satisfaction with the course (social and teaching satisfaction).^{xxxi} While the design of the course is similar to the course here at West Point, there are some noteworthy conclusions about effectiveness. These conclusions could prove valuable; especially as the West Point Negotiation Project seeks to satisfy/meet the current Mobile Training Team (MTT) demand. This past summer I conducted one MTT in an online setting and did not experience positive results. There are probably a number of reasons but my assessment (and that of the participants) was that it was very challenging to establish a learning environment and effectively engage the students during the Skype engagement.

Professors Robert C. Bordone and Chad M. Carr of the Harvard Law School help inform a discussion about another tool frequently used in teaching negotiations: videos. They preface their article by acknowledging the significant limitations and shortcomings of video; in particular, the inability of students to necessarily understand what the negotiator was thinking. They believe that some of the drawbacks of video can be mitigated to elevate video from supplementing in-class discussion to serve as the instruction in situations where the resources restrict a more robust program. In other words, they sought to produce a quality video that could stand alone or supplement. They point to the fact that many existing videos of negotiations appear dry and dated to the current plugged-in undergraduate student, and are typically less representative of minorities.^{xxxii} Bardone and Carr also point out that teachers may instead use popular movie scenes to generate discussion, which can have the effect of over-dramatizing behavior in the negotiation. Harvard’s *Critical Decisions in Negotiations* Project emerged from this need

and resulted in a three-hour video in which four pairs of unscripted, real attorneys negotiate a case. The significance of *Critical Decisions* is that it also does not require a facilitator or teacher with a negotiation background. These insights by Bordone and Carr may inform the upcoming PL300 interactive text; especially as USMA staff and faculty attempt to meet the increasing demand for negotiation training. I could easily see adapting and/or including components of video in the interactive text for cadets to watch before or during class. For unit-level training, this format may be more accessible to leaders who lack confidence in teaching due to the perceived complexity of negotiation strategies.

Concluding Recommendations

As Bruce Patton frequently reminds his readers, the goal is going to be what continues to drive the process and design of a negotiation program of study. Through my participation in multiple conferences, partnership with the Harvard Negotiation Institute, West Point Negotiation Project, serving as course director for MG390, I feel there are numerous opportunities to continue and build upon this program for cadets and negotiation scholarship.

The first opportunity is our ongoing project to develop an interactive (iPad) PL300: Military Leadership textbook. One of the chapters in this book will be a Principled Negotiation chapter. Similar to the challenges explained above in delivering effective negotiation training, I feel there will be other challenges associated with delivery in a stand-alone interactive text. Of note, there are plans to leverage the best practices listed above to ensure the chapter is the best possible product we could deliver for the cadets and faculty members. The case depicted in the chapter is adapted from the Sayed Abad experience. Another possible project would be to begin work on a military-focused equivalent of Harvard's *Critical Decision* video project for professional training purposes.

A second opportunity stems from the challenges of evaluating student's ability to achieve stated learning outcomes. From a teacher's perspective, there are many settings where a "grade" isn't necessary. Many negotiation enthusiasts, which I mention without excluding myself, see the tremendous value of training these skills so that future generations can resolve conflict and solve complex issues. Both sides benefit from a greater understanding of the process and strategies that strengthen relationships. Evaluating students on negotiation skills is challenging, as early critics were quick to point out. One model for assessing negotiation is presented by Diana Page and Arup Mukherjee of the University of West Florida College of Business Management. Their approach is a three-part model, called the "Three Step Negotiation Role Play Process." This model closely follows the MG390 approach, corresponding to the before, during, and after previously mentioned. I believe there are ways we can improve our assessments, and more standardizations could be necessary if the number of students enrolled significantly increased.

A third opportunity for continued development is the allocation of resources (time, funding and personnel) to further support research. The multitude and variety of negotiation engagements (West Point Negotiation Conference-Cadet, West Point Negotiation Conference-Army, numerous MTT's, MG390, PL300) in which the West Point Negotiation Project leads/collaborates creates an incredible platform from which to test and evaluate hypotheses. Aside from post-training satisfaction surveys, further analysis and longer-term feedback has been largely absent. In 2008, one study demonstrated that in 6-18 months following training, students acknowledged using approaches in real-life negotiations.^{xxxiii} The research opportunity is present in all four WPNP lines of effort: Cadet Development (Bi-Weekly learning meetings, AIADs), MG390: Negotiation for Leaders, and support to Department of Defense (Mobile

Training Teams). In addition to using research to maintain the academic rigor of the program, the results of research on recent graduates practicing these skills have the potential to significantly impact the direction of this program and further generations that follow.

Annotated Bibliography

Bordone, R., Carr, C. *Critical Decisions in Negotiation: A New Video Resource for Teaching Negotiation*. Negotiation Journal, October 2013.

Bordone and Carr, both Professors at Harvard Law School, introduce their purpose, method and final product in a video resource project. The video was developed over three years to serve as a supplement or stand-alone negotiation training tool. The authors aimed to overcome previous shortcomings of videos by using real attorneys who were instructed not to “act” but to truly defend their client’s interest in negotiating an agreement regarding medical research licensing. Their opponents were given the same instructions, and the resulting four pairs revealed how different approaches altered the dynamic and outcome of the negotiation. Furthermore, Professor Bordone conducts unscripted interviews with the attorneys to examine why they chose certain strategies and the effectiveness.

Department of the Army (2012), Army Doctrine Publication No. 6-22: Army Leadership. Headquarters Department of the Army, 2012.

The United States Army’s Reference Doctrine Publication (ADRP) for leadership. The publication defines leadership, who serves as a leader, levels of leadership, and describes the Army Requirements Leadership Model (ARLM).

Donigian, A. and Weiss, J. *Failure to Engage: Current Negotiation Strategies and Approaches*. Military Review, May 2012.

Major Aram Donigian and Jeff Weiss describe our military’s inability to effectively joint problem solve. In the article, the authors describe key ways in which we as military leaders often fail to see opportunity in engagement. Specific shortcomings that are raised in the article include: leaders failure to prepare for a negotiation, failure to recognize individual bias, failure to define negotiation success, failure to determine impacts on other negotiations and even failure to systematically review for the future. In addition to illustrating these shortcomings, the authors present another approach to negotiation, the circle of value approach (inside the circle approach). This approach details the necessity of uncovering interests, jointing creating possible solutions (options) that are supported by standards (legitimacy), and reaching no agreement or one that is better than your best alternative. The article further provides suggestions for the military. These recommendations include a mindset change, detailed training, and institutional support.

Fisher, R., Ury, W., Patton, B. (1991). *Getting to Yes: Negotiating Agreement Without Giving In*. New York, NY: Penguin Books.

Authors Roger Fisher, William Ury, and Bruce Patton present a model of negotiation that, at its heart, is about being purposeful and deliberate in making choices before, during and after negotiation. The model they introduce is called the “principled negotiation” framework. After presenting the model they describe ways to use it and contrast them with the alternative approaches, often the positional approach. This book is the updated second edition and remains a defining text of principled negotiation. From a pedagogy standpoint, it contains critical content and salient examples that are the framework for the course. In non-academic settings, it could be used as a professional development study for discussion.

Hughes, J., Weiss, J., Kliman, S., Chapnick, D. (2008). *Negotiation Systems and Strategies*. International Contract Manual. Thomson Reuters/West, 2008.

Authors Hughes, Weiss, Kliman, and Chapnick first define negotiation, introduce the seven elements of principled negotiation, and then describe other common negotiation strategies. The authors strongly support the principled negotiation framework.

Kolb, A., Kolb, D. *Learning Styles and Learning Spaces: Enhancing Experiential Learning in Higher Education*. Academy of Management Learning and Education, 2005, Vol. 4. No. 2.

Kolb and Kolb present Experiential Learning Theory by explaining the history of its development. After describing ELT, the authors introduce *Learning Space*. This concept refers to the areas that learning happens (not necessarily just physical spaces). They then describe responsibilities of instructors to create learning environments conducive to experiential learning. At the end of the article, Kolb and Kolb provide practical steps in creating this type of learning environment.

Kolb, D. (1984). *Experiential Learning: Experience as the Source of Learning and Development*. Edgewood Cliffs, NJ: Prentice-Hall, Inc.

Author David Kolb describes the history of experiential learning by summarizing three models (Dewey, Lewin, Piaget) for experiential learning. After summarizing the existing literature to this point (1984), Kolb introduces the “structure of learning and knowledge” and “learning and development.”

Lewicki, R., Weiss, S., Lewin, D. *Models of Conflict, Negotiation, and Third Party Intervention: A Review and Synthesis*. Journal of Organizational Behavior, Vol. 13, No 3. May 1992.

Authors Lewicki, Weiss, and Lewin summarize the 44 published models of negotiation. Throughout their discussion they categorize them as normative or descriptive and place them into one of three buckets: distributive, integrative, or other. In addition to the classification, the authors describe them, discuss empirical support for each of them, and acknowledge assumptions of them.

Page, D., Mukherjee, A. *Effective Technique for Consistent Evaluation of Negotiation Skills*. Education Vol. 129 No. 3.

Page and Mukherjee summarize challenges faced over a four-year period of teaching Negotiation at the University of West Florida College of Business Management. Most notably, they were challenged by the amount of resources necessary to provide meaningful and consistent feedback to students. They recommend a three step process to the role play exercises used in their course which corresponds to the before, during, and after an exercise. The authors main point is that a preparation sheet and score card help standardize their evaluations. This article is a reference point because the authors do not use the same 7 Elements of Negotiation taught at USMA. Additionally, it supports the incorporation of role play

exercises. This article supports the idea that significant resources are required to teach negotiations in an academic setting where consistency is required for evaluations.

Parlami, J., Mitchell, L. *Teaching Negotiations in the New Millennium: Evidenced-Based Recommendations for Online Course Delivery*. Negotiation Journal, January 2014.

Parlami and Mitchell present their findings on a comparison of online versus in-class negotiation courses. The applicability to the current course and West Point Negotiation project is limited in that the class, conferences and training sessions occur in person. In the future, some of the recommendations could be used to enhance online opportunities. Due to limited resources, primarily time and personnel, professional development given by and potentially received by members of the West Point Negotiation Project could occur in this environment. Additionally, it might be useful to leverage their insights for developing aspects of the PL300 Digital Textbook.

Patton, B. (2005). *Negotiation*, reproduced from *The Handbook of Dispute Resolution*, Michael L. Moffitt and Robert C. Bordone, Eds. Program on Negotiation/Jossey-Bass, 2005.

In this text, Bruce Patton introduces the 7 elements of principled negotiation. He also introduces the idea of “three tensions”, identified by his colleagues Bob Mnookin, Scott Peppet and Andrew Tulumello. After defining a good outcome, Patton describes how to systematically prepare for a negotiation. Towards the end of the text he describes the “circle of value” approach to negotiation and other systems. At the end of the text he explains common criticisms of the “circle of value” approach to negotiation.

Patton, B. (1985). *On Teaching Negotiation*. Program on Negotiation White Paper, 1985.

Bruce Patton begins this paper with an overview of current difficulties in teaching negotiation. He summarizes these challenges as both ideological and intellectual challenges. After acknowledging these challenges he devotes the remainder of the paper to explaining how (prescriptively) the PON is able to achieve effective skill/behavior change.

Patton, B. *The Deceptive Simplicity of Teaching Negotiation: Reflections on Thirty Years of the Negotiation Workshop*. Negotiation Journal. October 2009.

In this article, Bruce Patton talks about what is truly required of the teacher who aspires to effectively teach negotiation. His thesis is not that there should be more research into the effectiveness of teaching negotiation but more importantly that HNI has been extremely effective at changing negotiation behavior. Throughout the article he describes best practices that assist in achieving these outcomes. This past summer (2015), I had the opportunity to work with Professor Patton by serving as one of his TA’s (Teaching Assistants) at the Harvard Negotiation Institute.

Taylor, A. Burns, T., Mesmer-Mangus, J., *Teaching the Art of Negotiation: Improving Students' Negotiating Confidence and Perceptions on Effectiveness*. Journal of Education for Business, January/February 2008.

Taylor, Burns and Magnus summarize their research on the effectiveness and long-term benefits of negotiation training. Their results show that students were likely to engage in more “integrative” as opposed to “distributive” approaches in conflict following the semester-long course, which is what the researchers (and other negotiation proponents) would hope to occur as it reinforces the trainability aspect of the subject. The authors’ process and summary also support instructional design theory. This article could be helpful in helping to build a research project, possibly at USMA.

Weiss, J., Donigian, A., and Hughes, J. Extreme Negotiations. Harvard Business Review. November 2010.

The authors write this article to share effective negotiation strategies of military leaders with others who may also face “dangerous negotiations.” After defining dangerous negotiations (similar to In Extremis) as “situations that are not nearly life or death but instances where there are very large stakes and/or pressure on the leaders”, the authors present 5 strategies for navigating these challenges. These strategies include: 1) Understanding the big picture, 2) Uncovering hidden agendas and collaborate with the other side, 3) Get genuine buy-in, 4) Build relationships that are built on trust rather than fear, and 5) Pay attention to process as well as desired outcomes. The article concludes by suggesting that the best advice for extreme situations is to slow down the negotiation and not lock into a position.

Appendix:

Table 6-3. Summary of the competency *Extends influence beyond the chain of command*

Leaders need to influence beyond their direct lines of authority and beyond chains of command to include unified action partners. In these situations, leaders use indirect means of influence: diplomacy, negotiation, mediation, arbitration, partnering, conflict resolution, consensus building, and coordination.	
Understands sphere, means and limits of influence	<ul style="list-style-type: none"> Assesses situations, missions, and assignments to determine the parties involved in decisionmaking, decision support, and possible interference or resistance.
Negotiates, builds consensus and resolves conflict	<ul style="list-style-type: none"> Builds effective working relationships. Uses two-way, meaningful communication. Identifies individual and group interests. Identifies roles and resources. Generates and facilitates generation of possible solutions. Applies fair standards to assess options. Creates good choices between firm, clear commitment and alternatives to a negotiated agreement.

ⁱ Donigian, A. and Weiss, J. *Failure to Engage: Current Negotiation Strategies and Approaches*. Military Review, May 2012. Page 48.

ⁱⁱ Weiss, J., Donigian, A., and Hughes, J. Extreme Negotiations. Harvard Business Review. November 2010.

ⁱⁱⁱ Hughes, J., Weiss, J., Kliman, S., Chapnick, D. (2008). Negotiation Systems and Strategies. International Contract Manual. Thomson Reuters/West, 2008. Page 2.

^{iv} Ibid.

^v Ibid.

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