

AWC Elective Course Syllabus

EL 6238 Negotiation Theory and Application

Instructor: Dr Stefan Eisen Jr.

Description: This course develops a critical understanding of and ability to apply an additive set of essential negotiation skills. This course further develops not only your current negotiating skills, but also improves your ability to critically think about the processes that people, groups and even nation-states go through to successfully resolve conflict. Consideration is given to cross-cultural factors, time constraints, negotiating styles and strategies, and assessment of involved parties. Topics include individual and group problem solving processes, interpersonal conflict management, and influence methods. This course is built around faculty and guest presentations, individual and / or group research, application and assessment exercises, and seminar discussion.

Course Objective: At the end of the elective, students will be able to take the models presented and apply them to new and novel situations. They will be able to synthesize the following concepts as they consider the development of their personal negotiating strategy for a given situation. These concepts are:

1. The pervasive nature of interpersonal and topic conflict and the need for a variety of conflict resolution skills
2. The complexity of the senior leader problem-solving environment
3. The Negotiating Preferences and Styles Chart's (NPSC) utility in analyzing the advantages and disadvantages of applying the negotiation strategies
4. The leverage gained by applying effective analytical and interpersonal skills to the negotiations process
5. Planning and execution considerations for the cross-cultural negotiating environment.

Desired Learning Outcomes (DLO):

1. Successfully assess and synthesize the development and application of selected negotiations skill sets in the presented scenarios, case studies and exercises.
2. As senior leaders, value the need for the Cooperative Negotiating Strategy within the NPSC.
3. Analyze and successfully adapt the NPSC strategies within cross-cultural environments.

AF ICL: F1, F2, H2

SAE: 1, 5

JPMELA(II): 3e, 6a, 6b, and 6c

Deliverables and Evaluation:

1. Class Contributions to include application of principles during negotiation simulations: 25%
2. Course Paper / Case Study / Book Analysis (Student choice): 35%; due IP 09
3. Final Exam: 40%; due IP10

Course Paper / Case Study / Book Analysis (Student choice)

1. Course Paper or Case Study: You will develop a 7-9 page paper that assesses a negotiating situation. The source materials for assessment framework(s) are contained in the course

materials. Students may pick a framework of their choice (NPSC, Fischer and Ury's Interest-Based Negotiations (IBN), Zartman, etc.) and then assess an actual negotiations situation against the framework. The source of the negotiations situation may be personal experience, the observation of others in a negotiations process, or research of ongoing or recent negotiations. The *desired level* of the negotiations should be the operational level (senior staff function, group command or higher, or a deployed situation). The desired outcome is an analysis that answers the following:

- a. Describe the context (description of the negotiations as they occurred, description of the desired and actual outcome(s);
 - b. An assessment of the negotiations against a selected framework. If the framework was followed, an assessment of the strengths and weaknesses of the framework. Discussion may include, but is not limited to
 1. If one side followed a framework and the other didn't was there a noticeable difference, and what was that difference?
 2. Did anyone switch negotiating strategies? Why was the strategy changed? Was the change beneficial or not? Why did you assess it as such?
 3. If no framework was followed by either side, how might the application of a selected framework have increased the chances for success?
2. Book Analysis: You also have the option of presenting a 7-9 page book *analysis* (not a book report) on one of the following titles (or suggesting one of your own). The book must be approved by the course faculty.
- a. Bazerman, Max H., and Margaret Ann. Neale. *Negotiating Rationally*. New York: Free, 1993.
 - b. Crocker. C.A. et al. (Eds.), *Herding Cats, Multiparty Mediation in a Complex World*. Washington, DC: United States Institute of Peace Press, 2001
 - c. Camp, Jim. *No: the Only Negotiating System You Need for Work and Home*. New York: Crown Business, 2007.
 - d. Cialdini, Robert B. *Influence: Science and Practice*. Harlow: Pearson Education, 2008.
 - e. Corvette, Barbara A. Budjac. *Conflict Management: a Practical Guide to Developing Negotiation Strategies*. Upper Saddle River, NJ: Pearson Prentice Hall, 2007.
 - f. Cohen, Herb. *You Can Negotiate Anything*. Secaucus, N.J.: L. Stuart, 1980.
 - g. Fisher, Roger, and Daniel Shapiro. *Beyond Reason: Using Emotions as You Negotiate*. New York: Viking, 2005.
 - h. Goodwin, Deborah. *The Military and Negotiation: the Role of the Soldier-diplomat*. London: Frank Cass, 2005.
 - i. Howard, Nigel. *Confrontation Analysis: How to Win Operations Other than War*. Vienna, VA: Evidence Based Research, 1999.
 - j. Johnston, Peter D. *Negotiating with Giants: Get What You Want against the Odds*. Victoria, BC: Negotiation, 2008.
 - k. Kidder, Rushworth M. *How Good People Make Tough Choices*. New York: Morrow, 1995.
 - l. LaBrosse, Michelle A., and Linda Lansky. *Cheetah Negotiations: How to Get What You Want, Fast*. Carson City, NV: MAKLAF, 2005.

- m. Salacuse, Jeswald W. *Making Global Deals: Negotiating in the International Marketplace*. Boston: Houghton Mifflin, 1991.
- n. Snyder, Scott. *Negotiating on the Edge: North Korean Negotiating Behavior*. Washington, D.C.: United States Institute of Peace, 1999.
- o. Starkey, Brigid, Mark A. Boyer, and Jonathan Wilkenfeld. *Negotiating a Complex World: an Introduction to International Negotiation*. Lanham, Md.: Rowman & Littlefield, 1999.
- p. Ury, William. *Getting past No: Negotiating with Difficult People*. New York: Bantam, 1991.

Some considerations for structuring your book analysis might include:

- a. What is the author's credibility? Does the author write from research or experience? If it is research, what credentials does the author present and is the research sound? If it is experience, does the author offer multiple perspectives or only their own observations? Are they credible?
- b. Does the author present a new / different approach to negotiations than what is considered the classic US business standard (i.e. the Interest-Based Negotiations (IBN) model)? If so, is the presented approach superior? If so, how do you justify that conclusion? If not, what are the weaknesses in the presented approach when compared to the IBN approach (or other model, such as the NPSC)?
- c. Most of the books are written from a business or diplomatic perspective. How well does the author's thesis "translate" to the military negotiating context? Is it necessary, but not sufficient? Why or why not? What is missing? What would you incorporate that is additive to the author's work as you consider negotiating in the military context?
- d. Would you have this book on your desk 10 years from now? Would you find it useful as a personal reference or as a reference to teach others how to be better negotiators (mentoring the next generation of leaders)? What is the rationale behind your recommendation or non-recommendation?
- e. Is the book focused or general? If it focuses on one aspect of negotiations, what is the strength of that focus and what might the focus be missing (dialectic)? If it is a general approach, what might it be glossing over or not addressing in correct proportion?

Book analysis resource: <http://www.au.af.mil/au/awc/awcgate/awc-thkg.htm#bookreview>

Final Exam

The in-class open-book, open-notes examination requires you to take the presented scenario and, using a negotiations framework / strategy of your choice, present a plan for the initial negotiations. Expected length is 7-9 typewritten pages, excluding cover sheet and any endnotes (if required).

Texts:

1. Breslin, J.W. and J.Z. Rubin (eds.). *Negotiation Theory and Practice*. The Harvard Program on Negotiations. Cambridge, MA. 1999.
2. Cohen, Steve. *Negotiations for Managers*. McGraw-Hill Professional. New York, New York. 2002.

3. Cohen, Raymond. *Negotiating Across Cultures*. United States Institute of Peace. Washington, DC. 1997.
4. Eisen, Stefan Jr. and Kimberly Hudson. *Warrior / Negotiator: No Longer and Oxymoron, But a Necessity*. NCE Publication, Maxwell AFB, AL. 2009.
5. Fischer, Roger and William Ury. *Getting to Yes: Negotiating Agreement Without Giving In*. Penguin Books. New York, New York. 1991.
6. Goodwin, Deborah. *The Military and Negotiation: the Role of the Soldier-diplomat*. London: Frank Cass, 2005.
7. Lewicki, Roy J., Bruce Barry and David Saunders. *Essentials of Negotiation* (4th Edition). McGraw-Hill Irwin. New York. 2007.

Contact information:

Dr. Stefan Eisen Telephone: 953-6095 Email: stefan.eisen@maxwell.af.mil
Office: 130 W. Maxwell Blvd, Bldg 836, Room 207b

IP01: The Nature and Pervasiveness of Conflict, Distributive Bargaining, and the “Convince” and “Offer” Exercises

The focus is on where, when, and why conflict occurs and its pervasive nature. Class discussion will examine interest, value, structural, worldview and other types of conflict. The readings look at negotiations from a business perspective. The exercises provide insight to one’s personal problem solving approaches and preferences.

Readings:

1. Eisen, Stefan Jr. Negotiation Preferences and Styles Chart (NPSC) exercise. Distributed via NCE CD-ROM. 2009.
2. Fisher, Roger and William Ury. *Getting to Yes: Negotiating Agreement Without Giving In*. Chapter 1 (pp. 1-14)
3. Lewicki, Roy J., Bruce Barry and David Saunders. *Essentials of Negotiation*. Chapter 1 (pp. 1-26)
4. Lewicki, Roy J., Bruce Barry and David Saunders. *Essentials of Negotiation*. Chapter 2 (pp. 27-57)
5. Breslin, J.W. and J.Z. Rubin (eds.). *Negotiation Theory and Practice*. William J. Breslin and Jeffrey Z. Rubin, “Some Wise and Mistaken Assumptions About Conflict and Negotiation.” (pp. 3-12)
6. Eisen, Stefan Jr. “The Convince” Exercise. (separate handout – 1 page)
7. Eisen, Stefan Jr. “The Offer” Exercise. (separate handout – 4 pages)

IP02: Planning, the Inoculation Process and the “New Recruit” exercise

The focus is on a basic framework to help a negotiator prepare. It covers essential terms and concepts. The framework and definitions are based in the business world, as is the exercise. This will serve as a departure point for follow-on discussions of what concepts might need modification when negotiating in the military context.

Readings:

1. Cohen, Steve. *Negotiations for Managers*. Chapter 3 (pp. 39-56)
2. Cohen, Steve. *Negotiations for Managers*. Chapter 4 (pp. 57-69)
3. Cohen, Steve. *Negotiations for Managers*. Chapter 5 (pp. 70-83)
4. Lewicki, Roy J., Bruce Barry and David Saunders. *Essentials of Negotiation*. Chapter 4

(pp. 85-110)

5. Kellogg School of Management. *New Recruit Exercise*. (separate handout – 2 pages)

IP03: Cooperative Negotiating Strategy (CNS) – An Introduction and Rationale, and the “Pentagon Peer-plexer” Exercise

The reading is the development of possible negotiating strategies for the military context. It is essentially culture neutral, and serves as a contrast to the previously introduced business models. The exercise reflects elements of a negotiation in a military environment.

Readings:

1. Eisen, Stefan Jr. and Kimberly Hudson. *Warrior / Negotiator: No Longer and Oxymoron, But a Necessity*. (separate handout – 52 pages)
2. Eisen, Stefan Jr. The CNS Worksheet (separate handout – 14 pages)
3. Eisen, Stefan Jr. *Pentagon Peer-plexer Exercise*. (separate handout – 5 pages)

IP04: Trust, Power and Ethics – the TIPO model

In the previous IP, the exercise brought to light some issues surrounding the various uses of trust and power as well as how negotiations can present ethical challenges and dilemmas. This IP develops a framework for making appropriate and ethical use of power.

Readings:

1. Lewicki, Roy J., Bruce Barry and David Saunders. *Essentials of Negotiation*. Chapter 7 (pp. 149-166)
2. Lewicki, Roy J., Bruce Barry and David Saunders. *Essentials of Negotiation*. Chapter 8 (pp. 167-189)
3. Breslin, J.W. and J.Z. Rubin (eds.). *Negotiation Theory and Practice*. Roger Fisher, “Negotiating Power: Getting and Using Influence.” (pp. 128-140)
4. Eisen, Stefan. *Overview of Negotiating Strategies*. (separate handout – 29 pages)

IP05: Negotiating in a Cross-Cultural Environment: Some Frameworks

Up to this point, the concepts and framework have been presented in a predominantly Western cultural perspective. This IP develops frameworks for seeing how other cultures might approach negotiations and the challenges it presents the leader.

Readings:

1. Cohen, Raymond. *Negotiating Across Cultures*. Chapter 3. (pp. 25-42)
2. Cohen, Raymond. *Negotiating Across Cultures*. Chapter 4. (pp. 43-66)
3. Rife, Rickey L. Colonel, USA. *Defense Is From Mars State Is From Venus*, Army War College Paper, pp. 1-26. Available at:
http://www.au.af.mil/au/awc/awcgate/ndu/dod_from_mars_state_from_venus.doc
4. Goodwin, Deborah. “The Military and Negotiation. (pp 128-154).

IP06: Negotiating in a Deployed Environment and the Alpha Beta Exercise

This IP takes the culture-general frameworks and applies it to the Middle East deployed environment. Readings are from deployed military leaders and their experiences. The simulation is an introductory negotiation to examine the impact of two dramatically different approaches to negotiations.

Readings:

1. Wunderle, William D. (LTC, USA). “Through the Lens of Cultural Awareness: A Primer for US Armed Forces Deploying to Arab and Middle Eastern Countries.” (pp.

23-51)

2. Nobel, Orly Ben-Yoav, Brian Wortinger, and Sean Hannah. "Winning the War and the Relationships: Preparing Military Officers for Negotiations with Non-Combatants." (Selected pages – electronic copy in the shared folder). (pp. 1-21)
3. Nobel, Orly Ben-Yoav, Donald Campbell, Sean T. Hannah and Brian Wortinger, "Soldiers' Negotiations in Combat Areas: The Effects of Role Clarity and Concern for Members of the Local Population." *International Journal of Conflict Management*. Vol 21, Issue 2. Spring 2010 (pp. 202-227)
4. Kellogg School of Management. *Alpha Beta Exercise*. (separate handout –2 pages)

IP07: Torbango Exercise

Based on an actual incident, this simulation further develops the ability to assess the context and apply cross-cultural negotiating skills.

Readings:

1. Myers, Lynda and Stefan Eisen. *Torbango*. SAF/GCD and AF NCE developed simulation. 2009. (separate handout – 5 pages)
2. Myers, Linda and Stefan Eisen. *Torbango, US delegation confidential Instructions*. SAF/GCD and AF NCE developed simulation. 2009. (separate handout – 5 pages)
3. Myers, Linda and Stefan Eisen. *Torbango. Torbangan delegation confidential Instructions*. SAF/GCD and AF NCE developed simulation. 2009. (separate handout -- 5 pages)
4. AF Negotiations Worksheet Intro and Guide (separate handout – 14 pages)

IP08: Mediation—Facilitated Negotiations -- Southern Electric Exercise

Leaders have a facilitative tool to help resolve workplace disputes, especially when it involves civilian and / or contractor elements. This IP develops the skill and the understanding of what base-level mediation services can do to serve the commander.

Readings:

1. Breslin, J.W. and J.Z. Rubin (eds.). *Negotiation Theory and Practice*, Jeffrey Z Rubin and Frank E A Sander, "When Should We Use Agents? Direct vs. Representative Negotiation." (pp. 81-87)
2. Breslin, J.W. and J.Z. Rubin (eds.). *Negotiation Theory and Practice*. William P Smith, "Effectiveness of the Biased Mediator." (pp. 419-428)
3. Breslin, J.W. and J.Z. Rubin (eds.). *Negotiation Theory and Practice*. Christopher Honeyman, "Bias and Mediators' Ethics." (pp. 429-432)
4. Kellogg School of Management. *Southern Electric Exercise* (separate handout – 2 pages)

IP09: In-Class presentation of the Course Paper / Case Study / Book Analysis

Readings: None

(Book Analysis Due)

Brief your seminar mates on the course paper, case study, or book analysis that you developed during this course. Power point and handouts are strictly optional. Presentation not to exceed 15 minutes (to include Q&A).

IP10: Final Exam

The in-class open-book, open-notes examination will require you to take a scenario and, using the NPSC and CNS model, and present a plan for the initial negotiations.