

DHP D220: THE PROCESSES OF INTERNATIONAL NEGOTIATION

Professor Ganson

This course explores the processes, rather than specific substantive issues, of international negotiation and dispute resolution. It is divided into the following parts:

- Theories and models of international negotiation
 - The nature of international negotiation: attitudes and assumptions
 - Integrative models and value creation in negotiation
 - Value claiming, distributive models and the negotiator's dilemma
- The negotiations proper: the process of international negotiation
 - Pre-negotiation: negotiating what we're negotiating about
 - Principals and agents in international negotiation
 - Preparation for international negotiations
 - Sources and application of negotiation power
 - Conflicts of culture and the management of complex relationships
 - Decision-making as a complicating factor
 - Implementation and re-negotiation of international agreements
- Multi-party complexities in international negotiation
 - Managing multilateral, multi-issue negotiations (2 class sessions)
 - Third party intervention in international negotiations

Information concerning specific assignments for individual class sessions, as well as due dates for written work, are available on the Blackboard site.

Requirements and grading are as follows:

(1) Written Analysis (65%)

Analytic advice memorandum

Students who wish to examine a current, unresolved conflict and how negotiation theory may be applied strategically by one of the parties may choose to write an analytic advice memorandum. A brief description of the conflict you have chosen is due the fourth week of class.

Part One of the Memorandum consists of an overview of a current international conflict of your choosing. A handout is available on Blackboard which gives guidelines for the conflict overview, including identifying relevant parties, their positions and interests, BATNAs, etc. Its purpose is to provide an analytic foundation for understanding the conflict from a neutral perspective. Part One of the Memorandum may not exceed 10 pages in length.

Parts Two and Three of your Memorandum will be submitted together. They must be directed at a specific decision-maker who is a party (or potential party) to a particular negotiation within the context of the conflict. The goal of Part Two is to provide new insight to the decision-maker about how and why the processes of negotiation currently utilized are delivering sub-optimal results from that party's perspective, drawing on relevant negotiation literature and theory as appropriate. Part Three is your prescriptive strategy briefing for the same party to the conflict: in light of the data and new insight arising from parts One and Two of the Memorandum, how might that party more productively proceed with negotiations? Parts Two and Three are due at the end of the semester. Together they may not exceed 25 pages in length.

-OR-

Research paper

Students who wish to examine in depth a particular example of international negotiation, or a particular aspect of negotiation theory as applied to one or more international negotiations, may choose to write a research paper.

The first critical task for students writing a research paper is to pose a focused research question. A productive research question is typically bounded by a particular aspect of negotiation theory explored in the seminar (negotiation paradigms, coalitions, power, agency, third party roles, etc.), by particular parties (for example, intra-party vs. inter-party negotiations, or a particular sub-set of the larger negotiations), and by a specific time frame (the pre-negotiations, the negotiations proper, implementation, etc.). The third week of October, students should submit to the instructor for preliminary approval a well-focused research question, as well as a one or two paragraph description of the anticipated analysis. The first week of November, a preliminary framing of your analysis and a preliminary bibliography for the paper is due, not to exceed two pages.

The goal of the research paper is to provide substantial insight on the processes of international negotiation, drawing on the factual record and relevant negotiation theory as appropriate. What were the negotiation dynamics at work? How did they enable or undermine a successful negotiated outcome? How does our analysis help us better understand either this particular negotiation, or this particular negotiation process? The final paper is due at the end of the semester. It may not exceed 35 pages in length.

(2) Participation in online class forum (20%)

On Blackboard you will find an open class forum, organized by class topic. After any six classes of their choosing, students are required to submit an entry reflecting on the readings, class exercises and discussions from that class. Students may include questions about the class topic under discussion; areas of disagreement; ideas that are deemed to be particularly salient; or application of seminar ideas to a particular international negotiation. Discussion (that is, responses to the entries of others) is also encouraged. Entries should not exceed 250 words (the equivalent of about one typewritten double-spaced page). Students should remember that entries are visible to the entire class, and that the standards of respect are the same in class and on line.

(3) Preparation and class participation (15%)

As a seminar course, it is necessary that participants not only do all of the assigned readings, but also come to class fully prepared for a lively exchange of ideas and to participate actively in class discussion and exercises. A portion of many classes will be devoted to a negotiation exercise or simulation whose purpose is to give students an opportunity to apply theory to practice and develop basic negotiation skills. Students are required to participate in all such exercises and simulations.

Simulations are generally not available in electronic format. If you miss a class where simulation materials are to be handed out for preparation, you must contact the instructor to receive materials. You will otherwise be unprepared for the class following the one you missed.

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Required Readings

The following two books, available at the Tufts University Bookstore, will be read in their entirety:

Fisher, R., Ury, W.L., & Patton, B., *Getting to Yes: Negotiating Agreement Without Giving In*, 2nd Edition. New York: Penguin Books, 1991.

Salacuse, J.W., *The Global Negotiator: Making, Managing, and Mending Deals Around the World in the Twenty-first Century*. New York: Palgrave Macmillan, 2003.

In addition, students are to read before each class session the assigned materials on this reading list, organized by class topic. Copies of all readings (except for required books) are available on the course Blackboard site.

I. International Negotiations: Attitudes and Assumptions

Druckman, Daniel. "Negotiating in the International Context," in Zartman, I.W. and Rasmussen, J.H., *Peacemaking in International Conflict*. Washington, D.C.: U.S. Institute of Peace, 1997, 81-123. JX 4473. P42/ 1997

Luttwak, E.N. "Give War a Chance." *Foreign Affairs*, Vol. 78, No. 4, July/August 1999 pp. 36-44.
Lexis--Nexis: <http://www.library.tufts.edu/cgi-bin/liblicense.pl?LOCATION=Lexis>

Salacuse, J.W. *The Global Negotiator: Making, Managing, and Mending Deals Around the World in Twenty-first Century*. New York: Palgrave Macmillan, 2003. Chapters 1, 2, and 4. HD58.6 .S246 2003

Salem, P.E. "A Critique of Western Conflict Resolution from a Non-Western Perspective." *Negotiation Journal*, 1993, 9, pp. 361-369.

Sebenius, J.K. "Negotiation Analysis: A Characterization and Review" *Management Science*, Vol. 38, No. 1. January 1993. 18-38.

II. Value Creation & Integrative Models of Negotiation

Fisher, R., Kopelman, E. and Schneider, A.K. (1994) *Beyond Machiavelli: Tools for Coping with Conflict*. Cambridge, MA: Harvard University Press (B. Ganson, ed.). 73-82.

Fisher, R., Ury, W.L., & Patton, B.M. *Getting to YES: Negotiating Agreement Without Giving In*, second edition. New York: Penguin Books, 1991. (entire book)

Lax, D.A. and J.K. Sebenius (2006) *3-D Negotiation: Powerful Tools to Change the Game in your Most Important Deals*. Boston, MA: Harvard Business School Press. 7-50

Rubin, J.Z. "Some Wise and Mistaken Assumptions about Conflict and Negotiation" in J.W. Breslin & J.Z. Rubin (Eds.), *Negotiation Theory and Practice*. Cambridge: PON Books, 1991. pp. 3-12.

A. Schneider, "Shattering Negotiation Myths: Empirical Evidence on the Effectiveness of Negotiation Style," 7 HARVARD NEGOTIATION LAW REVIEW 164 (Spring 2002)

III. Value Claiming, Distributive Models and the Negotiator's Dilemma

Hopmann, P.T., "Two Paradigms of Negotiation: Bargaining and Problem Solving," 542 *The Annals of the American Academy of Political and Social Science* 24-47 (November 1995).

Lax, D.A. & Sebenius, J.K. *The Manager as Negotiator: Bargaining for Cooperation and Competitive Gain*. New York: Free Press, 1986. Chapter 2 (The Negotiator's Dilemma). HD58.6 .L39 1986

Pruitt, D.G., "Flexibility in Conflict Episodes," 542 *The Annals of the American Academy of Political and Social Science* pp. 100-115 (November 1995).

Schelling, T.C. *The Strategy of Conflict*. Cambridge: Harvard University Press, 1960. Chapter 2 (An Essay on Bargaining). BF 637. N4 S3

IV. Getting to the Table: Pre-negotiation

Cambell, M.C. & Docherty, J.S., "What's in a Frame?," in A.K. Scheider & C. Honeyman, *The Negotiator's Fieldbook*. Washington, American Bar Association, 2006. pp. 37-46.

Goldberg, S.B., Green, E.D., & Sander, F.E.A. "Saying You're Sorry," in J.W. Breslin & J.Z. Rubin, *Negotiation Theory and Practice*. Cambridge, PON Books, 1991. pp. 141-144.

Haas, R. "N., *Conflicts Unending: The United States and Regional Disputes*. New Haven: Yale University Press, 1991. pp. 1-29, 138-150 E 881. H33 /1990

Kelman, H.C. "Coalitions Across Conflict Lines: the Interplay of Conflicts Within and Between the Israeli and Palestinian Communities," in J. Simpson & S. Worchel (Eds.), *Conflict Between People and Groups*. Chicago: Nelson-Hall, 1993. pp. 236-258. HM 136. C668/ 1993

Lieberfeld, D. "Evaluating the Contributions of Track-Two Diplomacy to Conflict Termination in South Africa, 1984-90." *Journal of Peace Research* 39(3): 355-372, 2002.

Lundberg, K. "The Oslo Channel: Getting to the Negotiating Table," and "The Oslo Channel: Epilogue." Cambridge: J.F. Kennedy School of Government Case Program, 1998.

V. Getting to the Table: Preparation for Negotiation

Lax, D.A. and J.K. Sebenius (2006) *3-D Negotiation: Powerful Tools to Change the Game in your Most Important Deals*. Boston, MA: Harvard Business School Press. 53-116.

Lewicki, R.J., & Litterer, J.A. *Negotiation*. Homewood, IL: Irwin, 1985. Chapter 3 (Planning and Preparation). pp. 45-73. HD 58 .6 .N45/ 1999

Salacuse, J.W., *The Global Negotiator: Making, Managing, and Mending Deals Around the World in Twenty-first Century*. New York: Palgrave Macmillan, 2003. Chapter 3. See also Appendix A, "The Global Negotiators Checklist" (pp. 273-76). HD58.6 .S246 2003

VI. Sources & Application of Negotiation Power

Fisher, R. "Negotiating Power: Getting and Using Influence," in J.W. Breslin & J.Z. Rubin (Eds.), *Negotiation Theory and Practice*. Cambridge: PON Books, 1991. pp. 127-140

McCarthy, W. "The Role of Power and Principle in *Getting to YES*," in J.W. Breslin & J.Z. Rubin (Eds.), *Negotiation Theory and Practice*. Cambridge: PON Books, 1991. pp. 115-122.

Rosegrant, Susan and Michael Watkins. "Carrots, Sticks, and Question Marks: Negotiating the North Korean Nuclear Crisis." Cambridge: J.F. Kennedy School of Government Case Program, 1995.
FOLDER (DIP 3782, 3783, 3784, 3785)

Rubin, J.Z. & Salacuse, J.W. "The Problem of Power in Negotiation," *International Affairs*, April 1990, pp. 24-34.

Rubin, J.Z. & Zartman, I.W. "Asymmetrical Negotiations: Some Survey Results that May Surprise," in 11 *Negotiation Journal* Issue 4, pp. 349 – 364 (1995).

VII. Conflicts of Culture & the Management of Complex Relationships

Salacuse, J.W. *The Global Negotiator: Making, Managing, and Mending Deals Around the World in Twenty-first Century*. New York: Palgrave Macmillan, 2003. Chapter 7 (pp.89-115).
HD58.6 .S246 2003

Watson, C. "Gender vs. Power as a Predictor of Negotiation Behavior and Outcomes." *Negotiation Journal* 10, 1994. 117-127.

Weiss, S.E. "Negotiating with 'Romans' - Part 1. *Sloan Management Review*, Vol. 35, No. 1, 1994. 51-61.

Zartman, I.W. "A Skeptic's View," in G.O. Faure & J.Z. Rubin (Eds.), *Culture and Negotiation*. Newbury Park: Sage, 1993. pp. 17-21. JX 4473. C85/ 1993

VIII. Problems of Decision-Making in International Negotiations

Arrow, Kenneth, et al. (eds). *Barriers to Conflict Resolution*. Cambridge, MA: PON Books, 1993. 2-60; 86-106. HD42 .B295 1995

Bazerman, M.H. "Negotiator Judgment: a Critical Look at the Rationality Assumption" in J.W. Breslin & J.Z. Rubin (Eds.), *Negotiation Theory and Practice*. Cambridge: PON Books, 1991. pp. 197-209.

Fisher, Roger, and Shapiro, Daniel (2006) *Beyond Reason: Using Emotions as You Negotiate*. New York: Viking Press. 3-21.

Stone, Douglas et al. *Difficult Conversations: How to Discuss What Matters Most* New York: Penguin Books, 1999. 3-20. BF637.C45 S78 1999

IX. Follow-Up, Implementation, and Renegotiation

Bazerman, M.H., Russ, L.E., & Yakura, E. "Post-Settlement Settlements in Two-Party Negotiations," in J.W. Breslin & J.Z. Rubin (Eds.), *Negotiation Theory and Practice*. Cambridge: PON Books, pp. 331-340.

Raiffa, H. "Post-Settlement Settlements," in J.W. Breslin & J.Z. Rubin (Eds.), *Negotiation theory and practice*. Cambridge: PON Books, 1991. pp. 323-326

Salacuse, J.W., *The Global Negotiator: Making, Managing, and Mending Deals Around the World in Twenty-first Century*. New York: Palgrave Macmillan, 2003. Chapters 12, 13, 15, and 16. [HD58.6 .S246 2003](#)

Stedman, Stephen John, Donald Rothchild and Elizabeth M. Cousens. *Ending Civil Wars: The Implementation of Peace Agreements*. Boulder, CO: Lynne Rienner Publishers, Inc., 2002 (pp. 1-40).

Susskind, L. and Cruikshank, J. *Breaking the Impasse: Consensual Approaches to Resolving Public Disputes*. New York: Basic Books, 1987. 16-34.

X. Principals & Agents in International Negotiations

Babbitt, E.F., "Challenges for International Diplomatic Agents," in Mnookin & Susskind, (eds.) *Negotiating on Behalf of Others* pp. 135-150 (1999) [HD58.6.N4334/1999](#)

Crutcher-Gershenfeld, J. E. Watkins, M. "Toward a Theory of Representation in Negotiation" in Mnookin & Susskind (eds.), *Negotiating on Behalf of Others* pp.23-51 (1999)

Putnam, R. "Diplomacy and Domestic Politics: The Logic of Two-Level Games." *International Organization* 42, 1988. 427-60.

XI. Managing Complexity: Multilateral, Multi-Issue Negotiations

Antrim, L., & Sebenius, J. "Formal Individual Mediation and the Negotiators' Dilemma: Tommy Koh at the Law of the Sea Conference," in J. Bercovitch & J.Z. Rubin (Eds.). *Mediation in International Relations*. New York: St. Martin's Press, 1992. pp. 97-130. [JX 4475. M37/ 1992](#)

Dupont, Christophe. "Negotiation as Coalition Building." *International Negotiation*. Vol. 1, 1996. pp. 47-64. DB

Raiffa, H. *The Art and Science of Negotiation*. Cambridge: Harvard University Press, 1982. Chapter 17 (Coalition Analysis). pp. 257-287. [BF 637. N4 R34/ 1982](#)

Rosegrant, Susan and Michael Watkins. "The Gulf Crisis: Building a Coalition for War." Cambridge: J.F. Kennedy School of Government Case Program, 1994. [FOLDER \(DIP3790, 3791\)](#)

Sebenius, James K., "Dealing with Blocking Coalitions and Related Barriers to Agreement: Lessons from Negotiations on the Oceans, the Ozone, and the Climate" in Arrow *et. al.* *Barriers to Conflict Resolution*, pp. 151-182 (1995). [HD 42. B295/ 1995](#)

XII. Third Party Intervention in International Negotiations

Bercovitch, J. "Mediation in International Conflict: An Overview of Theory, A Review of Practice," in Zartman, I.W. and Rasmussen, J.L. *Peacemaking in International Conflict*. Washington D.C.: U.S. Institute of Peace, 1997. pp. 125-153. JX 4473. P42/ 1997

Curran, Daniel F. "‘To Hell with the Future, Let’s Get on With the Past.’ George Mitchell in Northern Ireland," HBS Case No. N9-393 (2001).

N. Roubana & S. Korper, "Dealing with the Dilemmas Posed by Power Asymmetry in Intergroup Conflict," 12 *Negotiation Journal* Issue 4, pp. 353 – 366 (1996).

Salacuse, J.W., *The Global Negotiator: Making, Managing, and Mending Deals Around the World in Twenty-first Century*. New York: Palgrave Macmillan, 2003. Chapter 17. HD58.6 .S246 2003

Watkins, Michael. "Getting to Dayton: Negotiating an End to the War in Bosnia," HBS Case No. 1-800-134 (1999). FOLDER (DIP 3792, 3793)