

# The Program on Negotiation at Harvard Law School Annual Report for Academic Year 2006-2007

# Part One: Report of Activities

The Program on Negotiation (PON) at Harvard Law School is committed to improving the theory and practice of negotiation, supporting the work of negotiation scholars and teachers, and helping students learn to become effective negotiators. PON is a university consortium, with faculty and students from Harvard, MIT, Tufts, and other Boston-area schools, and it is a multi-disciplinary program, drawing insights from law, business, economics, psychology, government, public policy, anthropology, and education. PON faculty and associates are widely published in a variety of scholarly journals, working paper series, and mainstream media, and PON faculty teach negotiation courses to thousands of students and executive education participants each year.

While PON scholars strive to expand the frontiers of knowledge, PON also seeks innovative ways to connect negotiation theory with real-world conflicts, problems, and challenges. A few of the many topics that have recently engaged the faculty, students, and associates of PON include: nonviolent struggles for political independence in Belgium; using new media to reach broader audiences; connecting with student activists; contributing to discussions about war and violence; looking at conflict management in the aftermath of Hurricane Katrina; and envisioning a cultural hiking trail in the Middle East that would bring together believers of Islam, Judaism, and Christianity.

This year PON gave its seventh Great Negotiator Award to Bruce Wasserstein, for his more than 30 years of experience in the investment banking and mergers and acquisitions industry, helping to arrange transactions worth more than \$250 billion. The events brought together students and faculty from Harvard Law School and Harvard Business School, and two case studies were developed on

Wasserstein's negotiations regarding the Lazard IPO and the sale of *New York Magazine*.

PON's Student Interest Group now includes over 700 graduate students from Harvard, MIT, Tufts, and other Boston-area schools who share a passion for learning about negotiation and putting that knowledge to work. PON's new Fireside Chat series provides an opportunity for students to connect informally with faculty; career-oriented events show how negotiation can be integrated into careers in law and other domains; and opportunities to work as teaching and research assistants provide hands-on experience.

Gabriella Blum, a former PON graduate research fellow and longtime colleague, was named Assistant Professor of Law and is teaching negotiation and conflict management, among other courses. The new Harvard Negotiation and Mediation Clinical Program (HNMCP) is located at PON and is overseen by Professor Robert Bordone. The first student prize in negotiation was given by PON this year to an HLS student. The Sander/Fisher Prize honors Professors emeritus Frank Sander and Roger Fisher, who with others co-founded PON.

In December PON sponsored a symposium on *Negotiation: the Hidden Dimension* of the *Nonviolent Struggles of our Era*, with honored guest Ela Gandhi, former member of the South Africa parliament and grand-daughter of Mahatma Gandhi. PON also co-sponsors a seminar series with the Nieman Foundation for Journalism and others that examines issues relating to *Negotiation, Conflict, and the News Media*.

New books by PON faculty include *Islands of Agreement* by HLS Assistant Professor Gabriella Blum, *3-D Negotiation: Powerful Tools to Change the Game in Your Most Important Deals* by James Sebenius, *Breaking Robert's Rules* by Lawrence Susskind, and *The Power of a Positive No* by William Ury.

PON continues to operate the Program of Instruction for Lawyers, which offered training in mediation, negotiation, and deal-making this year to some 250 participants. Courses were held on the law school campus. The Harvard Negotiation Insight Initiative also offered a series of seminars on campus in July.

The new Negotiation Pedagogy at PON initiative will explore ways to help improve how people teach and learn about negotiation.

More detailed information about all PON activities is available at the PON website, <a href="http://www.pon.harvard.edu/">http://www.pon.harvard.edu/</a>.

# A. Research Projects and Scholarly Initiatives

PON supports a broad scope of research in order to recognize the diversity of disciplines that both build on negotiation theory and advance new negotiation concepts. Our scholars represent a wide array of disciplines, including law, psychology, economics, business and management, public policy, sociology, and international relations. They are recognized leaders in the field and contribute their scholarship and expertise in a variety of ways, including through scholarly articles, books, mainstream media, online media, and in their teaching. (See also: Connections to Practice, page 20). PON has been traditionally organized around a set of faculty-led research projects. A brief description of each project is below, along with recent developments.

### 1. Dispute Resolution Program

The <u>Dispute Resolution Program</u> (DRP) promotes research and theory-building on the ever-increasing array of alternative dispute resolution mechanisms, with emphasis on how those procedures are best used in conjunction with judicial and regulatory systems. It also promotes the development of innovative teaching materials in this realm. The Multi-Door Courthouse is one alternative method of dispute resolution created by the DRP. Employed in the U.S and abroad, the Multi-Door Courthouse is a system for assessing disputes and recommending alternatives to litigation. The DRP supported the creation of a Uniform Mediation Act, which assists in ensuring the effectiveness and integrity of the mediation process through state-level regulation around the U.S.

Professor Emeritus Frank E. A. Sander delivered the Schwartz Lecture on Dispute Resolution at the Ohio State University Moritz College of Law in 2006. His talk, *Developing the MRI: Mediation Receptivity Index*, was published as the lead article in the vol. 22, #3, 2007 issue of the *Ohio State Journal on Dispute Resolution*. In May, Professor Sander and his co-authors published the 5<sup>th</sup> edition of their ground-breaking casebook, *Dispute Resolution*.

HBS Professor and co-director Michael Wheeler is developing new video-based teaching materials for the **Mediation and Consensus Building course at Harvard Law School**, and is writing a book, *Wild Negotiation: Mastering Chaos and Winning Agreement*, for HBS Press.

The Harvard Negotiation Insight Initiative (HNII) seeks to broaden and deepen the way we understand, teach and practice negotiation and dispute resolution by integrating insights from the world's ethical, philosophical and spiritual traditions. This past July, HNII offered its flagship program, the **Summer Learning Forum**, to 250 participants from all over the world. For two weeks, HNII brought together ADR thought leaders and practitioners to explore new

ways to understand, practice, and teach negotiation and other forms of conflict resolution.

This unique gathering allowed for pioneering experiments in the pedagogy of teaching people how to engage conflict and how to assist others to resolve disputes. HNII generated enormous insight and interest into the nexus of conflict processes and outcomes with the inner life of the conflict practitioner. Workshop evaluations showed overwhelmingly positive responses from participants about the quality of the educational experience, and the relevance of what they learned, to their professional lives working with parties in conflict.

The DRP continues to sponsor monthly breakfast forums during the academic year where speakers discuss their negotiation and mediation experiences. These forums are open to area practitioners, faculty, and students. The DRP also publishes the <u>Dispute Resolution Directory</u>, an annual catalog of negotiation and conflict resolution courses and internships in the Greater Boston area.

### 2. Harvard Negotiation Research Project (HNRP)

During the 2006 – 2007 academic year, Professor Robert Mnookin, HNRP Director, was on a fellowship at the Center for Advanced Study in the Behavioral Sciences at Stanford University where he worked on two projects relating to dispute resolution.

#### **Ethnic Conflict**

Professor Mnookin continued work he had begun relating to the Israeli-Palestinian conflict. This work has argued that internal "behind the table" conflicts are the primary barriers to a negotiated two state solution. In 2006 he also began **studying the internal conflict** within Belgium between the Dutch speaking Flemish community and the French speaking Walloons. Building on these two strands of work, Mnookin asked why some ethnic conflicts are violent and others are not. This led to an article published in the Winter 2007 issue of *Daedalus* comparing and contrasting these conflicts.

#### Bargaining with the Devil

During the second half of his fellowship, Professor Mnookin began a new book project: **Bargaining with the Devil: What to Do When the Stakes Are High and the Other Side Seems Evil**. By "devil" is meant an enemy who may have hurt you in the past or appears willing to profoundly harm you in the future: someone you do not trust, or someone you see as evil, whose values and stated interests are profoundly different. The devil in this sense may be your nation's enemy, a business competitor, or even a family member.

In this work Mnookin will argue that often, but not always, you should decide to bargain even with the devil. The challenge is in making wise decisions. Drawing

on a variety of disciplines, he exposes the emotional, psychological, and political traps that commonly distort people's thinking when a disputant perceives the other side to be evil. He offers a framework to think through the benefits and costs of alternative courses of action, and then shows how that framework can be used to analyze a broad range of real world disputes.

### 3. Global Negotiation Project (GNP)

The <u>Global Negotiation Project</u> (GNP) continued to expand, with the addition of many interns and research assistants from Harvard and the Boston area, and reached important milestones in its ongoing projects.

GNP's ambitious <u>e-Parliament Initiative</u> links members of parliaments and congresses from around the world via the Internet and other technological mediums. This online community enables democratically elected legislators to exchange ideas and propose strategies on global issues. The e-Parliament's energy efficiency campaign, calling for a one-watt global goal for energy usage by appliances in standby mode, has already generated legislative initiatives in Brazil, Norway, and the European Union.

The <u>Abraham Path Initiative</u> (API) aims to inspire and support the opening of a permanent cultural route of pilgrimage and tourism that retraces the footsteps of Abraham in the Middle East. In November 2006, the first Study Tour followed the path of Abraham from Harran, where he heard the call to go forth, to Hebron or Al-Khalil, where he is buried. Along the way, civic, religious, and political leaders were consulted about the best way to construct the Abraham Path route. A goal of the project is to bring people of multiple faiths together as a way to overcome cultural misunderstandings.

Some important practical work for the API was achieved in the past year. This work includes:

- Mapping the Path. An office was opened in Amman, Jordan. The Jordanian team
  mapped, using Google Earth and GPS technology on the ground, eighty
  kilometers of the Abraham Path. GNP's Palestinian colleagues mapped out a day
  hike around the city of Bethlehem, complete with a preliminary guidebook, and
  are planning other segments.
- Obtaining governmental permissions. Working in such a volatile environment, it is critical to receive permission or support from the governments. So far the API has statements of strong support, written or verbal, from ministries of tourism or higher authorities along the route in Turkey, Syria, Jordan, Israel, and Palestine.
- Organizing local chapters. Around the world, there has been strong interest in walking or touring the Abraham Path, as well as in organizing local Abraham walks. Brazil has taken the lead in organizing the first formal chapter of the Abraham Path by hiring an executive director, sponsoring delegates on the Study Tour, and planning local and global events.

In the last few months, articles about the Abraham Path have been written in *Gulf News* (UAE), *Hurriyet and Referens* (Turkey), *Le Monde* (France), *Gazeta Mercantil* (Brazil), the *Christian Science Monitor* (US), among others, as well as on Al-Arabiya TV and CNN Turkey. *Al Jazeera* has shown interest in doing a story, and *National Geographic* and the Discovery Channel have expressed interest in producing a documentary.

# 4. Harvard Negotiation Project (HNP)

The <u>Harvard Negotiation Project</u> (HNP) actively pursues its mission to improve the theory and practice of conflict resolution and negotiation by working on real world conflict intervention, theory building, education and training, and writing and disseminating new ideas.

On November 4, 2006, **HNP Director Roger Fisher and Assistant Director Daniel Shapiro were awarded the prestigious Cloke-Millen Award** by the Southern California Mediation Association. Formerly the "Peacemaker of the Year" prize, the award is given each year to an outstanding professional working in mediation, negotiation, or dispute resolution.

The American Psychological Association recently named Dan Shapiro the recipient of their **Early Career Award**, recognizing young scholars who have made significant contributions to research and practice in peace psychology.

Dan Shapiro wrote an article for the October 2006 issue of *O: The Oprah Magazine*. His article, *Before Your Next Fight, Read This*, describes how he applied the ideas in his bestselling book, *Beyond Reason: Using Emotions as You Negotiate*, to resolve a conflict with his wife. The paperback version of *Beyond Reason*, by Roger Fisher and Dan Shapiro, was released in October 2006.

In November, Daniel Shapiro and leaders of the NYPD's Hostage Negotiation Team led a simulation for HLS students that brought the **emotional dimension of crisis negotiation** to life.

Professor Shapiro is also the Director of the International Negotiation Initiative, based at HNP. INI aims to expand the role of psychology to address current global concerns, including terrorism and violent conflict. This past year, INI (with the Harvard Law School Advocates for Human Rights) worked with the International Criminal Court (ICC) to develop a conflict assessment tool that would aid the ICC in evaluating the experiences of people involved in a violent conflict.

Shapiro is currently working with HLS research assistants to develop a new book and refine his theoretical framework used to help understand the role of identity in conflict situations.

# 5. MIT-Harvard Public Disputes Program (PDP)

The fifteenth annual *Papers on International Environmental Negotiation* was published by PON with original contributions from Harvard, MIT, and Tufts graduate students enrolled in the joint MIT-Fletcher School seminar on International Environmental Negotiation taught by Professors Lawrence Susskind and William Moomaw.

A new teaching simulation on rebuilding the World Trade Center was prepared by PON faculty and staff along with a DVD presenting new ways of debriefing simulations in graduate-level courses on public dispute resolution. These are now available from the PON Clearinghouse. A second DVD highlighting the results of a conference bringing together some of the world's political philosophers and public dispute resolution professionals was also produced by PDP faculty with PON support.

Professor Lawrence Susskind's *Breaking Robert's Rules* was published by Oxford University Press in 2006, and a PON Dispute Resolution Forum session explaining the implications of the book for dispute resolution professionals was webcast and is also available as a podcast.

PDP faculty took the lead in organizing a new national Working Group on Public Policy Dispute Resolution and Collaboration that is bringing together numerous professional groups and associations working on civic engagement, public policy dialogue, and the mediation of public disputes. This group formed as a result of the Association for Conflict Resolution (ACR) Section Meeting on Environmental and Public Policy Dispute Resolution in Boston that was organized with support from PON. In addition, PON's *Negotiation Journal* published the results of the national survey of professionals and companies providing public dispute resolution services in the United States that was prepared as part of that Section Meeting in Cambridge.

Finally, with support from PON, PDP was able to bring leading **peacemaking professionals from Navajo Nation** to Harvard Law School. Five students from MIT and HLS are spending part of the summer observing restorative justice and other peacemaking activities in Navajo Nation.

### 6. Program on Negotiations in the Workplace

Faculty from the <u>Program on Negotiations in the Workplace</u> taught a **course on gender, leadership, and negotiation** at the India School of business. This has led to a new project focused on teaching leading women executives in India.

Co-Director Professor Deborah Kolb and HBS Professor Kathleen McGinn published a new case study, *Cathy Benko: Winning at Deloitte*, as part of a new

series of cases on successful women executives and how they negotiate conditions for their success in new and challenging roles.

## 7. Project on Psychological Processes of Negotiation

The <u>Project on Psychological Processes of Negotiation</u> (PPIN) focuses on the role of psychology in negotiation. PPIN researchers have analyzed corporate failures such as Enron, and examined why the U.S. government missed many of the clues that could have prevented 9/11.

**Psychological Processes in Negotiation seminars** highlight cutting-edge research on the critical role of this field. PPIN seminars feature research-based talks by some of the nation's leading scholars on topics such as emotion, relationships, and culture in the context of negotiation. This past year's topics and speakers included:

Getting All Emotional: The Costs and Benefits of Emotion and Uncertainty in Negotiated Outcomes

Margaret A. Neale, Graduate School of Business, Stanford University

Implicit Negotiation Beliefs and Performance: Experimental and Longitudinal Evidence Laura Kray, Haas School of Business, University of California, Berkeley

The Objective Value of Subjective Value in Negotiation: Evidence from the Lab and the Field

Jared R. Curhan, MIT Sloan School of Management

# 8. Negotiation Roundtable

The **Negotiation Roundtable** connects negotiation to the business school community. To create agreements that are valuable for all involved and sustainable, MBA students need to understand and be skilled in negotiation, bargaining, and conflict resolution. The Harvard Business School was the first major business school in the nation to require a negotiation course in the core curriculum for its master of business administration degree. The course was developed by a faculty team headed by HBS Professor and Roundtable Director James K. Sebenius with other Roundtable colleagues.

#### 9. Next Generation Seminars

The Next Generation Seminars provide a research forum that encourages greater interaction among PON's intellectual community, specifically the next generation of scholars. Under the leadership of HLS Joseph Flom Professor of Law and Business Guhan Subramanian, **this monthly seminar series** features tenured and non-tenured faculty and distinguished senior speakers presenting basic research categorized under a broad definition of negotiation and conflict management.

### 2006-2007 seminar topics included:

Does International Law Need More Universal Law? Gabriella Blum, Harvard Law School

Negotiating Different Perspectives: The Consequences of Adopting Another's Point of View in Strategic Interaction

Eugene Caruso, Department of Psychology, Harvard

"Getting to Yes" on Staggered Boards: Some Empirical Evidence and Implications for the 2007 Proxy Season

Guhan Subramanian, Harvard Law School/Harvard Business School

Gender Differences in Propensity to Negotiate and Career Advancement in an Investment Bank

Fiona Greig, Kennedy School of Government

#### 10. PON 2006-2007 Graduate Research Fellows

The Program on Negotiation <u>Graduate Research Fellowships</u> are designed to encourage young scholars from the social sciences and professional disciplines to pursue theoretical, empirical, and/or applied research in negotiation and dispute resolution. Consistent with the PON goal of fostering the development of the next generation of scholars, this program provides support for one year of dissertation research and writing in negotiation and related topics in alternative dispute resolution. The fellows enrich the HLS community by bringing their research interests and personal experience to the Program.

The 2006-2007 Fellows were:

#### Ariel Avgar Ph.D. Candidate

#### Cornell University School of Industrial and Labor Relations

Avgar's dissertation, *Treating Conflict: Dispute Resolution in the Healthcare Industry*, will examine the organizational outcomes associated with different dispute resolution strategies and practices in hospitals. He has conducted an in-depth case study of a unique dispute resolution program initiated by the Federal Mediation and Conciliation Services in a large unionized hospital in Ohio. Avgar plans to conduct comparative research among other hospital sites during his time at PON.

# Alexandra Crampton Ph.D. Candidate in Anthropology and Social Work University of Michigan

Crampton is examining the meaning of empowerment in the mediation context, how mediation programs empower older adults and their families to reduce conflict and improve decision-making, and how elder mediation programs are similar and different in Ghana and the United States. Her dissertation is entitled

Mediation as Intervention in Elder Advocacy: A Comparison of Mediation and Old Age in Ghana and the United States. Additionally, Crampton will study how mediation programs can be adapted given variation in sociocultural and economic contexts.

#### Fiona Greig

# Ph.D. Candidate in Public Policy and Doctoral Fellow Center for International Development at Harvard University

Greig's work focuses on gender inequality, behavioral economics, and international development. Her PON research, *Optimizing Employment in the Prime of Life: The Constraints and Opportunities of Negotiation*, investigates the role of negotiation in the career advancement and choices of women in a field setting – a major investment bank. Greig is exploring the degree to which propensity to negotiate differs according to gender and whether it is associated with the probability to leave the investment bank, advance to the executive level, and experience greater job satisfaction and happiness.

# Carmit Tadmor

Ph.D. Candidate

# Organizational Behavior and Industrial Relations at the Haas School of Business, University of California at Berkeley

Tadmor's thesis, *Biculturalism: The Plus Side of Leaving Home? The Effects of Second-Culture Exposure on Integrative Complexity and its Consequences for Overseas Performance*, delineates the factors that affect the adoption of specific acculturation strategies. It focuses on the power of second-culture exposure to stimulate integratively complex cognitions that give people the flexibility to shift rapidly from one cultural meaning system to another. Tadmor proposes a model that outlines the underlying mechanisms that determine acculturation choice and that produce both individual difference and situation variation in integrative complexity of social functioning.

# 11. 2006-2007 Visiting Scholars

Every year, negotiation and mediation scholars from around the world come to Cambridge to work with PON faculty, learn from colleagues affiliated with PON, or work on their own research. Their visits vary from a few weeks to a year. While at PON, the visiting scholars participate in activities and share their research and ideas with the Harvard community through brown bag lunches or panel discussions.

The 2006-2007 Visiting Scholars were:

Samuel David Dahan, Belgium
Frank Fleerackers, Belgium
Helena Soleto Munoz, Madrid
Jacqueline Nolan-Haley, Fordham University School of Law
Erlend Graadal Svestad, Cambridge University
Jason Qian, China
Sara Ulrich, Paris

#### **B. Publications**

# 1. Negotiation Journal

*Negotiation Journal* is a quarterly publication with a multidisciplinary approach to dispute resolution. Contributors include lawyers, diplomats, politicians, executives, labor negotiators, psychologists, economists, scholars and others.

### 2. Negotiation Newsletter

PON also produces a monthly newsletter, *Negotiation*. With HLS Professor Guhan Subramanian as Faculty Editor, the newsletter offers cutting-edge negotiation strategies and methods to improve management, decision-making, and communication skills from PON negotiation experts and scholars in a quick-reading, practical format.

#### 3. Books

New books published by PON-affiliated faculty in 2006-2007:

Gabriella Blum, Islands of Agreement: Managing Enduring Armed Rivalries (Harvard University Press, 2007)

James Sebenius and David Lax, **3-D Negotiation: Powerful Tools to Change the Game in Your Most Important Deals** (HBS Press, 2006)

Lawrence Susskind and Jeffrey L. Cruikshank, **Breaking Robert's Rules** (Oxford University Press, 2006)

Lawrence Susskind and William Moomaw, eds., **Papers on International Environmental Negotiation**, vol. **15** (PON Books, 2006)

William Ury, The Power of a Positive No (Random House, 2007)

#### 4. Harvard Negotiation Law Review

The *Harvard Negotiation Law Review* is a multidisciplinary journal on dispute resolution published annually by HLS students. For more information, see page 18.

### C. Teaching

#### 1. Courses at Harvard Law School

Through the workshops, seminars and other courses offered by PON faculty, Harvard Law School remains a leader among university dispute resolution educational programs. In 2006-2007, approximately 400 students enrolled in

PON courses in negotiation and conflict resolution at Harvard Law School. These courses include:

Negotiation Workshop Professor Robert Mnookin et al., Winter 2007; Professor Robert Bordone et al. Spring 2007

Dispute Systems Design: Seminar Professor Robert Bordone, Fall 2006

Negotiation: Dealing with Emotions

Dr. Daniel Shapiro, Fall 2006

International Environmental Negotiation Professor Lawrence Susskind and Professor William Moomaw, Fall 2006

International Negotiation Assistant Professor Gabriella Blum, Fall 2006

Deal Setup, Design and Implementation (HLS/HBS joint course) HBS Professor James Sebenius and Professor Guhan Subramanian

Negotiation Clinical: Seminar Professor Robert Bordone, Spring 2007

Mediation

HBS Professor Michael Wheeler, Spring 2007

In addition, each of PON's consortium schools offers a variety of courses in negotiation and dispute resolution that are open to law school students through cross-registration. Detailed information is on each school's website as well as in the Dispute Resolution Directory, available on the PON website, www.pon.harvard.edu.

#### 2. Executive Education

PON has established itself as one of the world's outstanding executive negotiation training institutions. The <a href="Executive Education Series">Executive Education Series</a> is designed to help participants become successful negotiators, deal with difficult people and hard bargainers, and manage conflict productively.

Thousands of business leaders, government officials, corporate trainers, and corporate counsel have participated in these negotiation training courses offered by the Program on Negotiation in partnership with the Center for Management Research. PON affiliated faculty teach the workshops.

3. Teaching Materials and Curriculum Development: The PON Clearinghouse The Program on Negotiation publishes a range of teaching materials related to negotiation and alternative dispute resolution, including role simulations, other interactive exercises, and instructional videos. Many of these materials are used in the HLS Winter and Spring Negotiation Workshops, the PON Seminars, and the Program of Instruction for Lawyers workshops. PON distributes these teaching materials through its pedagogical resource center, the PON Clearinghouse (www.pon.org). PON Director of Curriculum Development Melissa Manwaring (HLS '94, HGSE '05) oversees the content and direction of the Clearinghouse.

PON Clearinghouse products and services are available to the general public. Regular Clearinghouse customers include educators from a wide range of fields and institutional levels, corporate trainers, consultants, lawyers, businesspeople, and others interested in learning and/or teaching about negotiation. Because the Clearinghouse attracts customers from all over the world, many of its teaching exercises are available in non-English languages, and most of its videos are available in both VHS and PAL format.

The Clearinghouse continually develops new resources for teaching and learning about negotiation and dispute resolution. The 2006-2007 year saw the release of two role simulations, a case study, and a collection of scholarly papers:

- World Trade Center Redevelopment Negotiation (co-developed with the International Institute for Conflict Prevention and Resolution): A six-person facilitated negotiation among representatives of the city, state, developer, insurer, and victims' families regarding the redevelopment of the World Trade Center site following the Sept. 11, 2001 terrorist attacks
- Aerospace Investment: Balancing Venture and Relationship Capital: A twoparty term sheet negotiation between a venture capitalist and the founder of an aerospace start-up company in which participants are scored both on their substantive performance and on the other party's perception of the relationship
- The Mariyinsky Palace Negotiations: Maintaining Peace throughout Ukraine's Orange Revolution: A detailed case study of the complex multiparty political negotiations to resolve the political crisis caused by the disputed 2004 Ukrainian presidential election
- Papers on International Environmental Negotiation, vol. 15: Ensuring a Sustainable Future (Lawrence Susskind and William Moomaw, eds.): The fifteenth in an annual series of research papers addressing cutting-edge issues in transboundary environmental issues.

# 4. NP@PON: Negotiation Pedagogy at the Program on Negotiation at Harvard Law School

Negotiation Pedagogy at the Program on Negotiation (<u>NP@PON</u>) is a new venture dedicated to improving the way people teach and learn about negotiation. Incorporating and expanding upon the historical mission of the

PON Clearinghouse, NP @ PON serves as PON's intellectual focal point for negotiation education.

NP@PON is headed by two faculty co-directors – Professor Lawrence Susskind of MIT and Professor Michael Wheeler of Harvard Business School – along with associate director Melissa Manwaring, who also serves as PON's director of curriculum development.

NP @ PON is involved in a range of activities including research, curriculum development, training, and networking among those interested in negotiation pedagogy. The formal mission of NP @ PON is to:

- Contribute to the growing field of negotiation pedagogy through research and publications;
- Support both experienced and next-generation negotiation educators through workshops, idea exchanges, and other educator-focused events;
- Foster connections between communities of negotiation educators and education scholars;
- Develop and distribute teaching materials that are useful in skills-based negotiation instruction;
- Explore and test the application of new technologies to improve teaching and learning about negotiation; and
- Help PON reach new audiences of negotiation practitioners and students through workshops, seminars, and other educational activities.

Since its launch in January 2007, NP @ PON has hosted a faculty workshop on negotiation pedagogy, launched a quarterly electronic newsletter, *Teaching Negotiation*, started an online discussion forum for negotiation educators, and hired three Harvard graduate student research assistants.

• On May 8, Negotiation Pedagogy @ PON (NP@PON) hosted a faculty pedagogy workshop entitled, *From Mega-Simulations to Micro-Analysis: Approaches to Teaching Complex Skill Sets in Negotiation*. Featuring presenters from BYU Law School, York University Business School, and the Harvard Graduate School of Education, the invitation-only workshop involved 28 negotiation and dispute resolution educators from law schools, business schools, and other graduate schools around the country.

In July 2007, NP@PON launched the inaugural issue of its **quarterly electronic newsletter**, *Teaching Negotiation*. Distributed at no charge to over 5,000 negotiation teachers, trainers and scholars around the world, the newsletter summarizes current research on negotiation pedagogy, highlights new technologies and tools useful in teaching negotiation, shares reflections and advice from experienced teachers, and publicizes conferences and other events relevant to negotiation education.

NP@PON launched an <u>online discussion forum for negotiation teachers</u>
 and trainers. Monitored by PON faculty and open to both academics and
 professional trainers, the forum is designed to facilitate networking and
 idea-sharing among educators in the field.

### 5. Teaching Awards

Three PON-affiliated faculty were presented with **teaching awards** this spring by the graduating class at their respective schools.

HLS Clinical Professor **Robert Bordone** was this year's winner of the prestigious Sacks-Freund Teaching Award. The award was presented at Class Day exercises by the graduating class in honor of Bordone's contributions to student life at HLS.

**Brian Mandell**, Senior Lecturer in Public Policy at Harvard's Kennedy School of Government, was a co-winner of the Carballo Award. This award recognizes a faculty member's dedication to students, excellence in the professional field, and commitment to public service.

**Eileen Babbitt**, Professor of International Conflict Management Practice at the Fletcher School, received the James L. Paddock Teaching Award. It is awarded to a member of the Fletcher Executive Faculty who best exemplifies excellence in teaching.

#### D. Student Participation

Central to PON's mission is mentoring and partnering with students. In addition to taking negotiation courses, students are always welcome at PON; many serve on committees, cosponsor events with PON, or become involved in the PON <a href="Student Interest Group">Student Interest Group</a>. Other invaluable areas of student involvement include serving on the board of staff of the *Harvard Negotiation Law Review*, or as Student Teaching Assistants and Student Research Assistants.

#### 1. Roger Fisher and Frank E. A. Sander Prize

This prize was established by PON in 2007 in honor of Professors Fisher and Sander. The \$1000 prize is awarded to the best student paper on a topic related to negotiation, dispute systems design, mediation, dispute resolution or ADR. The first Fisher/Sander Prize was awarded in May to HLS 3L Jennifer Bunting-Graden for her paper, *Transitional Justice is an Exercise in Dispute System Design*. Jennifer was a student in the 2006 Winter Negotiation Workshop and in the fall 2006 Dispute System Design Seminar.

### 2. PON Student Interest Group (SIG)

The SIG brings together over 700 students who are interested in conflict resolution and negotiation from Harvard University, MIT, Simmons College, Tufts, Brandeis, UMass Boston and other Boston-area schools. The Student Interest Group offers support to students in organizing events and discussion groups, and provides opportunities for students to connect with each other and learn more about the field. Subscribers to the **SIG email list** receive weekly updates of events, internships and job announcements. In addition to speaker events and a career series, the SIG supports student-led discussion groups (see below).

### 3. Religion, Peacemaking, and Conflict Discussion Group

The Religion and Conflict Resolution Discussion Group held several events during the past year. Topics included: discussion on faith and diplomacy based on chapter 5 of Madeleine Albright's recent book, *The Mighty and the Almighty:* Reflections on America, God, and World Affairs; and Facing the Truth: BBC and Desmond Tutu Join in a Reconciliation Effort in Northern Ireland.

### 4. Women and Negotiation Discussion Group

Events from the past academic year included: a presentation on negotiation and the gender divide; a discussion with Swanee Hunt, Adjunct Lecturer in Public Policy and Director of the Women and Public Policy Program at the Kennedy School of Government, on women, negotiation and peace processes; and a talk with Cora True-Frost on negotiating peace and equality.

# 5. Peacemaking-from-the-ground-up Discussion Group

In the fall, the Peacemaking-from-the-ground-up Discussion Group invited PON Visiting Scholar Sara Ulrich to lead a discussion on the European Union as Peacemaker.

#### 6. Support for Student Leaders

PON Student Leaders are active in negotiation and conflict resolution at PON consortium schools and other affiliated academic institutions. These student leaders serve as liaisons between PON and students at their schools. The group met at the beginning of the academic year to discuss how PON can best address student needs in the field.

#### 7. Career Development Events

The **Career Series** is a forum for students interested in pursuing academic or professional careers in the field of negotiation and dispute resolution. Building on popular events held over the last three years (all of which can be downloaded in streaming video format from the PON website link), this year the Career Series held its third annual Internship Fair, and a panel and a workshop on careers in international conflict resolution.

Designed to collect and disseminate information on internship opportunities in the field, the **Internship Fair** brought together students and recruiters from various Boston-area organizations conducting work in negotiation and dispute resolution. This year, the Internship Fair brought together thirteen host organizations and over seventy-five students.

The Series on Careers in International Conflict Resolution, Pursuing a Career in International Conflict Resolution – How to pay off student loans, make money, AND save the world!, drew a large crowd over two days. First, a panel of three international negotiation experts discussed their experiences, offered advice, and answered questions. Subsequently, Craig Zelizer, Visiting Professor at Georgetown University, founder of the Alliance for Conflict Transformation, and a member of the previous evening's panel, conducted an interactive, practical workshop based on his handbook, Skills, Networks and Knowledge: Developing a Career in International Peace and Conflict Resolution.

#### 8. PON Fireside Chats

Based on continuing requests from students for more opportunities to meet and talk with PON faculty, SIG inaugurated the **PON Fireside Chat Series** in 2007. The Chats provided an opportunity for faculty to discuss their own career paths and current research interests in an informal setting, and encouraged professors and students to forge deeper connections. Professors Iris Bohnet (KSG), Guhan Subramanian (HBS/HLS), Max Bazerman (HBS), and Daniel Shapiro (HLS/HMS) graciously participated in this first season.

Both faculty and students expressed deep satisfaction with this new series. For faculty, it provided a chance to reflect upon their life's journey thus far and identify key factors and decisions that helped them succeed. For students, it was an opportunity to be inspired and enriched by connecting directly with professors.

#### 9. Summer Fellowship Program

The <u>PON Summer Fellowships</u> are grants to students who are undertaking internships or unpaid summer research projects in negotiation and dispute resolution. The Fellowship Program's emphasis is on advancing the links between scholarship and practice in negotiation and dispute resolution by supporting students interested in exploring career paths, either professional or academic, in this field.

This summer, five graduate students (two from the Fletcher School and one each from HLS, KSG, and Boston College) were selected. The fellows investigated a range of topics, from alternative energy assistance in North Korea as a means to

facilitate negotiation, to the perception of negotiation and nonviolent action in northern Uganda.

# 10. Student Teaching and Research Assistants

HLS students worked as teaching assistants for the Program of Instruction for Lawyers @PON, as well as for the Winter and Spring Negotiation Workshops. Serving as teaching assistants provides students with the opportunity to extend the instructional program, enhance their learning of negotiation by working closely with faculty, and train to be problem-solvers in a dynamic context. In addition, HLS students assisted in developing and testing new teaching exercises, sometimes to fulfill course requirements, (such as the final paper for the Winter or Spring Negotiation Workshop), and other times on a volunteer basis.

In preparation for the courses, the teaching assistants participate in a full weekend of intensive training with Professor Robert Bordone. Training focuses on teaching pedagogy, in-class facilitation skills, and substantive expertise required for teaching negotiation in a law school setting. Teaching assistants work with Professor Bordone throughout the year to prepare lesson plans, execute case discussions, and review systematically to improve. This program encourages more students to consider an academic law career, especially in the area of alternative dispute resolution.

#### 11. Harvard Negotiation Law Review

The <u>Harvard Negotiation Law Review</u> (HNLR) continues its mission to advance Alternative Dispute Resolution (ADR) scholarship and knowledge. Along with Professor Sander, Professor Mnookin and Professor Bordone serve as faculty advisors to HNLR. PON supports HNLR with financial management, event planning, and website updates.

#### E. Special Events-Reaching out to Students and the Public

#### 1. Great Negotiator Award

Each year, the Program on Negotiation presents the *Great Negotiator Award* to an individual whose lifetime achievements in the field of negotiation and dispute resolution have had a significant and lasting impact. Bruce Wasserstein was the 2007 recipient of the award. As a graduate of Harvard Law School and Harvard Business School, Mr. Wasserstein has helped arrange more than a thousand transactions worth hundreds of billions of dollars and is currently the Chairman and CEO of Lazard, an international financial advisory and asset management firm. Two HBS case studies were created in preparation for Wasserstein's visit

and used in Professors James Sebenius and Guhan Subramanian *Deal Setup, Design and Implementation* joint HBS-HLS course.

Past recipients of the PON *Great Negotiator Award* are: Sadako Ogata, the former United Nations High Commissioner for Refugees (2005), Richard Holbrooke, the former United States Ambassador to the United Nations (2004) Stuart Eizenstat, former U.S. Ambassador to the European Union, Under Secretary of Commerce, Under Secretary of State, and Deputy Secretary of the Treasury (2003); Lakhdar Brahimi, the United Nations' Special Envoy for Afghanistan (2002); Charlene Barshefsky, U.S. Trade Representative in the second Clinton administration (2001); and Former U.S. Senator George Mitchell (2000), for his work in Northern Ireland.

### 2. Negotiation and Nonviolent Action

Since 2005 and spearheaded by Managing Director Susan Hackley, PON has been exploring the relationship between **negotiation** and **strategic nonviolent action**. These activities, which have included study groups, PON-led dialogues, and film series events, focus on negotiation and nonviolent action as tools for resolving conflict and examine how practitioners of both fields can learn from each other.

In December 2006, PON and the Global Negotiation Project (GNP) held a symposium featuring Ela Gandhi, Mahatma Gandhi's granddaughter and a former member of the South Africa parliament. This event, <u>Negotiation: The Hidden Dimension of the Nonviolent Struggles of our Era</u>, illustrated how negotiation and nonviolent action have been used to deal with some of the most intractable conflicts—including political struggles in South Africa and India, and civil rights conflicts in the U.S.—and how these tools can effectively be used today. A <u>webcast</u> of this event is available on the PON website. Ms. Gandhi and GNP director William Ury also appeared on NPR's *OnPoint*.

#### 3. The PON Film Series

The Program on Negotiation began the <u>PON Film Series</u> in fall 2001 to use the arts to provide a shared context and catalyst for the discussion of negotiation and conflict resolution theory and practice.

The 2006-2007 Film Series dealt with topics as diverse as the life and work of Gandhi, the true story of a tobacco industry whistle-blower and the television producer who championed his cause, as well as the overthrow of Slobodan Milosevic by a group of nonviolent student revolutionaries.

Based on PON's successful film series, PON Managing Director Susan Hackley wrote an article, <u>From Dr. Strangelove to Mahatma Gandhi, Understanding</u> Negotiation through Film, for Dispute Resolution Magazine.

### 4. Other special events open to students and the public included:

- Insight on Iraq: Notes from Baghdad
- Student Interest Group Open House
- Local Conflict and Stakeholder Responses in Amsterdam
- A Discussion with PON Authors James Sebenius and Lawrence Susskind
- Negotiation Lessons from Hurricane Katrina's Crisis Management: A European Perspective
- An Analysis of EU-NATO Alliances: Lessons from a Multiparty Role Simulation
- A Discussion with Civil Rights Activist Dr. Bernard LaFayette on Negotiation and Nonviolent Action
- Negotiating Peace in Northern Ireland Personal Perspectives, with HLS East Asian Legal Studies, International Legal Studies and the Human Rights Program
- Negotiating a Cultural Identity
- The Emotional Dimension of Global Security Rwanda's Extraordinary Leaders: the Rise of Rwandan Women to power in parliament
- Negotiating Peace and Equality
- The Power of a Positive No with William Ury

# F. Law Reform and Advocacy

The Program on Negotiation supports law reform through the advancement of alternative dispute resolution (ADR) processes. Concepts developed over the years by PON faculty present a vast array of ideas, strategies, and skills for problem solving in a way that maximizes gains for all parties while protecting each party's interests. Law students learn how to be effective and self-aware advocates as they develop their skills in negotiation workshops, seminars, and classes. Furthermore, publications from PON faculty, in *Negotiation Journal*, *Harvard Negotiation Law Review*, and *Negotiation Newsletter* continue to spread the concepts of alternative dispute resolution to a wide audience throughout the world.

#### G. Connections to Practice

#### 1. Research

In addition to research projects described beginning on page 2, articles and presentations by PON faculty and associates enable PON to bring its work to a broader audience. Following are examples of research and presentations from the past year.

• Professor Robert Monookin's article, <u>Ethnic conflicts: Flemings & Walloons</u>, Palestinians & Israelis, appeared in the winter 2007 issue of *Daedalus*. • The Negotiations Research Network (NEG), part of the Social Science Research Network (SSRN), is an on-line venue providing access to scholarly articles and professional announcements of interest to the negotiation and dispute resolution community. Directed by PON Executive Committee member Max H. Bazerman, NEG is one of a number of specialized networks SSRN has organized for the worldwide dissemination of research in all of the social sciences.

Recent working papers on NEG include: <u>Future Lock-In: Future</u>
<u>Implementation Increases Selection of 'Should' Choices</u>, by Max Bazerman and Todd Rogers (HBS) and <u>Thin Slices of Negotiation: Predicting Outcomes from Conversational Dynamics Within the First Five Minutes</u>, by PON faculty affiliate Jared Curhan (MIT) and Alex Pentland (MIT).

- Dan Shapiro led a workshop, <u>Making Tribal Dynamics Work</u>, at the World Economic Forum in Dayos.
- Erica Fox, Director of the Harvard Negotiation Insight Initiative, created a
  new column in the *Dispute Resolution Magazine*, the publication of the
  American Bar Association's Dispute Resolution Section. This column, *Deeper Dimensions*, explores the inner life of conflict practitioners and
  presents leading-edge ideas for expanding the field.
- A <u>research article</u> by PON Managing Director Susan Hackley, *Negotiation Journal* editor Nancy Waters, and PON SIG Coordinator Sarah Woodside describing three innovative efforts by PON to promote conflict resolution on an international scale, *How Creating "Communities of Learning" and "Common Cultures" Fosters Collaboration: The e-Parliament, the Israeli Settlements Project, and the Mexican Negotiation Skills Training Workshop*, appeared in *International Negotiation* (vol. 11: 37–64, 2006).
- 2. The Program of Instruction for Lawyers at the Program on Negotiation (PIL) The Program of Instruction for Lawyers at the Program on Negotiation (PIL@PON) provides a popular training opportunity for both lawyers and non-lawyers interested in improving their negotiation skills. There were 250 participants this year at the workshops, which are held in June and October and are open to lawyers and others seeking comprehensive training in negotiation and mediation.

A new two-day course, Basic Negotiation: Essentials for Lawyers, was added this year in response to requests from busy attorneys who are interested in taking a course focused on problem-solving negotiation, but are unable to devote five full days to a workshop.

PIL@PON courses have been approved for continuing legal education (CLE) credits by every state to which we have applied.

The 2006-2007 courses were:

Mediation Workshop Professor Emeritus Frank Sander, Michael Lewis and Linda Singer

Basic Negotiation Workshop Bruce Patton, Deputy Director, Harvard Negotiation Project

Basic Negotiation: Essentials for Lawyers Professor Robert Bordone

Advanced Negotiation: Deal Design & Implementation Professor Guhan Subramanian David Lax

Basic Negotiation Workshop: Creating Value in Deals & Disputes Professor Robert Bordone Michael Moffitt, Professor of Law at the University of Oregon

Advanced Negotiation: Difficult Conversations
Bruce Patton, Deputy Director, Harvard Negotiation Project
Sheila Heen, Lecturer on Law; Affiliate, Harvard Negotiation Project
Douglas Stone, Lecturer on Law; Affiliate, Harvard Negotiation Project

#### 3. Executive Education Programs

The Program on Negotiation is among the world's outstanding executive negotiation training institutions. Business leaders, government officials, corporate trainers, and corporate counsel are among the over 2500 people who participated this year in negotiation training courses offered by PON in partnership with the Center for Management Research.

#### 4. PON Seminars

Open to participants from all disciplines and professional fields, the <u>PON</u>
<u>Seminars</u> provide negotiation and mediation courses to the community. These semester-length courses are designed to increase public awareness and understanding of effective dispute resolution principles.

Two courses are taught each year: Negotiation and Dispute Resolution in the fall, and Mediation and Participatory Processes in the spring. Both courses provided participants with a conceptual framework and practical advice for professional and personal development in dispute resolution.

### 5. Dispute Resolution Forum

PON's <u>Dispute Resolution Forum</u> (DRF) is a practitioner-oriented forum for ADR professionals, scholars, and graduate students from the greater Boston area. It is a venue in which PON's commitment to improving the theory and practice of negotiation and conflict resolution is invigorated by the ideas and experiences of practitioners. DRF activities bring the work of scholars in the many disciplines involved in alternative dispute resolution to the attention of practitioners and provide an opportunity for members to trade information, compare experiences, and gain new perspectives. Approximately 60 community mediators, faculty, and students attend each session.

The Dispute Resolution Forum 2006-07 included the following sessions.

Developing a Mediation Receptivity Index Professor Frank E. A. Sander, Harvard Law School

*The 9/11 Victim Compensation Fund – Private Pain and Public Compensation* Kenneth R. Feinberg, Esq.

The Role of an Ombudsman Lydia Cummings, Harvard Ombudsman

Settling the recent Public Sector Strike in Israel: A Case Study Judge Stephen Adler, President of the Israeli National Labor Court

An Inconvenient Truth: Are Conflict Management Systems Really Sustainable? Cathy Constantino, Esq.

#### 6. PON Web Sites

The PON site (www.pon.harvard.edu), which received approximately **16,000 visits per month** during the past year, describes PON and its component research projects, publicizes PON activities, and supports communication with PON's community of scholars and practitioners. The PON Clearinghouse site (www.pon.org), which received approximately **12,000 visits per month**, serves as PON's curricular resource center, offering a wide range of negotiation-related teaching materials and services to its constituency of educators and practitioners.

PON continually works to advance the content and usability of its websites. Webcasts of many of our events are available for viewing on our site. This spring we created a site dedicated to PON podcasts – www.poncast.com. The site has audio versions of selected Negotiation newsletter articles as well as interviews with PON affiliated faculty and excerpts from PON events.

#### 7. Outreach

PON faculty and associates regularly put theory into practice through writing op-eds, giving talks and providing training on negotiation and conflict resolution. Some examples from the past year include:

- Professor Robert Mnookin gave a lecture, <u>Negotiating Ethnic Conflict</u>, as part of the CISCDR Distinguished Scholar-in-Residence Lecture series at Case Western Law School.
- Professor Dan Shapiro and several Harvard Medical School students and HLS students collaborated with the New Jersey Police Department to develop a standardized assessment instrument for hostage negotiators.
- Robert Mnookin and Alain Verbeke's op-ed piece on the Fleming and Walloon conflict in Belgium, <u>Bye bye Belgium</u>, was in the December 20 issue of the *International Tribune*.
- An op-ed by Guhan Subramanian, <u>Board Silly</u>, appeared in the *New York Times* on February 14.
- Professor Robert Bordone and HLS 1L Albert Chang wrote an op-ed that appeared on washingtonpost.com, <u>Real Superpowers Negotiate</u>, on October 26, 2006.
- On September 19, 2006, PON Managing Director Susan Hackley appeared on the CNN program Paula Zahn Now in a panel discussion on the possibility of war between the US and Iran over Iran's development of nuclear technology.
- In December 2006, PON Director of Curriculum Development Melissa Manwaring delivered the keynote address on negotiation and education to the faculty participants in Tecnológico de Monterrey's first annual **Innovations in Education** conference.
- Dan Shapiro was on <u>Boston's Fox25 News</u> in March to discuss how people can most effectively deal with their differences by using the three A's: appreciation, affiliation and autonomy.
- Professor Frank Sander continues to **chair the board of editors** of the *Dispute Resolution Magazine*, the quarterly publication of the dispute resolution section of the American Bar Association.

 PON Executive Committee member James Sebenius traveled to Hong Kong in June to teach the **Program on Negotiation for Senior Executives** to Chinese civil servants and businesspeople.

# H. Collaborations with Other Departments and Schools

The interdisciplinary nature of the Program on Negotiation affords us many opportunities to collaborate with other departments and schools. We cosponsored several events with other groups and research programs at the law school and throughout the university over the past year, including:

- Negotiating Peace in Northern Ireland Personal Perspectives, a discussion with Maurice Manning, President of the Human Rights Commission of Ireland and former leader of the Irish Senate. Co-sponsored with HLS East Asian Legal Studies, HLS International Legal Studies, and HLS Human Rights Program.
- The Art of Giving Feedback, a presentation to HLS employees by PON
  Managing Director Susan Hackley and HLS Assistant Director of Human
  Resources, Kathy Thurman.
- The Herbert C. Kelman Seminar on International Conflict Analysis and Resolution discussion series is sponsored by the Program on Negotiation, the Nieman Foundation for Journalism, the Joan Shorenstein Center on the Press, Politics, and Public Policy, and the MIT-Harvard Public Disputes Program, as well as Boston area members of the Alliance for Peacebuilding. These discussions were held approximately once a month during the academic year.

#### I. Consortium Structure

Founded and based at Harvard Law School, PON is a consortium of faculty, staff, graduate students, and affiliates at HLS, HBS, KSG and other institutions, including MIT, the Fletcher School at Tufts University, other Boston-area schools. Through its various research programs, teaching activities, Student Interest Group, and public events, PON continued to benefit from its interdisciplinary nature throughout the academic year as it brought together scholars from various departments and universities.

#### 1. Cross-Departmental Trainings

During the course of the year, PON faculty and staff are invited to participate in various events across the university in support of negotiation, dispute resolution, and conflict management.

• PON Director of Curriculum Development Melissa Manwaring taught a course, *Managing Negotiations*, at Harvard Extension School.

- PON Assistant Director James Kerwin spoke at the Harvard Extension School Association (HESA) Negotiation Forum in the fall.
- SIG Coordinator Sarah Woodside and HLS 1L Kyle Glover taught a negotiation workshop to Harvard College student organization leaders.
- PON Managing Director Susan Hackley and HLS Assistant Director of Human Resources, Kathy Thurman gave a presentation, *The Art of Giving Feedback*, to HLS Staff.

### 2. PON Film Series and Special Events

The PON Film Series and our brown bag lunch series provide venues to collaborate with other programs and schools.

The Herbert C. Kelman Seminar on International Conflict Analysis and Resolution series is sponsored by the Program on Negotiation, the Nieman Foundation for Journalism, the Joan Shorenstein Center on the Press, Politics, and Public Policy, and the MIT-Harvard Public Disputes Program, as well as Boston area members of the Alliance for Peacebuilding. The discussions in the Negotiation, Conflict and the News Media series focus on exploring the relationship among government, news media, and the conflict resolution community in framing and responding to conflict. Topics examine how conflict is framed and how that influences the escalation and de-escalation of conflict and the public understanding of various responses to terrorism. In general, participants will consider ways to strengthen the capacity to prevent, resolve, and transform ethnonational conflicts.

#### B. Plans for Academic Year 2007-2008

# 1. PON Graduate Research Fellows

The Program on Negotiation is hosting two graduate research fellows for the 2007-2008 academic year. They are:

Dipali Mukhopadhyay Ph.D. Candidate Fletcher School, Tufts University

Mukhopadhyay's research explores the possibility of warlords (as non-state armed actors) as state-builders in a modern post-conflict environment, specifically focusing on how this role has evolved in Afghanistan. Her hypothesis is that warlord actors may have opportunities to contribute to the government of a post-conflict state. She will identify and analyze state-building processes that have included constructive warlord involvement. Mukhopadhyay

interned in the Office of the Secretary of Defense, where she prepared a major policy brief on the reconstruction process in Afghanistan. She was also a researcher at the Aga Khan Development Network in Afghanistan.

# Andrea L. Strimling Ph.D. Candidate Fletcher School, Tufts University

Strimling's dissertation focuses on inter-organizational coordination in social change, and the key role of negotiation in this process. She argues that the complexity of global problems and the associated need for inter-organizational and interdisciplinary coordination requires new approaches to theory and practice. Strimling is a co-founder of the <u>Alliance for Peacebuilding</u> (AfP), and a past chair and current member of its board of directors. She has also extensively published and taught on the role of negotiation in inter-organizational coordination.

# 2. Visiting Fellows and Scholars

#### **Moty Cristal**

Mr. Cristal will be working on his PhD, A systemic model for complex negotiations, for the Department of International Relations at the London School of Economics during his two-month visit to PON. Since 2001, he has taught and trained negotiation and crisis management to senior managers in both the private and public sectors, and was recently appointed as special advisor to the Israeli Prime Minister on economic and civic crisis negotiations. He consults in strategic and complex negotiations and crisis management in Israel, Europe, the US, and Asia. He teaches international negotiation and crisis management at Tel Aviv University and the Interdisciplinary Center in Herzelia.

#### Yungwook Kim, Ph. D.

Dr. Kim, a Fulbright scholar, received his PhD from the College of Journalism and Communications at the University of Florida in 1999. He has served as Assistant Professor of the School of Communication at Ewha Woman's University in Seoul Korea since September 2000 and has taught crisis management, government relations, and public relations. He is the Research Director for the Korean Academic Society of Public Relations (KASPR). His current Fulbright research project is titled: *Culture, Communication and the Public Sphere for Conflict Resolution in South Korea*. He will re-examine whether the existing communication theories for conflict resolution and consensus building, developed largely in the US, are applicable to the organizational communication function in South Korea.

# 3. Negotiation and Dispute Resolution Information Session - September 11, 2007

Professor Robert Bordone will hold an information session for HLS students interested in programs related to negotiation, mediation and alternative dispute resolution.

# 4. PON Open House for Students - September 17, 2007

On September 17, 2007, PON will host Boston-area students interested in negotiation and conflict resolution.

### 5. Dispute Resolution Forum (DRF) - September 19, 2007

HLS Assistant Professor Gabriella Blum is the first guest speaker in PON's 2007-2008 DRF series. Professor Blum will discuss her latest book, **Islands of Agreement: Managing Enduring Armed Rivalries**.

### 6. PON Brown Bag Lunch Series - September 20, 2007

The first brown bag talk is scheduled for September 20, with Professor Leah Wing (UMass Amherst) on social justice and mediation.

#### 7. Film Series Plans

The PON Film Series will continue to offer films that provide a context for discussion about negotiation and conflict. Films in this series regularly draw 80 or more students from the Law School and greater Harvard community and have provided a springboard for many stimulating evening discussions.

#### 8. 2007 ACR Conference

In October, PON Managing Director Susan Hackley and Assistant Director James Kerwin will present a workshop, *Master Negotiators from Mahatma Gandhi to George Mitchell – What We Can Learn from Them*, at the Association for Conflict Resolution 2007 Annual Conference in Phoenix.

9. **Dealing with Emotions in Business Negotiations – November 12-13, 2007** Dan Shapiro will teach a new Executive Education workshop, Dealing with Emotions in Business Negotiations, in November.

# 10. Harvard Negotiation Insight Initiative Autumn Institute – November 28 – December 2, 2007

In addition to the Summer Learning Forum, the Harvard Negotiation Insight Initiative (HNII) is offering a three-day professional skills training workshop, the *Autumn Institute*, where participants will learn insight practices and conflict management tools to use in their work and personal relationships.

#### 11. Negotiation Teaching Workshop - December 8, 2007

In December, Negotiation Pedagogy @ PON will host a one-day workshop on **pedagogical strategies and educational tools** for negotiation teachers and trainers.

# 12. Herbert C. Kelman Seminar on International Conflict Analysis and Resolution

PON will continue to sponsor this series with the Nieman Foundation for Journalism, the Joan Shorenstein Center on the Press, Politics, and Public Policy, and the MIT-Harvard Public Disputes Program, and the Boston-area members of the Alliance for Peacebuilding.

#### 13. Books

Max Bazerman and Deepak Malhotra's new book, *Negotiation Genius* (Bantam), comes out in September 2007. Their book takes the mystery out of preparing for and executing negotiations—whether they involve multimillion-dollar deals or improving your next salary—by drawing on decades of behavioral research and the experiences of thousands of business clients.

**14.** Harvard Negotiation Law Review (HNLR) Conference – March 7 – 8, 2008 HNLR is planning a **dispute system design** conference with Professor Robert Bordone.