

**PROGRAM ON NEGOTIATION**  
HARVARD LAW SCHOOL



# **The Program on Negotiation at Harvard Law School**

Annual Report

Academic Year

2013-2014

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## Report of Activities

### A. Summary of Academic Year 2013-2014

#### 1. Executive Summary

The Program on Negotiation at Harvard Law School (PON) had a dynamic and energizing year of exploring new ways to fulfill its mission to support scholarship, provide educational opportunities, host events for the discussion of best practices and innovative ideas, reach out to new audiences, and connect negotiation learning with current events and real-world contexts.

Founded in 1983, PON is a multi-disciplinary consortium program of Harvard, MIT, Tufts, and a convening forum for negotiation faculty from those schools and others in the Boston area. Through PON, faculty work collaboratively with each other and with other university programs to create real cross-cutting synergy, drawing on expertise from the related fields of diplomacy, public policy, psychology, behavioral science, and business.

During the past year, while PON chair, HLS professor Robert Mnookin, was on sabbatical, HLS/HBS professor Guhan Subramanian served as co-chair of PON. Serving with them on the PON Executive Committee are: HBS professor Max Bazerman, HLS professor Gabriella Blum, HLS professor Robert Bordone, MIT professor Jared Curhan, Brandeis professor Alain Lempereur, Tufts University professor Jeswald Salacuse, HBS professor James Sebenius, and MIT professor Lawrence Susskind. Susan Hackley is PON's managing director and an *ex officio* member of the Executive Committee.

PON's diverse activities of the past year are described in detail throughout this report. They include important academic events, research seminars, new books and courses, and a wide variety of special events, many of which are inter-disciplinary.

Highlights of the past year include:

The Great Negotiator events honored Ambassador Tommy Koh of Singapore, under the leadership of HBS professor and PON Vice Chair of Practice-focused Research, James Sebenius. PON co-sponsored these events with the Future of Diplomacy Project at Harvard Kennedy School. Ambassador Koh is PON's 11<sup>th</sup> Great Negotiator. A key benefit of this program is the development of case study materials based on the experiences of some of the world's leading negotiators.

Robert Mnookin, James Sebenius, and HKS professor Nicholas Burns are co-leading the development of a new Secretaries of State Project. They have an ambitious plan to interview and develop teaching materials from every living US Secretary of State.

Robert Mnookin was chosen to be lead international mediator on a project under development, PeaceHub, which will be a live filmed and screened Track II Palestinian and Israeli negotiation.

New books by PON faculty included *Winning from Within* by Erica Fox, *Sharing a Mediator's Powers: Effective Advocacy in Settlement* by Dwight Golann, *Mediation: A Practice Guide* by David Hoffman, *A Decisive Decade: An Insider's View of the Chicago Civil Rights Movement during the 1960s* by Robert McKersie, *Negotiating Life* by Jeswald Salacuse, *Thanks for the Feedback: The Science and Art of Receiving Feedback Well* by Douglas Stone and Sheila Heen, *Good for You, Great for Me* by Lawrence Susskind, and *The Art of Negotiation* by Michael Wheeler.

A Water Diplomacy Workshop was convened under the leadership of MIT professor and PON Vice Chair for Pedagogy, Lawrence Susskind, for 32 water professionals from 17 countries.

Significant growth occurred in PON's executive education courses, including the development of new courses: Understanding Diplomacy and International Negotiations with HLS professor Gabriella Blum; Practical Lessons from the Great Negotiators with HBS professor James Sebenius; and Women and Career Negotiations with HKS professor Hannah Riley Bowles.

PON developed an innovative new course, the Advanced Negotiation Master Class, taught by PON faculty from HLS, HMS, and MIT.

PON continues to partner with Harvard Law School in offering the Harvard Negotiation Institute courses on campus. Taught by senior PON faculty and affiliates, these courses attract an increasing number of international participants from around the world.

For the tenth year, PON offered a negotiation workshop in Hong Kong in partnership with China Education Group. PON also offered a workshop in Paris, taught by PON Executive Committee member and Brandeis professor Alain Lempereur.

The Herbert C. Kelman Seminar Series on "Negotiation, Conflict, and the News Media" was held in collaboration with the Nieman Foundation for Journalism, the Weatherhead Center for International Affairs, and the Shorenstein Center on Media, Politics, and Public Policy.

PON helped provide negotiation training for more than 600 young Israelis and Palestinians through PON's Middle East Negotiation Initiative.

PON co-sponsored the *Harvard Negotiation Law Review* conference on "Political Dialogue and Civility in an Age of Polarization."

Working with the Women and Public Policy Program at HKS, PON co-sponsored a research seminar series on the topic of women, gender, and negotiation.

PON scholars collaborated with the Graduate School of Design on how architects and designers can help negotiators envision on-the-ground solutions to seemingly intractable problems.

PON co-hosted a visit from Deputy Prime Minister of the Slovak Republic Miroslav Lajcak, at an event co-hosted by the Harvard International Program at PON, the Center of European Studies, and students from Harvard College.

Experts from around the world gave PON talks, including Roelf Meyer, one of the chief negotiators in the talks to end apartheid in South Africa; Dr. Mohamed Keshavjee from London, speaking on "Islam, Sharia, and Alternative Dispute Resolution"; and Alon Tal from Israel on the topic of building peace through environmental activism.

Dr. William Ury, co-founder of PON and a PON faculty affiliate, was awarded the prestigious Jimmy Carter Waging Peace Award.

PON is the intellectual home of the Abraham Path Initiative, an innovative historical and cultural trail in the Middle East founded by William Ury. The Abraham Path was named the #1 new walking and traveling route by National Geographic in 2014.

PON's website now has over 100,000 visits per month and an email list of 60,000 subscribers who receive updates on PON research and other offerings. PON is active on social media.

PON has begun development of a blended learning course called PON Global, an innovative new course that will be offered to people around the world to learn negotiation theory and skills. Modeled after PON's flagship Negotiation and Leadership course, PON Global will use video, video-conferencing, and on-site facilitation to deliver negotiation training to locations around the world.

PON regularly hosts faculty dinners focused on the teaching of negotiation. This past year speakers discussed the complexity and benefits of jointly training both sides to a dispute and

the question of how the medium (in person, phone, email, etc.) affects the quality of negotiations.

PON hosted many scholars and visitors from all over the world. As a research program at HLS, PON continues to be an important resource for the HLS community and beyond.

## **2. Research, Scholarship and Project Activities**

### **a. Areas of Inquiry – Research Program’s Mission Statement**

PON supports a broad scope of research that both builds on negotiation theory and advances new negotiation concepts. PON scholars represent numerous disciplines, including law, psychology, economics, business and management, public policy, sociology, and international relations. They are recognized leaders in their fields and contribute their scholarship and expertise in a variety of ways, including through books and articles, mainstream media, online media, and in their teaching.

PON oversees a number of faculty-led research projects and initiatives. These include: Harvard Negotiation Research Project (HNRP); Harvard Negotiation Project (HNP); Middle East Negotiation Initiative (MENI); MIT-Harvard Public Disputes Program; Program on Negotiations in the Workplace; the PON Research Seminar, and the Great Negotiator Study Initiative. A brief description of each project is below, including recent developments.

### **b. Projects / Research & Scholarship**

#### **i. Harvard Negotiation Research Project**

##### **1. Is Unilateralism Always Bad?**

Professor Robert H. Mnookin together with Ehud Eiran and Shula Gilad completed their study of the Israeli evacuation of Gaza with the publication of “Is Unilateralism Always Bad? Negotiation Lessons from Israel’s “Unilateral” Gaza Withdrawal.” Using the 2005 unilateral Israeli withdrawal from Gaza as a case study, this article exposes an apparent paradox: circumstances may exist in which an outcome that serves the interests of the parties to a conflict cannot be achieved through bilateral negotiation but can be achieved through unilateral action. Their study was published in PON’s *Negotiation Journal*, April 2014.

## **2. PeaceHub**

This past year Professor Mnookin accepted an invitation to mediate a bilateral Israeli-Palestinian track II negotiation initiative, founded and directed by screenwriter and producer Eyal Sher. Different from other track II (and clearly official) efforts, this multi-day negotiation will be fully filmed and screened to the public in Israel, Palestine, the US and Europe as an authentic representation of the track II negotiation process.

In June 2014, Professor Mnookin travelled to the region and, assisted by Shula Gilad, met with the Israeli delegation headed by Gilead Sher, head of the Israeli delegation in Camp David 2000, and members of the Palestinian team, as well as political players and advisors on both sides. The negotiation, first scheduled for the end of June 2014, had to be postponed in light of the escalation of violence.

## **3. Child Custody Revisited**

In 2013, a symposium was organized at Duke University to assess the continuing relevance of Professor Mnookin's 1976 article "Child Custody Adjudication: Judicial Functions in the Face of Indeterminacy." Nine family law scholars subsequently completed articles for a symposium issue of *Law and Contemporary Problems* that will be published in 2014. In light of these articles, Mnookin re-examined the original article's two core themes: the indeterminacy of the best-interests of the child standard and the differentiation of child protection from private dispute resolution.

## **4. Secretaries of State Project**

With James Sebenius (Harvard Business School) and Nicholas Burns (Harvard Kennedy School), Professor Mnookin has launched a new project: American Secretaries of State: Diplomacy, Negotiation and Statecraft. The three faculty members will interview and videotape detailed interviews with each of the former Secretaries analyzing some of their most important negotiations. Secretary of State James Baker was interviewed at Harvard when he received the Great Negotiator Award in 2012. In March, 2014 the three faculty members interviewed Secretary George Shultz at the Hoover Institution at Stanford. Secretary Henry Kissinger is scheduled to be interviewed at Harvard in November 2014, and Secretaries Rice, Albright, Powell and Clinton have all agreed to participate in this project at dates to be scheduled. Related to this project, Professors Burns, Sebenius and Mnookin will be offering a new course "*Great Negotiators, Effective Diplomacy, and Intractable Conflicts.*"

## **5. Negotiating Jewish Identity in Contemporary America**

How can negotiation theory contribute to understanding better and resolving the variety of conflicts facing individuals, families, and American communal organizations relating to Jewish identity? Three important trends in America pose both challenges and conflicts: (1) the remarkable decline in anti-Semitism; (2) the remarkable increase in intermarriage; and (3) the increasing proportion of people with a Jewish heritage who take pride in their Jewish heritage but are not religiously observant. This new research will explore any number of issues concerning what it means to be Jewish in America today, the choices faced by young people, and the varieties of ways Jewish identity is constructed in contemporary America. It will ask if the treatment and circumstances of Jews has changed over time within America and to what extent the experience of Jews in America is different than that of Jews in Europe and other parts of the world.

### **ii. Harvard Negotiation Project**

The mission of the Harvard Negotiation Project (HNP) is to improve the theory and practice of conflict resolution and negotiation by working on real world negotiation and conflict intervention, theory building, education and training, and writing and disseminating new ideas. Professor James Sebenius, who serves as vice-chair for Practice-Focused Research at PON, is Director of the Harvard Negotiation Project, while the PON Executive Committee (of which he is a member) oversees HNP and its affiliated research initiatives.

HNP continues to work on a variety of activities with a Middle East focus, including the academic activities of the Abraham Path, as well as a joint study group with Harvard's Belfer Center on Iranian Nuclear Negotiations, co-chaired by Professor Graham Allison. Over the past two years, several major articles by James Sebenius analyzing the Iranian nuclear negotiations have been published. HNP also works in conjunction with PON on many aspects of the Middle East Negotiation Initiative (MENI). Professor Sebenius remains deeply involved in MENI's work, and PON has renewed the appointment of Senior Fellow Shula Gilad to guide this initiative.

Professor Sebenius also leads HNP's Great Negotiator Study Initiative (and has chaired PON's Great Negotiator Award Program since 2001). He oversees the process of seeking faculty input on potential Great Negotiator awardees and works with a faculty subcommittee to vet potential candidates based on established criteria. This past year, Ambassador Tommy Koh of Singapore was selected as the 2014 Great Negotiator, and

was honored during a public program on the Harvard Law School campus in April. Additional details on the Great Negotiator Award program are available on page 22. In preparation for the 2014 Great Negotiator Award Program, Professor Sebenius organized four Negotiation Roundtable sessions and a faculty dinner seminar to discuss cases relating to Ambassador Koh's work. This case study material was further developed with material from the Great Negotiator Award Program, and was then incorporated in Professor Sebenius' Great Negotiator course at Harvard Business School. This material was further refined for use in an HBS executive education program and a PON executive education course called "Practical Lessons from the Great Negotiators," held in May 2014.

The Negotiation Roundtable also met to analyze HNP Fellow Bruce Allyn's very challenging negotiations with the KGB when that organization sought to recruit him to spy on the United States in the 1980s. Those discussions led to a two-part case study and video materials that have been taught at HBS. The Roundtable met on a number of other topics including the Apple e-books negotiations that led to a major antitrust trial. In conjunction with William Ury, Bruce Allyn and James Sebenius have launched a study initiative on the intersection of nonviolence with negotiation strategy, focusing on Nelson Mandela, Mahatma Gandhi, Martin Luther King, and Vaclav Havel.

HNP continues to sponsor the Harvard China Negotiation Initiative, collaborating with a number of faculty members who have found public and private negotiations with China-related aspects to be of special interest.

Two existing initiatives that continue under HNP are the Harvard International Negotiation Program, directed by HLS Lecturer on Law and HMS assistant professor Daniel Shapiro, and the Global Negotiation Initiative, co-founded and led by William Ury, Distinguished Senior Fellow.

### **1. The Harvard International Negotiation Program**

During the 2013-2014 academic year, the Harvard International Negotiation Program (INP) built on its innovative work on developing theory and disseminating tools on the emotional and identity-based roots of conflict. This work included several interrelated categories: Negotiation Events, Scholarship, Teaching, and Curriculum Development.

#### **Negotiation Events: Bridging Research and Practice**

Among the highlights of this past year, INP faculty and students organized and co-hosted, along with the Program on Negotiation and the Center for European Studies, a

visit from H.E. Miroslav Lajcak, Deputy Prime Minister of the Slovak Republic and Minister of Foreign Affairs.

In a keynote session at Harvard Law School, Mr. Lajcak provided perspective on a variety of regional issues, including pivotal challenges as Europe negotiates its regional and global identity. He also discussed the applicability of lessons learned from the Western Balkans for the Arab Spring.

Afterward, Mr. Lajcak engaged in a private discussion and Q&A, chaired by Dan Shapiro, on his practical insights into negotiating critical political issues in Eastern and Central Europe and beyond. The session included PON faculty as well as students from Harvard College.

### **Scholarship**

INP faculty advanced scholarship in numerous ways. Dr. Shapiro conducted substantial research for his forthcoming book on the role of identity in conflict resolution, to be published by Viking/Penguin. He spent much of the year conceptualizing models for dealing with identity-based conflict, as well as synthesizing the vast literature and integrating research insights with innovative theoretical frameworks. He also has been working closely with a research assistant, Harvard College sophomore Alex Dagi, whose work is co-sponsored by the Harvard Global Health Institute. Their research has focused primarily on psychoanalytic and social psychological aspects of identity dynamics.

To promote the next generation of scholarship and education on conflict resolution, Dr. Shapiro proposed to his undergraduate students the idea of forming an undergraduate club on negotiation. Enthused by the idea, they created the Harvard College Conflict Resolution Program, a student-run club based at Harvard College, with Shapiro as its Faculty Advisor. The Club has initiated a variety of educational and mentoring activities.

To serve INP's mission of advancing the psychology of conflict resolution, INP affiliate Steve Nisenbaum, Ph.D., J.D., of HMS, chaired continuing education panels at the 2014 American Psychological Association Annual Convention in Washington, DC. These sessions included "Designing Media Programs for Military New Fathers to Facilitate Cohesive Family Systems," and "Crucial Psychological Issues to Assist as Military/Veterans Reintegrate as Civilians." Other contributions include a book review for the *National Psychologist* of Mohiuddin Ahmed and Charles M. Boisvert's book, *Mind Stimulation Therapy* (Routledge: New York, 2013).

INP has further explored the efficacy of the Core Concerns Framework in improving organizational effectiveness. The Framework, developed by Roger Fisher and Daniel Shapiro, offers a 5-point approach to address emotions in negotiation. The model has been evaluated at the interpersonal level, but less so at the organizational level. Therefore, INP worked with a team of HMS faculty and staff to conduct a next stage in its field-testing of the framework in conjunction with HMS-affiliated McLean Hospital. The program involved large-group lectures as well as small-group analytics to integrate core concepts into daily professional practice. Evaluation of the program yielded a positive impact and highlighted opportunities and challenges of integrating an emotion-based negotiation program into an organizational context.

Furthermore, at the request of and in coordination with the Office of the Chief Justice of the Massachusetts Probate and Family Court, INP faculty affiliate Steve Nisenbaum, of HMS, worked with a small team to develop the "Family Healthy Choices" curriculum, an educational curriculum on communication and conflict resolution for divorcing parents of minor children, which integrates Fisher and Shapiro's Core Concerns Framework. The team implemented a 6 month Pilot Program at Tufts Medical School, which consists of a 3.0 hour "live" in-class educational group session, a wraparound website with a video tutorial, and downloadable written materials, recommended readings and resources, and suggested web links.

### **Teaching**

INP faculty advances the Harvard Negotiation Project's commitment to "spreading the skills of negotiation." Shapiro offered guest lectures within Harvard and for other academic institutions. Additionally, he taught in PON's flagship Negotiation and Leadership Program, and teamed up with HBS Professor Max Bazerman to teach a one-day PON Executive Education course called "The Odd Couple: Emotion and Reason in Negotiation." This latter program combined research and practical tools for addressing both the cognitive and emotional dimensions of negotiation.

### **Curriculum Development**

INP faculty contributed to PON-related curricula development efforts. For example, Shapiro was privileged to participate in several of the Negotiation Roundtable meetings, chaired by Professor Jim Sebenius, Director of the Harvard Negotiation Project, as well as to join preparatory meetings for the PON Great Negotiator Award. Shapiro also supported the innovative efforts of Dr. Shula Gilad, who worked to advance negotiation curriculum development efforts in the Middle East. Dr. Shapiro

continued his role as academic advisor to the SHADES program, which convenes Israeli and Palestinian students – future leaders from each side – and trains them in the frameworks and skills of negotiation.

INP faculty continues to develop a Global Curriculum on Conflict Management for senior policymakers. The curriculum includes an innovative framework (“the 5x5 Framework”), as well as firsthand case studies from global leadership including Bertie Ahern, Tony Blair, and Morgan Tsvangirai. Given the on-going turmoil across parts of the Middle East, INP seeks to learn about cases of successful conflict resolution. It is currently pursuing a case study on the formation of the United Arab Emirates, which formed a peaceful confederation of multiple emirates.

## **2. The Global Negotiation Initiative**

The Global Negotiation Initiative (GNI), co-founded by Dr. William L. Ury and Dr. Joshua N. Weiss, continues to engage in work at both the practical and theoretical levels. At a practical level, Ury and Weiss continue to work in various conflict areas – conducting training, workshops, and other related endeavors. GNI oversees the academic research aspect of the Abraham Path Initiative, which seeks to inspire and support the opening of a permanent cultural route of pilgrimage and tourism retracing the footsteps of Abraham in the Middle East.

GNI has been working in conjunction with the Abraham Path Initiative for over a year on the first comprehensive guidebook to the Abraham Path. The guidebook, which is now available online at [www.abrahampath.org](http://www.abrahampath.org), includes narratives of Abraham from the different faith perspectives, profiles of travelers and members of the host communities and historical/cultural places related to Abraham’s journey, and other important logistical information for travelers. The Abraham Path has garnered a number of prestigious accolades this past year, including being named the #1 new walking and traveling route by National Geographic. To view more please see: <http://natgeotraveller.co.uk/smart-travel/features/cover-story-10-of-the-best-new-walking-trails/>

GNI has also been researching and exploring the idea of an “Abraham Path University,” where faculty and students from universities around the world would travel the Path and learn along the way. Courses on negotiation and conflict resolution are among the many ideas being considered.

Finally with regard to the Abraham Path, GNI continues to provide opportunities for students to work on the Path. GNI fosters a number of student exchange activities to

enable students from Harvard University, and other universities around the world, to experience the Path.

GNI continues to advise the Climate Parliament, which links members of parliaments and congresses from around the world via the internet and other technology. This online community enables democratically elected legislators to exchange ideas and propose strategies on climate and energy. 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.

Dr. Ury presented at academic conferences this past year, including:

- Pontificia Universidad Católica de Chile (Santiago, Chile)
- 57th Annual John R. Coen Lecture Series at University of Colorado (Boulder, CO)
- Transpartisan Leadership Workshop at University of Colorado (Boulder, CO)

Dr. Ury, along with Trinity University professor David Lesch and others, interviewed leading participants in the Syrian conflict about obstacles to a negotiated resolution. They recently published a report, the essence of which can be found here: <http://web.trinity.edu/x33446.xml>

In October 2013, Dr. Weiss taught "The Power of a Positive No" Executive Education seminar at PON. He continues to conduct negotiation, conflict resolution, and third side workshops and trainings in the Middle East with Shades and the Yala Network. He also taught a weeklong conflict transformation course in Turkey with students from Hacettepe University and attended a Mediators Beyond Borders conference in Istanbul, where he subsequently took 20 mediators to the Abraham Path in Turkey. Finally, Dr. Weiss contributed to a series of negotiation training sessions at Harvard University for the US State Department's Middle East Partnership Initiative (MEPI), which brings emerging Middle East and North Africa (MENA) leaders to the United States during the summer months for training and education.

Dr. Weiss published a chapter in *Peacemaking: From Practice to Theory*, edited by Allen Nan, Mampilly, and Bartoli. The chapter was entitled "Abraham's Path: The Path of a Thousand Negotiations."

### **iii. The Middle East Negotiation Initiative (MENI)**

The Middle East Negotiation Initiative (MENI) co-sponsors activities relating to the Middle East and supports faculty research efforts relating to the region. Professor Robert Mnookin oversees this work with significant involvement by Professor James Sebenius, Senior Fellow Shula Gilad and others.

### **Research**

1. In April 2014, Professor Mnookin, Professor Udi Eiran of Haifa University and Dr. Shula Gilad published a study entitled “Is Unilateralism Always Bad? Negotiation Lessons from Israel’s ‘Unilateral’ Gaza Withdrawal,” which revisits the unilateral Israeli disengagement from Gaza in 2005. The paper was published in the *Negotiation Journal* in April 2014, with reviews by Professor Sebenius, Gilead Sher and Professor Michael Wheeler.
2. Under the supervision of Professor Sebenius and HBS Professor Srikant Datar, Karen Lee Bar-Sinai and Shula Gilad have begun working on a research project exploring the links between negotiation and design thinking, using the case of land disputes between Sakhnin and Misgav in Israel.
3. PeaceHub - MENI provided extensive research assistance for HNRP’s PeaceHub project, and organized a preparatory meeting in spring of 2014 for Professor Mnookin prior to his June visit to Israel and meetings with key Israeli and Palestinian players in the region. For more information on this project, see page 5.

### **PON Lunch Talks and Seminars**

MENI sponsored several lunch talks and seminars on current topics relevant to the Middle East. Additional details on these events can be found in our events section on page 24.

1. In 2013-2014 Shula Gilad and Karen Lee Bar-Sinai organized two seminars exploring the role of urban design and planning in negotiation. The seminars were co-sponsored by MENI and the Loeb Fellowship of the Harvard Graduate School of Design.
2. On October 14, 2013, Dr. Alon Tal, founder of the Green Party in Israel and the first legal environmental NGO (Adam, Teva V’Din), and a leading force in the environmental movement, gave a talk entitled: “Building Peace through Environmental Activism: The Relationship of Confidence Building Measures to Formal Negotiations.”

3. On November 15, 2013, MENI hosted, at the Harvard Faculty Club, an off-the-record conversation with Dr. Ziad Asali, President and Founder of the DC-based American Task Force on Palestine. The lunch discussion focused on reassessing the potential for resolution of the Israeli-Palestinian conflict in the context of the new regional environment.
4. On June 3, 2014, a brainstorming meeting was convened to help Professor Mnookin prepare for his role as mediator in the PeaceHub Track II negotiation between Israeli and Palestinian delegations.
5. PON-affiliated faculty members met with Shades' co-founders and co-directors, Lior Frankeniensztajn, Walid Issa and Ihab Khatib this year, to learn more about the program, its achievements and challenges and to help Shades assess the pilot program and to offer advice in going forward. The Shades Negotiation Program provides negotiation training jointly to Israeli and Palestinian leaders and international professionals from embassies and consulates in the region. Several key PON-affiliated faculty provide training and support for this project, and the program utilizes cases and training materials developed and produced by PON.

### **Networking & Planning**

MENI plays a key role in developing connections between visiting scholars and practitioners from the Middle East and PON-affiliated faculty. In 2013-2014, MENI organized visits and gatherings with the following international visitors: Dr. Elad Oreg, Dr. Hussein Tarabieh, Judge Shiree Rafaeli, Ihab Khatib, Dr. Rachel Tal, Professor Sadik El Azm and Lior Frankeniensztajn.

In addition, MENI assisted several PON-affiliated faculty members in planning their trips to the Middle East, by identifying and connecting faculty to key players on the ground. Faculty members who have worked with MENI in this capacity include Professor Alain Lempereur of Brandeis and Professor Eileen Babbitt of Tufts. On January 13, 2014, Gilad initiated and organized a Distinguished American Speakers Series (DASS) engagement for Professor Robert Bordone, hosted by the Deputy US Ambassador to Israel at his residence in Herzelia.

### **Workshops**

The Program on Negotiation provides support through MENI to a variety of negotiation and conflict resolution workshops offered in the Middle East. In 2013-2014 these included:

1. A joint negotiation training workshop for Jewish and Arab high school students in Israel, organized by MENI with the Amal Network, and supported by a grant from the US Embassy in Tel Aviv. Four pairs of schools (approximately 200 students) participated in the program in the 2013-2014 academic year, bringing the total number of participants over the past four years to nearly 1,000 students.
2. A day-long conference “Negotiation in Practice” for graduates of the above program, to deepen their understanding of negotiation theory and practice. Key speakers included former Israeli Ambassador to the UN Professor Gabriella Shalev, Cambridge-based negotiation expert Jim Tull and Arab-Israeli musician and activist Mira Awad.
3. A one-day workshop for the MEPI (Middle East Partnership Initiative) Young Arab Leaders program sponsored by Roger Williams University (RWU). Seventeen young Arab leaders from 14 countries attended the workshop held on the HLS campus.
4. Two full-day workshops in Jerusalem for young Israelis and Palestinians who were chosen by Yala Young Leaders as having exceptional potential to affect the Middle East. The negotiation workshops serve as an introduction to a four-month on-line course on negotiation and leadership that participants commit to through the Yala Academy.
5. A one-day negotiation workshop for Israeli and Palestinian alumni of the MEPI Leadership Program in Jerusalem, which will extend to additional negotiation workshops in MEPI alumni’s respective communities.

#### **iv. MIT-Harvard Public Disputes Program**

The MIT-Harvard Public Disputes Program continued research efforts in the four main areas in which they have made important contributions to theory building and the definition of best practice over the past two decades: (1) *international environmental treaty-making*, (2) *the application of mediation techniques and strategies to a range of public disputes*, (3) *strategies for addressing values-based and identity-based disputes in the public arena*; and (4) *the resolution of sovereignty and land claims of indigenous peoples*. Dr. David Fairman and Mr. Patrick Field continue to serve as Associate Directors of PDP. Professor Lawrence Susskind, Vice-Chair of PON and Ford Professor of Urban and Environmental Planning at MIT is the director of PDP.

Highlights from the 2013-2014 year include:

1. **Water Diplomacy** – PDP co-organized a Water Diplomacy Workshop for 32 water professionals from 17 countries. The week-long program was held in June 2014, and was hosted on the Harvard Law School campus by PON for two days. Jointly co-sponsored by MIT and Tufts University, with support from the Swiss government, this train-the-

trainer program teaches the Water Diplomacy Framework presented in *Water Diplomacy: A Negotiated Approach to Managing Complex Water Networks* (Resources for the Future, 2012) written by Shafiqul Islam and Lawrence Susskind. Participants from South Asia and the Nile River Basin were supported by the World Bank.

The MIT-Harvard Public Disputes Program also continues to co-lead the NSF-funded Research Coordination Network on Water Conflict and Security. This brings the heads of 15 international research centers, each of whom is working on better ways of managing water conflict, to MIT each year. In conjunction with Tufts University, PDP has developed the Aquapedia, an on-line system for collecting case materials that explore the various ways in which water conflicts are being handled around the world. In addition, PDP has developed several new role-play simulations that have been added to PON's Teaching Negotiation Resource Center (TNRC). In 2014, Professor Susskind offered a graduate seminar on Water Diplomacy at MIT for the first time.

**2. US-Mexico Water and Energy Negotiations** – MIT doctoral candidate, Mr. Bruno Verdini, is leading a research effort examining recent water and energy agreements between Mexico and the United States. He is funded by the Mexican government.

**3. Devising Forum for the Arctic Council and the Arctic Circle** – with support from PON, the PDP team is organizing a two day Devising Seminar in Cambridge, Massachusetts in September 2014 for 30 governmental, industry, environmental, aboriginal, human rights and scientific leaders involved in studies of Arctic fisheries. The Arctic Circle, led by the president of Iceland, Olafsun Grimsson, has asked PDP to bring these stakeholders together to see if they can develop new strategies for managing Arctic fisheries that can be considered at the Fall 2014 Greenland meeting of the many hundreds of stakeholders who will gather at the session organized by the Arctic Circle.

**4. Creating Value in Real Estate Negotiation** – the two-day course, Creating Value in Real Estate Negotiation, was offered jointly between PDP and the MIT Center for Real Estate for the third time. An open enrollment class aimed at real estate professionals from around the world, the most recent class had 25 registrants. PDP was able to use iPads for videotaping and debriefing of PON negotiation exercises. This is offered each year in June.

**5. Mediating Hydrodevelopment Conflicts in Chile** -- In conjunction with the Consensus Building Institute, MIT's Program on Science and Technology Innovation (MISTI), and MIT's Sloan School of Management, PDP is continuing to bring together government, industry and civil society leaders involved in the increasingly acrimonious conflict over the development of hydropower in Southern Chile. The focus is on new

ways of ensuring that indigenous peoples (Mapuche), national environmental interests and government agencies at the national and local level have a forum in which to brainstorm better ways of dealing with strong disagreements about energy policy and hydroproject development. With colleagues at the Austral University de Chile (in Valdivia) and the Consensus Building Institute's Chile office, PDP is in the process of helping the new national government organize an energy policy dialogue in regions around the country. All the published materials are available on the web site of the MIT Science Impact Collaborative ([scienceimpact.mit.edu](http://scienceimpact.mit.edu)). A new role-play simulation, developed by Ms. Jenny Hatch of the Harvard Kennedy School, provides a means of bringing various constituencies together, in Southern Chile, to explore the social and environmental impacts of energy development on indigenous peoples in Chile. It is available through PON's Teaching Negotiation Resource Center (TNRC)

#### **v. Program on Negotiations in the Workplace**

Faculty and affiliates of the Program on Negotiations in the Workplace Project have been active in research and intervention work as it concerns gender in the workplace. Co-Directors Simmons Professor (emerita) Deborah Kolb and HBS professors Kathleen McGinn and Lakshmi Ramarajan have completed their paper, "An Outside-Inside Internalization of Shifting Gender Logics In Professional Work." The paper explores how the women's initiative at a professional services firm reshaped its mission and strategies as it internalized the challenges of the changing social institution of gender over nearly two decades. In the process the initiative was refashioned from a program focused solely on women to a broader and more inclusive mandate.

Professors Kolb and McGinn (along with Jessica Porter) continue their four year project with the African Women in Agricultural Research and Development (AWARD), a project funded by the Bill and Melinda Gates Foundation. The project is intended to develop the capacity of African trainers to deliver a four day negotiation workshop that emphasizes negotiations in the workplace. In 2012 they delivered a four day negotiation program for women scientists in Africa, Europe, and Asia. In September, 2013, in Mombassa, they ran the first phase of a Train the Trainer Workshop in Kenya. The trainers co-taught with Kolb and McGinn the Negotiation Workshop for Women in September. The second phase will take place in 2015.

In another project with Jessica Porter and a leadership group in Chicago, Leading Women Executives, Kolb continues to work on developing a diagnostic framework to analyze systemic gender issues in organizations. The framework is in the process of being turned into a white paper that organizations can use to help identify 'small wins' that enable

women leaders to flourish at the same time as they enhance the performance of organizations.

In 2013, Kolb with co-authors Herminia Ibarra and Robin Ely published “Women Rising: The Unseen Barriers.” The paper outlines the ways that second generation gender bias—the unintended ways that existing organizational policies and practices can have differential impacts on different groups of men and women—may curtail women’s path to senior leadership roles. These barriers include paucity of women role models, gendered jobs and career paths, differential access to critical networks, and double binds. Educating people about these barriers is likely to ease the path to leadership for high potential women.

Deborah Kolb with Jessica Porter picks up on these themes in her new book, *Small Wins, Big Gains: Negotiate to Make Your Value Visible* (forthcoming, 2015). In the book, the authors outline the critical steps in what they call ‘n-negotiations’ as distinct from more formal dealmaking. Because the topics to be negotiated (negotiating for opportunities, flexible work schedules, credit for work, among others) are embedded in organizational practices, not all parties recognize a need to negotiate. The book also shows how ‘n’ negotiations can work for the parties themselves but also produce small wins that mitigate second generation issues beyond those immediately involved in the negotiation.

Kathleen McGinn and Katherine Milkman (Wharton), are publishing their study, “Looking up and looking out: Career mobility effects of demographic similarity among professionals,” in *Organization Science* (forthcoming). McGinn and Milkman studied turnover and promotion in a large law firm over six years. They found that workgroup demography in terms of race and gender are significant predictors of voluntary exit and promotion.

Kathleen McGinn, Katherine Milkman and Markus Noth (University of Hamburg, Germany) published "Walking the Talk in Multiparty Bargaining: An Experimental Investigation" (*Journal of Economic Psychology*, in press). In two studies of multiparty negotiations, they show the powerful effects of using pre-negotiation talk to frame the logic of a negotiation as either a competitive or a cooperative interaction.

Pinar Fletcher (HBS), Kathleen McGinn and Iris Bohnet (HKS) are exploring the mechanisms through which workgroups affect effort and turnover. In a series of experiments, they found that task and gender interact to drive performance, while the effect of competitive versus cooperative incentives appear weak - in contrast to conclusions from past research. They are currently designing follow-up studies to explore the effects of task and gender on participants' choice of incentives and partner.

Mukti Khaire (HBS) and Kathleen McGinn are studying how gender, work, family and community interact and evolve over time. Using three decades of Indian census data and 50 interviews of self-employed women in the state of Gujarat, India, they are measuring the economic impact of self-employment and the social and psychological mechanisms underlying this impact.

Nava Ashraf (HBS), Corinne Low (Columbia University) and Kathleen McGinn are carrying out a field experiment in Zambia, designed to study the effects of providing negotiation skills training in addition to information about sexually transmitted diseases and the benefits of staying in school, relative to the effects of providing information alone. Pilot study results suggest positive health benefits for teenage girls receiving training in negotiation skills along with information. PON has provided partial funding for this project.

#### **vi. PON Research Seminar**

The PON Research Seminar invites leading scholars to speak about their research on negotiation and related fields to PON-affiliated faculty members and doctoral students from the Greater Boston area.

In October, the PON Research Seminar and the Women and Public Policy Program at Harvard Kennedy School co-sponsored a research seminar on the topic of women, gender and negotiation. Presented by Muriel Niederle, Professor of Economics at Stanford University, the seminar was entitled “Gender, Competitiveness and Career Choices.” In this talk, Professor Niederle presented studies that showed that the educational gap between women and men in science, technology, engineering and math (STEM) career paths may be influenced in part by gender differences in competitiveness.

#### **vii. PON Website**

The PON website (<http://www.pon.harvard.edu>) shares news about its faculty and research projects, publicizes PON activities and executive education programs, and supports communication with PON’s community of scholars and practitioners. As an information hub for PON’s diverse activities, it is an invaluable resource for individuals interested in the fields of negotiation, conflict management, and mediation. For more information on the website, as well as PON’s social media and email communications, please see page 42.

## **c. Clinical Work**

The Program on Negotiation coordinates with the Harvard Negotiation and Mediation Clinical Program (HNMCP), sharing resources and information on events, opportunities for student involvement, etc. Professor Robert Bordone, Director of HNMCP, is a member of the PON Executive Committee. In March 2014, HNMCP and PON co-sponsored the Harvard Negotiation Law Review Symposium. For more details on the Symposium, see page 21.

## **d. Publications & Other Activities**

### **i. Publications**

#### **1. *Negotiation Journal***

*Negotiation Journal* is a quarterly, peer-reviewed publication that takes a multidisciplinary approach to negotiation and conflict resolution. The journal publishes cutting-edge empirical research, as well as theoretical essays, case analyses, book reviews, and advice for practitioners, with a strong commitment to publishing articles of interest to negotiation teachers.

Article topics in 2013-2014 included the impact of smart phone use during negotiations, the impact of mediation on civil wars, how to foster student engagement in role play simulations, what lawyers know about negotiation ethics, what can be learned from Israel's unilateral withdrawal from Gaza, and the impact of displays of emotion on negotiation.

In 2013-2014, online accessing of the journal's content continued to increase, while subscriptions and licenses were renewed at an above average rate. In January, the journal launched its 30th year with a newly redesigned cover. In April, the editor, managing editor, and relevant PON staff members met with the publishers to discuss plans to begin the transition to an online-only journal sometime over the next five years.

#### **2. *Negotiation Briefings***

PON produces a monthly newsletter, *Negotiation Briefings*. With HLS Professor Guhan Subramanian as faculty editor, the newsletter offers current negotiation strategies and methods to improve management, decision-making, and communication skills from PON negotiation experts and scholars in a quick-reading, practical format. The newsletter is available in print and online editions.

### **3. *Harvard Negotiation Law Review***

*Harvard Negotiation Law Review* (HNLR) is one of the country's leading journals of alternative dispute resolution scholarship. HNLR publishes a variety of articles related to negotiation, mediation, arbitration, and other dispute resolution topics. The journal also hosts symposia and other events addressing current and noteworthy issues in ADR. PON co-sponsored the 2014 HNLR Symposium entitled "Political Dialogue and Civility in an Age of Polarization" on March 1, 2014. For more details on the Symposium, see page 21.

### **4. *Teaching Negotiation***

Pedagogy @ PON (P@PON) publishes a free, bi-annual e-newsletter that highlights current research, new teaching materials, and upcoming events, and includes a report on past events. It is circulated to a list of more than 8,000 negotiation and dispute resolution educators.

In order to unite the mission goals of P@PON and the product distribution efforts of the Clearinghouse, PON recently decided to combine the two entities and name the new venture the Teaching Negotiation Resource Center (TNRC). The TNRC will be responsible for hosting the bi-annual faculty dinner seminars; communicating with the negotiation community about TNRC research and events; developing and marketing new teaching materials; and growing the distribution and sales of TNRC products.

### **5. Books published by PON-affiliated faculty in 2013-2014**

- *Mediation: A Practice Guide*, by David Hoffman was published in 2013 by MCLE Inc.
- *The Art of Negotiation*, by Michael Wheeler was published in 2013 by Simon & Schuster.
- *Negotiating Life*, by Jeswald Salacuse was published in 2013 by Palgrave Macmillan.
- *Good for You, Great for Me*, by Lawrence Susskind was published in 2014 by PublicAffairs.
- *Thanks for the Feedback: The Science and Art of Receiving Feedback Well*, by Douglas Stone and Sheila Heen was published in 2014 by Viking Adult.
- *Winning from Within: A Breakthrough Method for Leading, Living, and Lasting Change*, by Erica Fox was published by HarperBusiness in 2013.
- *A Decisive Decade: An Insider's View of the Chicago Civil Rights Movement during the 1960s*, by Robert McKersie and James Ralph Jr. was published in 2013 by Southern Illinois University Press.

- *Sharing a Mediator's Powers: Effective Advocacy in Settlement*, by Dwight Golann, was published by the American Bar Association in 2013.

## ii. Conferences

**“Political Dialogue and Civility in an Age of Polarization”** - PON co-sponsored the 2014 HNLR symposium, “Political Dialogue and Civility in an Age of Polarization.” Held at Harvard Law School on March 1, 2014, the conference focused on the current state of political discourse and how negotiation and ADR techniques may be able to overcome challenges to civil dialogue.

During the day-long event, several PON-affiliated faculty members participated in panels and audience discussions. The panels included:

- **Panel 1: “Political Discourse, How It Has Changed, and Why It Is the Way It Is?”**
  - Moderator: Nancy Welsh
  - Panelists: Jim Flug, Peter Ambler, Tom Bonier
  - Response Panelists: Nancy Welsh, Bob Bordone, David Matz
- **Panel 2: “Overcoming Challenges to Civil Dialogue”**
  - Moderator: Laura Chasin
  - Panelists: Francis Kissling, John Allen, Jonathan Zittrain
  - Response Panelists: Bob Bordone, Amy Cohen
- **Panel 3: “What Worked: Practical Strategies to Loosening the Gridlock”**
  - Moderator: Heather Kulp
  - Panelists: Laura Chasin, Carolyn J. Lukensmeyer, Michael Ostrolenk
- **Keynote Address: Krista Tippett**, host of NPR’s “On Being”

## iii. Workshops

1. Susan Hackley, Managing Director of PON, led a negotiation skills workshop entitled “The Art of Negotiation” as part of the annual Women2Women (W2W) Conference, in August 2013. Organized by Empower Peace, Women2Women is a week-long leadership training program for young women, age 15 - 19, from the Middle East, North Africa and the United States. This is the eighth consecutive year that Ms. Hackley has taught this workshop.
2. On July 16, 2013, 17 young Arab leaders from 14 countries spent a day at PON as part of the Middle East Partnership Initiative (MEPI) Young Arab Leaders program. The workshop was organized by PON Senior Fellow Shula Gilad, in collaboration with the Roger Williams University of Rhode Island.

3. The Harvard-MIT Public Disputes Project, in partnership with Tufts University, offered a Water Diplomacy Workshop in June 2014. This week-long train-the-trainer program offered negotiation skills to water professionals from around the world.

#### iv. Events

##### **1. The 2014 Great Negotiator Award Program honoring Ambassador Tommy Koh of Singapore**

The [Program on Negotiation](#) at Harvard Law School and the [Future of Diplomacy Project](#) at the Belfer Center for Science and International Affairs at Harvard Kennedy School, jointly named Ambassador Tommy Koh of Singapore the recipient of the 2014 Great Negotiator Award. Chaired by Professor James K. Sebenius since 2001, the Great Negotiator Award Program has sought to extract broader analytic and prescriptive lessons from studying some of the world's best negotiators confronting some of their toughest challenges.

Ambassador Koh was recognized for his success as a negotiator and mediator during a long and distinguished diplomatic career. In particular he was honored for his work as chief negotiator for the United States-Singapore Free Trade Agreement; for chairing the negotiations that produced a charter for the Association of Southeast Asian Nations (ASEAN); for key actions that resolved territorial and humanitarian disputes in the Baltics and Asia; and for successfully leading two unprecedented global mega-conferences: the Third U.N. Conference on the Law of the Sea, and the U.N. Conference on the Environment and Development, also known as the Rio Earth Summit.

During a week of activities, Ambassador Koh spoke at various classes and met with students interested in the field of negotiation and conflict resolution. On Thursday, April 10<sup>th</sup>, 2014, Ambassador Koh was formally honored at a public event held on the Harvard Law School campus. In the evening, he was presented with the award at a formal award banquet.

The four hour public event at HLS featured two substantive panel discussions with Ambassador Koh on topics related to negotiation challenges he faced during the course of his remarkable career. The first panel addressed "Multiparty Deals: The Law of the Sea, the Rio Earth Summit, and the Future of Large Conference Negotiations," and featured panelists Professor James K. Sebenius, Harvard Business School, and Susan Hackley, Managing Director, Program on Negotiation. The second panel explored "Bilateral Deals: Trade and Regional Conflicts," with panelists Professor Nicholas

Burns, Harvard Kennedy School, and Professor James Sebenius, Harvard Business School. Videos of the day's activities are available for viewing on the Program on Negotiation YouTube channel at <http://www.youtube.com/user/ponhls>.

Great Negotiator Award recipients are recognized for their ability to negotiate against great odds in different settings to accomplish worthy purposes. By discussing the successes and failures of this distinguished group of men and women from varied backgrounds, the events associated with the Great Negotiator Award seek to uncover broader lessons and generalizations about effective negotiation and dispute resolution in public and private settings.

In preparation for the public panel discussions with Ambassador Koh, Professor James Sebenius led four faculty roundtable discussions related to Ambassador Koh's work, including the Third U.N. Conference on the Law of the Sea, the Rio Earth Summit, U.S. –Singapore Free Trade Agreement, and the ASEAN charter. Researchers Alex Green and Caitlin Antrim also contributed to the development of case study materials on these topics. These case study materials will be developed as teaching materials. In the spring of 2014, Professor Sebenius used some of these case study materials in two executive education programs, including a one-day PON program entitled "Practical Lessons from the Great Negotiators."

## **2. The Herbert C. Kelman Seminar Series on Negotiation, Conflict and the News Media**

The Herbert C. Kelman Seminar Series on Negotiation, Conflict and the News Media is held throughout the academic year. The series is co-sponsored by the Program on Negotiation, the Nieman Foundation for Journalism, the Weatherhead Center for International Affairs, the Shorenstein Center on Media, Politics and Public Policy, and Boston-area members of the Alliance for Peacebuilding.

The 2013-2014 Kelman Seminar seminars were:

- a. **Putin, Crimea – Back to the USSR?** – Presenters: Bruce Allyn, Senior Fellow at the Program on Negotiation and adjunct faculty member at the University of Oregon Law School; Jill Dougherty, former CNN foreign affairs correspondent and 2014 Fellow with the Shorenstein Center. (April 28, 2014)
- b. **Afghanistan 2014: The Way Forward** – Presenters: Katherine Hunter, Fellow at the Weatherhead Center for International Affairs and former Senior Deputy Country Representative for The Asia Foundation in Afghanistan;

Sangar Rahimi, Afghan journalist with the *New York Times* and 2014 Nieman Fellow at Harvard University. (March 3, 2014)

- c. **The Meaning of Mandela in Today's South Africa** – Presenter: Greg Marinovich, Pulitzer Prize-winning journalist from South Africa and 2014 Nieman Fellow at Harvard University. (February 10, 2014)
- d. **Accountability and Transparency: National Security, the Media, and the Public Good** – Presenters: Joe Klein, 2013 Fellow at the Shorenstein Center and political columnist for *Time Magazine*; and Frank Thorp, Retired Navy Rear Admiral and former Senior Vice President for Marketing and Communications for the United Service Organization. (December 2, 2013)
- e. **The Potentials and Limits to Humanitarian Intervention: Lessons from Bosnia and Kosovo for the Current Syria Crisis** – Presenters: Sadik al-Azm, Professor Emeritus of Modern European Philosophy at the University of Damascus in Syria and Fellow in the Scholar at Risk Program at Harvard University; Wolfgang Petrisch, Austrian diplomat and Fellow at the Weatherhead Center for International Affairs at Harvard University. (October 28, 2014)
- f. **Negotiating Women's Roles in Complex International Environments** – Presenters: Fouzia Saeed, women's and human rights activist and educator from Pakistan; Beena Sarwar, Pakistani journalist and filmmaker focused on media, gender, peace, and human rights. (September 30, 2013)

### 3. PON Brown Bag Series

Throughout the academic year, PON invites experts and practitioners in the field of negotiation, mediation and conflict resolution to speak at the PON Brown Bag luncheon series. These presentations typically include a 30 minute talk by the presenter, followed by a Q&A period. These free events are open to HLS students, faculty, staff and the wider community.

In 2013-2014, the PON Brown Bag lunch series presented the following talks:

- a. **Meeting Negotiation Challenges in the Repatriation of Native American Museum Collections** – Presenter: Christina Hodge, Coordinator for Academic Partnerships and Senior Curatorial Assistant at Harvard's Peabody Museum of Archaeology and Ethnology. (April 23, 2014)

- b. South Africa’s “Negotiated Revolution” and Mandela’s Legacy** – Presenters: Roelf Meyer, former Chief Negotiator for President DeKlerk in the talks to end the South African Apartheid, former Minister of Constitutional Affairs, and former Minister of Defense of South Africa; Tim Phillips, Co-founder of Beyond Conflict. Moderator: Bruce Patton, Distinguished Fellow of the Harvard Negotiation Project. (April 11, 2014)
- c. Islam, Sharia, and Alternative Dispute Resolution** – Presenter: Dr. Mohamed M. Keshavjee, international expert and lecturer in alternative dispute resolution, member of the Board of Governors of The Institute of Ismaili Studies, London, and member of the EU Panel of International Family Mediators. Moderator: Rachid S. Alvi, Deputy Director of Harvard’s Islamic Legal Studies Program. (March 27, 2014)
- d. Umbrella Agreements, Consensus Building in the Arctic, and Negotiation in Social Enterprises: New Research from PON Fellows and Scholars** – Presenters: Alexandros Sarris, a PON Graduate Research Fellow; Stefanos Mouzas, a PON Visiting Scholar; and Sarah Woodside, a PON Graduate Research Fellow. (March 26, 2014)
- e. Planners as Negotiators, ‘Enlarging the Pie’ in Large Scale Urban Development** – Presenters: Angelyn Chandler, architect for the New York City Parks Department; Arana Hankin, former Director of the Atlantic Yards Project at New York City’s Empire State Development; Helen Lochhead, Australian architect, urban designer, and Adjunct Professor at the University of Sydney. Moderators: Susan Hackley, Managing Director, Program on Negotiation; Karen Lee Bar-Sinai, Director and Co-founder of SAYA/Design for Change. (November 21, 2013)
- f. Foreign Policy in a New Global Era: Perspectives from the Deputy Prime Minister of Slovakia** – Presenter: H.E. Miroslav Lajčák, Deputy Prime Minister and Minister of Foreign and European Affairs of the Slovak Republic. (November 7, 2013)
- g. ARCHITACTICS: Architecture as a Creative Strategy in Territorial Negotiations** – Presenter: Karen Lee Bar-Sinai, Director and Co-founder of SAYA/Design for Change. Respondents: Alain Lempereur, Executive Committee Member at the Program on Negotiation, Director of the Masters’ Program in Coexistence and Conflict at the Heller School for Social Policy and Management, and Alan B. Slifka Professor at Brandeis University; Shula Gilad, PON Senior Fellow. (October 24, 2013)
- h. Building Peace Through Environmental Activism: The Relationship of Confidence Building Measures to Formal Negotiations** – Presenter: Alon Tal, Professor of Environmental Policy at Ben Gurion University in Be’er Sheva, Israel, Founder of the Arava Institute for Environmental Studies, and

Founder of Adam Teva V'Din, the Israel Union for Environmental Defense.  
(October 7, 2013)

#### 4. PON Film Series

The PON Film Series provides a forum for discussing negotiation theory and practice through the analysis of conflicts depicted in documentary or feature films. The Film Series also honors filmmakers whose films increase understanding of negotiation and conflict transformation.

- a. **“Climate Refugees”**- PON screened this critically acclaimed documentary produced and directed by Michael Nash. The film highlights the plight of climate refugees, the growing number of individuals displaced by climatically induced environmental disasters and rapid ecological change, leading to conflict. The screening was followed by a Q&A session with Michael Nash about the urgent issues highlighted in his film. (October 30, 2013)

#### 5. Other Events

- a. **“Islam, Sharia and Alternative Dispute Resolution”** - In April, 2014, PON hosted a breakfast seminar by Dr. Mohamed Keshavjee on his new book, *Islam, Sharia and Alternative Dispute Resolution*. The seminar was jointly co-sponsored by PON and the Islamic Legal Studies Program at HLS. The seminar was attended by faculty members and research fellows from Harvard Medical School, Harvard Divinity School, Harvard Law School, and MIT.
- b. **“Innovations in Refugee Protection: A Compendium of UNHCR’s 60 Years”** – In collaboration with the Harvard Law School Library, the Program on Negotiation co-sponsored a talk by Dr. Luise Drake on her book *Innovations in Refugee Protection: A Compendium of UNHCR’s 60 Years*. The talk was followed by a panel discussion featuring Lily Axelrod, 2L and clinical student at the Harvard Immigration and Refugee Clinic at HLS; Heidi Matthews, SJD Candidate and IGLP Writing Workshop Docent at HLS; Elizabeth Moroney, HLS Case Studies Editorial Assistant; Christianne Lemke, Max Weber Chair for German and European Politics at New York University. (March 6, 2014).
- c. **“Thanks for the Feedback”** – Authors Doug Stone and Sheila Heen, Lecturers on Law at Harvard Law School, held a book talk at the Brattle Theater for the publication of their new book, *Thanks for the Feedback: The Science and Art of Receiving Feedback Well*. (March 4, 2014).
- d. **“Winning From Within: A Discussion with Erica Fox”** – Erica Fox discussed her new book on *Winning from Within*, which provides constructive anecdotes, business examples, and public exemplars that assist readers in understanding

themselves and how they can achieve greater results. PON co-sponsored this event with the New England Chapter of the Association for Conflict Resolution. (October 21, 2013).

- e. **Celebration of PON-affiliated Faculty Authors** – PON held a reception to celebrate the publication of new books by PON-affiliated faculty. Authors who were honored included: Robert Bordone; Francesca Gino; Robert McKersie; Susan Podziba; Jeswald Salacuse; Frank Sander, Lawrence Susskind, and Michael Wheeler. (November 19, 2013).
- f. **PON Open House** – PON held its annual open house for students and faculty interested in negotiation and conflict resolution. In addition to Harvard Law School and other Harvard affiliates, students attended from MIT, Fletcher School, Brandeis University, UMass, Boston University and other Boston area schools. PON affiliated faculty introduced themselves and spoke briefly about their research interests. Representatives from Harvard Mediation Program, HNLN and Harvard Negotiators also shared information on how students can get involved in these organizations. (September 18, 2013).

#### e. Fellows, Visiting Researchers, Research Assistants & Interns

##### i. 2013-2014 Visiting Scholars & Researchers

**Bruce Allyn, Senior Fellow**, is an Adjunct Faculty member at the University of Oregon Law School and former Director of the Harvard-Soviet Joint Study. He is also the former Associate Director of the Harvard Strengthening Democratic Institutions Project. His current research focuses on negotiation and strategies for nonviolent action. He is writing a book on the nonviolent collapse of the Soviet Union, using it as a case study to derive lessons for regime change in current conflicts, particularly in the Middle East. While at PON, he is working with Professor James Sebenius to develop a case study on his experiences negotiating with the Russians.

**Karen Lee Bar-Sinai, Research Fellow**, is Director and Co-Founder of SAYA, Design for Change in Jerusalem, Israel. For the 2012-2013 academic year she was a Loeb Fellow at the Harvard Graduate School of Design where she collaborated with PON and the Middle East Negotiation Initiative to develop a seminar series entitled “Designing a YES: the Role of Spatial Planning in Political Negotiations.” At PON, she continued her research exploring the role of design and urban planning in negotiation.

**Talia Fisher, Visiting Scholar**, is a Professor of Law and the Director of the Taubenschlag Institute of Criminal Law at Tel Aviv University in Israel. Her research interests include evidence law, private ordering, ADR and Negotiation Theory.

**Shula Gilad, Senior Fellow**, develops programming and workshops for the Middle East Negotiation Initiative at PON. Shula is also a consultant to various Middle East programs and organizations.

**Stefanos Mouzas, Visiting Scholar**, is a Professor and Director of Research in the Department of Marketing at the Lancaster University Management School in Lancaster, UK. His research looks at imperfections in how actors interact with each other. At PON he conducted research, under the supervision of Professor Guhan Subramanian, on the sources of disagreements in negotiation and the possibilities for crafting umbrella agreements.

**Rainer Michael Rilke, Visiting Scholar**, is a research assistant and PhD student at the University of Cologne, Germany. His research interests center on behavioral and experimental economics and business ethics. While at PON, he worked with Max Bazerman, Harvard Business School; his most recent research paper, entitled “Lying and Team Incentives” appeared in the *Journal of Economic Psychology*.

**Ann Torres, Visiting Scholar**, was renewed for the fall 2013 semester. She is a lecturer in Marketing at the J.E. Cairnes School of Business and Economics and the Vice Dean of Internationalisation for the College of Business, Public Policy and Law at the National University of Ireland Galway. Her research interests lie in the convergence of strategy, entrepreneurship and marketing practices. In this context, she is studying the confluence between e-marketing and marketing communications, with the framework of negotiation, as well as between organizational strategy and innovative marketing practice.

## **ii. 2013-2014 PON Graduate Research Fellows**

The Program on Negotiation hosted two graduate research fellows for the 2013-2014 academic year:

### **Sarah Woodside**

#### **PhD Candidate at Boston College**

Sarah is a PhD Candidate in Sociology at Boston College, where she is also a Clough Fellow. From Canada, Sarah holds a B.A. from McGill University (Middle East Studies & Political Science), a B.Ed. from the University of Toronto, and an M.A. (Dispute Resolution) from the University of Massachusetts Boston. She was also a Teaching Assistant for the HLS Negotiation Workshop.

### **Alexandros Sarris**

#### **PhD Candidate at Leiden University**

Alexandros is a PhD Candidate at Leiden University, The Netherlands, in the Department of International Studies. Alexandros is currently conducting research on the legal regime(s) governing the Arctic. He holds an LLB and an LLM (cum laude) from the Faculty of Law of Democritus University of Thrace, Greece.

### **iii. PON Summer Research Fellowship Program**

#### **PON Summer Research Fellowship Program**

The [PON Summer Fellowships](#) 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. The following fellows began their internships during fiscal year 2013-2014 and will have completed their respective internships in September 2014.

#### **The 2013-2014 PON Summer Fellows are:**

##### **Seanan Fong**

##### **Harvard Divinity School**

Seanan is a Master of Divinity Candidate at Harvard Divinity School, studying conflict resolution and Confucianism, with an eye toward China. This summer, he will be studying mediation, Confucianism, and the law inside and outside China's evolving legal system. This research will be part of a broader project to understand the civilizational underpinnings of an alternative approach to peace, justice, and harmony. At HDS, he has trained as an interfaith hospital chaplain and as a court-appointed mediator with the Harvard Mediation Program, as well as conducted research on the spiritual lives of secular Chinese American families. Seanan was raised in the Bay Area, California, and graduated from Stanford University with degrees in philosophy and human biology.

##### **Chris Maroshegyi**

##### **The Fletcher School of Law and Diplomacy**

Chris is a student at the Fletcher School of Law and Diplomacy, where he focuses on international negotiation, conflict resolution, energy security, and business. This summer he will travel to Iraq and Turkey to analyze the ongoing negotiations between Baghdad and Erbil over the management of the country's oil resources. Chris' research will form the basis of his master's thesis at the Fletcher School, in which he seeks to build a negotiation framework for mitigating conflict over natural resources. Prior to attending the Fletcher School, Chris worked for the United Nations Educational Science and Communications Organization (UNESCO) in Iraq, where he advised the government on

issues of water management, disaster risk reduction, and science and technology policies. Chris is from San Diego, California, holds a B.A. from Boston College, and is a Fulbright Scholarship recipient.

**Danae Paterson**

**Harvard Law School**

Danae Paterson is a rising second-year student at Harvard Law School. Her professional and academic focus is in negotiation, conflict-affected and transitional states, and international human rights law. Prior to attending Harvard, Danae completed a Master's of Science in Comparative Politics at the London School of Economics, where she took advanced coursework in Conflict and Peace Studies, Nationalism, and Gender and Militarization. Her Distinction-awarded thesis focused on instrumentalist nationalism theory and women's rights in Iran. Danae also served in the U.S. Peace Corps in Rwanda, with projects on economic development, post-conflict reconciliation, and gender equality. She has also conducted field work along the Wild Coast of South Africa. This summer Danae will work with the Public International Law and Policy Group (PILPG), a global pro bono law firm that specializes in peace negotiations, war crimes prosecution, and governance and democracy.

**Ashish Pradhan**

**The Fletcher School of Law and Diplomacy**

Ashish is a graduate student at the Fletcher School of Law and Diplomacy, where he focuses on International Negotiation and Conflict Resolution, as well as International Security Studies. Prior to Fletcher, he worked for the International Crisis Group in Nepal where he conducted research on Nepal's peace and constitution-writing processes. His work was particularly focused on identity politics, ethnic conflict, and minority rights, and was utilized by activists and party leaders as an advisory tool for furthering negotiation and policy-based discussions related to federalism. This summer, Ashish will be interning for Search for Common Ground's (SFCG) office in Monrovia, Liberia. SFCG is an international nonprofit organization that focuses on conflict transformation, and over the course of his internship, Ashish will support SFCG's effort to address the underlying causes of the Liberian civil wars. Ashish is from Kathmandu, Nepal, and received his undergraduate degree from Georgetown University.

**Owen Sanderson**

**The Fletcher School of Law and Diplomacy**

Owen Sanderson is a graduate student at the Fletcher School of Law and Diplomacy at Tufts University, where he focuses on international negotiation and innovative approaches to international development. Before attending Fletcher, Owen worked as a consultant and global fellow at Deloitte Consulting where he supported several public

sector clients including the Department of State and USAID. While at Deloitte, Owen also worked with Deloitte Research Director Bill Eggers on his new book, *Solution Revolution: How Business, Government, and Social Enterprises are Teaming Up to Solve Society's Toughest Problems*. Prior to Deloitte, Owen was a research assistant at the Center for Strategic & International Studies (CSIS), a Washington-based think tank. Owen received his B.A. in Government from Georgetown University. This summer he will be working with Ushahidi, a Nairobi-based nonprofit company that builds software for information collection, data visualization, and interactive mapping. He will be teaching negotiation skill sets to the young entrepreneurs working with Ushahidi.

#### **iv. Student Teaching and Research Assistants**

HLS students worked as teaching assistants for the Harvard Negotiation Institute 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.

#### **v. 2013-2014 PON Interns & Student Assistants**

PON was pleased to welcome student assistants and interns during the 2013-2014 academic year. Working with PON staff, students are able to gain experience in the field and see the scope of PON's work. This year's student assistants were David Zeke Falcon and Kaitlin Harris, both students at Brandeis University in the Master's Program in Coexistence & Conflict. Falcon and Harris assisted with a wide range of PON events, including the Great Negotiator Award Program, and PON executive training programs. Charlotte Verbeke, an undergraduate student from Belgium, interned for PON for the academic year, and provided administrative help on a range of projects.

### **3. Teaching (Contributions to HLS Teaching Program)**

#### **a. Courses at Harvard Law School**

Through the workshops, seminars and other courses offered by PON-affiliated faculty, Harvard Law School remains a leader among university dispute resolution educational programs. These courses and seminars include:

- Negotiation Workshop
  - Professor Robert Mnookin et al., Winter 2014; Professor Robert Bordone et al., Spring 2014
- “The Israeli Palestinian Conflict”
  - Professor Robert Mnookin, Fall 2013
- LLM Required Writing in Conjunction with Negotiation Workshop
  - Professor Robert Mnookin, Spring 2014
- Negotiation and Mediation Clinical Workshop
  - Professor Robert Bordone, Fall 2013 and Spring 2014
- “Lawyer as Facilitator”
  - Professor Robert Bordone, Fall 2013
- Mediation
  - David Hoffman, Lecturer at Law, Spring 2014

In addition, PON’s consortium schools offer a variety of courses in negotiation and dispute resolution that are open to law school students through cross-registration. Professor James Sebenius taught a course entitled “Great Negotiators” at Harvard Business School in 2014. Many of the materials used in the class were developed by PON. Detailed information about negotiation courses is on each school’s website as well as in the Dispute Resolution Directory, available on PON’s website.

**b. Teaching Materials and Curriculum Development: The Teaching Negotiation Resource Center (TNRC)**

The Program on Negotiation publishes a range of teaching materials related to negotiation, alternative dispute resolution, and conflict management. These take the form of role-play simulations, case studies, instructional videos, and books. Many of these materials are used in the HLS Winter and Spring Negotiation Workshops, the PON Seminars, PON executive training courses, and the Harvard Negotiation Institute workshops. PON distributes these teaching materials through the Teaching Negotiation Resource Center (formerly the PON Clearinghouse).

TNRC products and services are available to the general public. Because the TNRC attracts customers from all over the world, many of its teaching exercises are available in non-English languages.

The TNRC continually develops new resources for teaching and learning about negotiation and dispute resolution. The 2013-2014 year saw the release of more than a half dozen new role-play simulations and more than a dozen non-English language role-play simulations. The TNRC also makes a number of its cases available through the HLS Case Studies Portal.

### **c. P@PON: Pedagogy at the Program on Negotiation**

Pedagogy @ the Program on Negotiation is dedicated to improving the way people teach and learn about negotiation. Incorporating and expanding upon the historical mission of the Teaching Negotiation Resource Center, Pedagogy @ PON serves as PON's intellectual focal point for negotiation education. Pedagogy @ PON is headed by two faculty co-directors – Professor Lawrence Susskind of MIT and Professor Emeritus Michael Wheeler of Harvard Business School.

Pedagogy @ 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 Pedagogy @ 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.

This past year, Pedagogy @ PON hosted two faculty dinners. The first dinner, held on December 5, 2013, was entitled “Joint Training in Negotiation: How Does it Work?”, and was presented by Frans Evers of the Netherlands, Robert McKersie of the Sloan School of Management, and Nancy Peace, Executive Director of the Massachusetts Education

Partnership. The second dinner was entitled “The Negotiation Medium and the Message,” and was presented by Dwight Golann on May 6, 2014.

In order to unite the mission goals of P@PON and the product distribution efforts of the Clearinghouse, PON recently combined the two entities and named the new venture the Teaching Negotiation Resource Center (TNRC). The TNRC will be responsible for hosting the bi-annual faculty dinner seminars; communicating with the negotiation community about TNRC research and events; developing and marketing new teaching materials; and growing the distribution and sales of TNRC products.

#### **d. The Harvard Negotiation Institute at the Program on Negotiation (HNI)**

The Harvard Negotiation Institute at the Program on Negotiation offers workshops in negotiation and mediation taught by Harvard faculty and affiliates. These workshops are held each June, and a mediation workshop repeats in the fall. Workshops include five-day courses and a two-day intensive course, and meet on the Harvard Law School campus in June, and off campus in the fall. HNI is a joint enterprise of PON and HLS.

HNI courses held this past year include:

- **Mediating Disputes**
  1. October 2013 - Professor Robert Mnookin; David Hoffman, Lecturer on Law; Gary Friedman, mediator; Dana Curtis, attorney mediator, and Samuel Dinnar, negotiation consultant
  2. June 2014 - Professor Robert Mnookin; Dana Curtis, and Samuel Dinnar
- **Negotiation Workshop: Improving Your Negotiating Effectiveness** - Bruce Patton, Co-Founder and Distinguished Fellow, Harvard Negotiation Project
- **Two-Day Intensive Negotiations for Lawyers and Executives** - Professor Robert Bordone
- **Secrets of Successful Dealmaking** - Professor Guhan Subramanian and David Lax, Managing Principal of Lax Sebenius, LLC
- **Negotiation Workshop: Strategies, Tools, and Skills for Success** - Professor Robert Bordone
- **Dealing with Difficult Conversations** - Bruce Patton, Co-Founder and Distinguished Fellow, Harvard Negotiation Project; Sheila Heen, Lecturer on Law and Affiliate,

Harvard Negotiation Project; and Douglas Stone, Lecturer on Law and Affiliate,  
Harvard Negotiation Project

PON's fall 2013 and June 2014 HNI programs welcomed 482 participants,<sup>1</sup> an increase of 18% from the prior year. This is a new enrollment milestone for the program and affirms both PON's marketing efforts and the relevance of the courses to individuals' professional lives.

A review of demographic data for June 2014 participants confirms that HNI appeals to a large international audience (approx. 62%) as well as residents of the United States (approx. 38%). There was considerable participation from individuals from Australia, Brazil, Canada, Mexico, Nigeria and Switzerland, as well as registrants from over 60 other countries. PON is mindful of the international audience in the HNI program and works to ensure course content and simulations encompass different cultural contexts.

Similarly, HNI appeals to a diverse industry base; individuals attend from the fields of law, business, and government predominantly, with a healthy representation from education and the non-profit sector, as well as construction management, real estate and development, aerospace/defense, broadcasting, and medicine. The workshops offer continuing legal education (CLE) credits for lawyers seeking to meet CLE requirements. The courses have been approved for CLE credits by every state to which PON has applied.

The workshops offer Harvard Law School students who have excelled in negotiation courses during their academic terms an opportunity to serve as teaching assistants. This past June 12 current HLS students served as teaching assistants, providing them with valuable experience in teaching negotiation.

#### **e. PON Seminars**

Open to participants from all disciplines and professional fields, including HLS students and Harvard staff, the PON Seminars provide negotiation and mediation courses to the community. In the 2013-2014 academic year, these courses were:

- **Negotiation and Dispute Resolution** – Gillien Todd, Lecturer at Law at Harvard Law School, and Debbie Goldstein, Principal at the Triad Consulting Group
- **Mediation and Conflict Management** - David G. Seibel, Co-Founder and President of Insight Partners, and Stevenson Carlebach, Director of Eque LLC

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<sup>1</sup> 482 represents the number of participants, or seats, across the various courses. Many individuals availed themselves of a 2-course discount, attending in both Week I and Week II of the June HNI program.

These seminars are designed to increase public awareness and understanding of effective dispute resolution principles; the semester-length courses allow participants full immersion in both theory and practice.

#### **4. Student Participation**

Central to PON's mission is engaging with students and recognizing their contributions to the field of negotiation. In addition to taking negotiation courses, students are always welcome at PON; students propose speakers and events, assist faculty, and become involved in the PON Student Interest Group. Other areas of student involvement include serving on the board of the *Harvard Negotiation Law Review*, or as Student Teaching Assistants and Student Research Assistants. Students are also recognized for their research through the PON Graduate Student Grants and the PON Next Generation Grant. Students are eligible for the two negotiation prizes awarded through PON: the Roger Fisher and Frank E. A. Sander Prize and the Howard Raiffa Doctoral Student Paper Award Prize.

##### **a. PON Student Interest Group (SIG)**

The SIG connects over 650 students from Harvard University, MIT, Simmons College, Tufts, Brandeis, UMass Boston and other Boston-area schools. Through the SIG, students connect with each other and with faculty, resulting in many networking and learning opportunities. These opportunities occurred at PON-sponsored Brown Bag Lunch panels and Film Series events, and co-sponsored events with MENI, the Women and Public Policy Program at Harvard Kennedy School, the Loeb Fellowship of the Harvard Graduate School of Design, and the Weatherhead Center for International Affairs at Harvard University. Subscribers to the SIG email list received updates on events, internships and job announcements. The SIG coordinator also publishes an updated version of the Dispute Resolution Directory, a catalog of negotiation and conflict resolution courses in the Greater Boston area.

##### **b. PON Summer Fellowship Program**

The PON Summer Fellowships 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. Information about the 2013 Fellows can be found on page 29.

##### **c. Student Teaching & Research Assistants**

HLS students worked as teaching assistants for the Harvard Negotiation Institute, 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.

#### **d. PON Open House**

PON offers an annual open house for students to learn about opportunities working with faculty and student organizations connected to ADR. Students are also able to network with individuals from other campuses around the Cambridge area, bringing more unity to PON's inter-university consortium.

#### **e. *Harvard Negotiation Law Review***

The *Harvard Negotiation Law Review* (HNLR) is one of the country's leading journals of alternative dispute resolution scholarship. HNLR publishes a variety of articles related to negotiation, mediation, arbitration, and other dispute resolution topics. The journal also hosts an annual symposium and other events addressing current and noteworthy issues in ADR. PON Executive Committee member, Robert Bordone, serves as a faculty advisor to HNLR.

#### **f. Next Generation Grants Program**

This grant program supports research in negotiation and conflict resolution by non-tenured faculty and doctoral students who will shape the field with their work. Awardees in 2013-2014 were:

- Paola Cecchi-Dimeglio, Harvard Law School and Harvard Kennedy School
- Pinar Fletcher, Harvard Business School
- Ovul Sezer, Harvard Business School and Harvard Graduate School of Arts and Sciences
- Richard Thurber, The Fletcher School at Tufts University
- Netta Barak-Corren, Harvard Law School
- Michael Baskin, The Fletcher School at Tufts University
- Christine Ma-Kellams, Harvard Kennedy School
- Aditi Mehta, Massachusetts Institute of Technology
- Maliheh Paryavi, Harvard University
- Bruno Verdini, Massachusetts Institute of Technology

### **g. Graduate Student Grants Program**

For the seventh year, PON offered its Graduate Student Grants Program to encourage scholarship in the fields of negotiation and conflict resolution, with the aim of supporting cutting edge research at the graduate level. Awardees in 2013-2014 were:

- Ali Zeynel Gokpinar, Heller School, Brandeis University
- Yang Jian, Heller School, Brandeis University
- Oumar Yelemou, Heller School, Brandeis University

### **h. Roger Fisher and Frank E. A. Sander Prize**

This prize was established by PON in 2007 in honor of professors emeriti Roger Fisher and Frank Sander, co-founders of PON. The \$1000 prize is awarded to the best student paper on a topic related to negotiation, dispute systems design, mediation, or ADR. The 2014 Fisher/Sander Prize was awarded to Cory Liu, HLS '15, for his paper entitled "Examining the Effects of the Uniform Mediation Act."

### **i. Howard Raiffa Doctoral Student Paper Award**

The annual prize of \$1000 is awarded to a doctoral student author of the best research paper on a topic relating to negotiation, competitive decision making, dispute resolution, mediation, or ADR. This student must be enrolled at a PON-affiliated graduate or professional school, and while there may be co-authors of the paper, the student should be a lead author. This prize was established by PON in 2008 in honor of Professor Howard Raiffa, Frank Plumpton Ramsey Professor of Managerial Economics, Emeritus. Professor Raiffa was one of the founders of the Program on Negotiation. In 2014, Eugene B. Kogan of Brandeis University was awarded the Raiffa prize for his thesis "Coercing Allies: Why Friends Abandon Nuclear Plans."

## **5. Faculty Participation**

PON is a multi-disciplinary program led by faculty from each of PON's consortium schools (Harvard, MIT, and Tufts) and representing a wide variety of research interests. For PON faculty, PON serves as a focal point for their research and work in negotiation and conflict resolution and their collaboration and engagement. They organize conferences and seminars, give presentations on their research, work with students on both faculty and student scholarship, mentor students, teach and train diverse groups both at HLS and throughout the US and abroad, and, working with Managing Director Susan Hackley, oversee PON's many enterprises, including the TNRC and the executive education workshops. PON faculty and associates also engage with diverse audiences through writing op-eds and articles, giving media interviews, and being available as a resource on negotiation aspects of current events.

Throughout this report is evidence of the committed involvement of a number of faculty, most of whom have been involved for ten or more years.

## **6. Other Contributions to the HLS Community**

The PON website serves as a resource for the HLS community. The blog is updated daily with negotiation-related posts, free reports on a range of topics are available for download, and video clips from events are posted throughout the academic year. PON social media sites, including YouTube, Twitter, Facebook and LinkedIn, provided additional opportunities for engagement. For additional details see page 42.

PON events are open to the broader HLS community and beyond. PON events are attended by students, faculty, staff, and the general public and provide the opportunity every year for thousands of people to learn about negotiation and conflict resolution.

PON maintains a library with a wide variety of materials relating to negotiation and conflict resolution. This browsing library is open to students and serves as an excellent resource for anyone interested in the field of ADR.

## **7. Law Reform & 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. PON faculty members give presentations to groups around the world on negotiation. Faculty members also teach at the Harvard Negotiation Institute, including the Two-Day Intensive Negotiation Workshop for Lawyers & Working Professionals, and two Mediation Workshops. CLE credit is given to HNI attendees as the course provides professional enrichment. Publications by PON faculty in *Negotiation Journal*, *Harvard Negotiation Law Review*, and *Negotiation Briefings* continue to spread the concepts of alternative dispute resolution to a wide audience throughout the world, including numerous practicing lawyers, judges and academics.

Several PON-sponsored events addressed topics related to law reform and advocacy. In March, PON co-sponsored the 2014 HNLR Symposium, entitled "Political Dialogue and Civility in an Age of Polarization." (See page 21 for further details on this conference.) In April 2014, PON hosted a faculty seminar on the topic of "Islam, Sharia and Alternative Dispute Resolution," attended by faculty from Harvard Law School, Harvard Medical School,

Harvard Divinity School, and MIT. The presenter, Dr. Mohamed Keshavjee, a leading scholar on ADR practices within Islamic law, also presented a brown bag lunch talk at HLS. The two events with Dr. Keshavjee were jointly co-sponsored by PON and the Islamic Legal Studies Program at HLS.

## **8. Connections to the Profession**

### **a. Research**

Research, articles and presentations by PON faculty and associates enable PON to bring its work to a broader audience. In addition to the quarterly *Negotiation Journal* and the monthly *Negotiation Briefings*, PON faculty research is disseminated through [The Negotiations Research Network](#) (NEG), part of the Social Science Research Network (SSRN), an online 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 that SSRN has organized for the worldwide dissemination of research in all of the social sciences.

### **b. 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 nearly 1,300 people who participated in negotiation training courses in 2013-2014. The majority of PON's executive education courses (including the Harvard Negotiation Institute and Negotiation and Leadership) typically are oversubscribed within one to three weeks prior to a course. These courses include:

#### **The Harvard Negotiation Institute at the Program on Negotiation**

The Harvard Negotiation Institute at the Program on Negotiation offers week-long workshops in negotiation and mediation with members of the Harvard Faculty. Workshops are held in June and October of each year and meet Monday through Friday, from approximately 9 a.m. to 5 p.m., primarily on the Harvard Law School campus. For more information, see page 34.

#### **Negotiation and Leadership & One-Day In-Depth Sessions**

The Negotiation and Leadership Program, a three-day program held at the Charles Hotel in Cambridge, was offered six times during the 2013-2014 academic year. An optional one-day in-depth session, taught by one of PON's renowned faculty members, followed each 3-day program. The one-day sessions included:

- Understanding Diplomacy and International Negotiations with Gabriella Blum
- The Power of a Positive No with Joshua Weiss
- Bargaining with the Devil with Robert Mnookin
- The Odd Couple with Max Bazerman and Daniel Shapiro
- Practical Lessons from the Great Negotiators with James Sebenius
- Women and Career Negotiations with Hannah Riley Bowles

### **Advanced Negotiation Master Class**

In September 2013, The Program on Negotiation launched a new Advanced Negotiation Master Class. The course was developed and taught by four PON-affiliated faculty members: Lawrence Susskind, Chair of Pedagogy at PON, Guhan Subramanian, Jared Curhan, and Kimberlyn Leary. Professor Rob Wilkerson from Tufts University assisted with course planning and implementation. Limited to 60 participants, the Master Class is designed to provide graduates of Harvard Negotiation Institute and Negotiation and Leadership courses with an opportunity to further refine and strengthen their negotiation skills. The course was very successful and will be offered twice in the 2014-2015 academic year.

### **PON Executive Education in China**

In October 2013, PON once again partnered with China Education Group to deliver a negotiation course in China. Professor Guhan Subramanian taught a two day course to Chinese executives in Shanghai.

### **PON Global**

PON has begun development of a blended learning course called PON Global that will offer negotiation training to people in locations around the world. This innovative new course will use video, video-conferencing, and on-site facilitation by a PON-trained instructor. This new course is expected to be piloted in 2015.

#### **c. Webinars**

In 2013-2014 the Program on Negotiation offered four webinars on topics related to negotiation, taught by PON affiliated faculty:

- “Bargaining with the Devil” – Robert Mnookin (September 20, 2013)
- “Making the Deal: The Negoti-Auction” – Guhan Subramanian (October 4, 2013)
- “The Art of Negotiation: How to Improvise in a Chaotic World” – Michael Wheeler (November 1, 2013)

- “Bargaining with the Devil” - Robert H. Mnookin (April 22, 2014)

#### **d. Pedagogy @ PON**

Pedagogy @ the Program on Negotiation is dedicated to improving the way people teach and learn about negotiation. Incorporating and expanding upon the mission of the Teaching Negotiation Resource Center, Pedagogy @ PON serves as PON’s intellectual focal point for negotiation education.

Pedagogy @ PON is involved in a range of activities including research, curriculum development, training, and networking among those interested in negotiation pedagogy. More than 8,000 educators receive the P@PON e-newsletter.

In order to unite the mission goals of P@PON and the product distribution efforts of the Clearinghouse, PON recently decided to combine the two entities and name the new venture the Teaching Negotiation Resource Center (TNRC). The TNRC will be responsible for hosting the bi-annual faculty dinner seminars; communicating with the negotiation community about TNRC research and events; developing and marketing new teaching materials; and increasing the distribution and sales of TNRC products.

#### **e. PON Seminars**

Open to participants from all disciplines and professional fields, including students and staff, the PON Seminars provide negotiation and mediation courses to the community. For more information, see page 35.

#### **f. PON Web Site**

The PON website (<http://www.pon.harvard.edu>) serves as an information hub for individuals interested in the fields of negotiation, conflict management, and mediation. The website describes the history and mission of the Program on Negotiation, shares news about its faculty and research projects, publicizes PON activities, and supports communication with PON’s community of scholars and practitioners.

Many attendees at the Harvard Negotiation Institute and PON’s Executive Education seminars learn about PON programs through the PON website, often through a Google search. Traffic to the PON website continues to grow and is now averaging around 100,000 visits per month. In addition, PON’s growing daily email list (now 60,000 subscribers) is another way people learn about PON. PON currently send three emails a week with articles on negotiation topics, as well as information on our courses, programs and publications. PON’s LinkedIn group is active, and offers a forum for discussion for lawyers and other

professionals in the ADR field. PON's Facebook, Twitter and YouTube accounts are updated regularly with content related to negotiation, mediation and ADR.

Announcements and news about PON events are regularly posted on the website, as well as on social media sites. The local events email list has over 6,000 subscribers, who receive regular announcements about upcoming activities, including the Kelman Seminar, Great Negotiator program, the PON Film Series, and brown bag lunches.

PON closely monitors PCI Compliance and security on the website, following industry guidelines. In addition, PON works with Trustwave to identify any vulnerability on the website. Trustwave is an information security company used by Harvard to manage compliance issues and secure the network infrastructure. PON runs monthly scans of the pon.harvard.edu website to ensure that the site is in compliance and is secure. PON reports to the Cash Management Office each June regarding its compliance with PCI standards.

## **9. Collaborations with Other Departments & Schools**

### **a. Consortium Structure**

Founded and based at Harvard Law School, PON is a consortium of faculty, staff, graduate students, and affiliates at HLS, HBS, HKS and other institutions, including MIT, the Fletcher School at Tufts University, Brandeis University, and other Boston-area schools. The consortium is managed by an Executive Committee representing Harvard Law School, Harvard Kennedy School, Harvard Business School, MIT, The Fletcher School, and Brandeis University. The PON Executive Committee is chaired by Professor Robert Mnookin, and the three Vice-Chairs of PON are James Sebenius (Practice-Focused Research), Guhan Subramanian (Research), and Lawrence Susskind (Pedagogy). Max Bazerman, Gabriella Blum, Robert Bordone, Jared Curhan, Jeswald Salacuse, and Alain Lempereur are also members of the PON Executive Committee. Managing Director Susan Hackley is an ex-officio member.

### **b. Inter-Departmental & Inter-University Events**

PON's consortium structure provides a variety of opportunity for engagement and collaboration across departments and schools.

Notable collaborative events held in 2013-2014 include the following:

1. The 2014 Great Negotiator Award Program, co-sponsored by the Program on Negotiation and the Future of Diplomacy Project at Harvard Kennedy School

2. The 2014 HNLR Symposium, hosted by the Harvard Negotiation Law Review, and co-sponsored by the Program on Negotiation, the Harvard Negotiation and Mediation Clinical Program and others.
3. The Herbert C. Kelman Seminar on International Conflict Analysis and Resolution, co-sponsored by the Program on Negotiation, the Nieman Foundation for Journalism, the Weatherhead Center for International Affairs, the Shorenstein Center, and Boston-based members of the Alliance for Peacebuilding.
4. Two seminars on the intersection between urban planning design and negotiation, co-sponsored by the Middle East Negotiation Initiative of PON and the Loeb Fellowship Program at the Harvard Graduate School of Design.
5. A research seminar on gender and negotiation co-sponsored by the Women and Public Policy Program at Harvard Kennedy School and the Program on Negotiation.
6. A breakfast seminar for faculty and fellows on “Islam, Sharia and Alternative Dispute Resolution” co-sponsored by the Program on Negotiation and the Islamic Legal Studies Program at HLS.
7. An HLS Library talk by Dr. Luise Drake on her book *Innovations in Refugee Protection: A Compendium of UNHCR’s 60 Years*, co-sponsored by PON.

Additional details on all these events can be found under the events section, beginning on page 22.

## **10. Awards, Other Activities & Publications**

Professor Robert H. Mnookin, Professor Udi Eiran of Haifa University and Dr. Shula Gilad published a study entitled “Is Unilateralism Always Bad? Negotiation Lessons from Israel’s ‘Unilateral’ Gaza Withdrawal,” which revisits the unilateral Israeli disengagement from Gaza in 2005. The paper was published in the *Negotiation Journal*, Volume 30, Issue 2, pages 131-156, April 2014.

Kathleen McGinn, Katherine Milkman and Markus Noth published "Walking the Talk in Multiparty Bargaining: An Experimental Investigation" in *Journal of Economic Psychology*, currently in press.

Dr. Joshua Weiss published a chapter in *Peacemaking: From Practice to Theory*, edited by Allen Nan, Mampilly, and Bartoli. The chapter was entitled “Abraham's Path: The Path of a Thousand Negotiations."

In August 2013, Professor Jared Curhan, MIT, received the “Most Influential Article Award” from the Conflict Management Division of the Academy of Management. The award is in recognition of the following article: Curhan, J.R., Elfenbein, H.A., & Xu, H. (2006). “What do

people value when they negotiate? Mapping the domain of subjective value in negotiation.” *Journal of Personality and Social Psychology*, 91: 493-512.

In the fall of 2014, William Ury received the Jimmy Carter “Waging Peace” Award. Established by former President Carter in 2005, this award is given annually to an individual who has contributed to waging peace in the world. Each recipient is chosen by the previous year’s awardee; William Ury was selected by John and Susan Collin Marks, co-founders of Search for Common Ground.

Professor Max Bazerman received the Distinguished Award for Scholarly Contributions to Management, presented by The Academy of Management.

## **B. Plans for Academic Year 2014 -2015**

### **1. Executive Summary**

PON faculty and staff look forward to a very active year of new and continuing programs and events that deepen the connection between theory and practice in the fields of negotiation and conflict management.

The Secretaries of State Project co-sponsored by PON and the Future of Diplomacy Project at Harvard Kennedy School will bring former Secretary of State Henry Kissinger to speak at Ames Courtroom in Austin Hall in November. The Arctic Circle Devising Seminar hosted by PON in September will bring leaders from Arctic countries and organizations to discuss issues relating to fisheries management in light of the changing situation created by climate change. Professor Max Bazerman will discuss his new book, *The Power of Noticing*, at a PON/HKS Center for Public Leadership event. The PON Film Series will show “The Ghost Army” followed by a discussion with director Rick Beyer. A book talk on Abraham Lincoln’s secret negotiations to end the Civil War will bring local author James Conroy to PON.

Robert Mnookin will be the lead mediator at the PeaceHub initiative scheduled for spring 2015. This ground-breaking initiative is designed to involve Israelis and Palestinians in the negotiation process by showing live Track II negotiators from both sides digging in on the tough issues. The multi-day proceedings will be a live webcast.

New courses in PON’s Executive Education program will include Professor Susskind’s one day workshop on “Winning at Win-Win Negotiations” and “Thanks for the Feedback” taught by HLS Lecturers on Law Sheila Heen and Douglas Stone. Building on the success of last year’s first Advanced Negotiation Master Class, PON will offer the class twice in FY 15. PON is also entering into an agreement with Harvard Business Publishing to offer PON teaching materials through the HBP portal.

PON will host a record number of Graduate Research Fellows – six will join PON for a year of study and immersion in PON activities. Finally, this coming year will be a significant one for the development of PON Global, the new blended learning course that will provide opportunities for people around the world to learn negotiation skills and theory.

### **2. Research, Scholarship and Project Activities**

#### **a. Research Projects**

PON will continue to support a broad scope of research that recognizes the diversity of disciplines that both build on negotiation theory and advance new negotiation concepts. Throughout the coming year, PON will continue to support several research initiatives, including: **Great Negotiator Study Initiative, Harvard Negotiation Research Project, Harvard Negotiation Project, The Middle East Negotiation Initiative, MIT-Harvard Public Disputes Program, Program on Negotiations in the Workplace, and PON Research Seminar.** Each research project and initiative's plans for the upcoming academic year are outlined below.

### **i. Harvard Negotiation Research Project**

During this coming academic year, HNRP and Professor Mnookin will continue the work described above relating to (a) the PeaceHub Initiative; (b) the Secretaries of State Project; and (c) the research relating to negotiating Jewish Identity in Contemporary America. Professors Nicholas Burns (HKS), James Sebenius (HBS) and Robert Mnookin (HLS) will be jointly offering a new course "*Great Negotiators, Effective Diplomacy, and Intractable Conflicts*."

### **ii. Harvard Negotiation Project**

The mission of the Harvard Negotiation Project (HNP) is 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. Professor James Sebenius, who serves as vice-chair for Practice-Focused Research at PON, will continue his leadership of the Harvard Negotiation Project. During 2014-2015, current HNP activities will continue, including the HNP-related activities of the Middle East Negotiation Initiative and the Negotiation Roundtable.

### **1. Harvard International Negotiation Program**

INP continues to expand the role of psychology to address current global concerns, including developing new frameworks, language, and conceptual tools to address internal and international conflict. The initiative will continue to pursue new models of reconciliation for groups in conflict, as well as continue to build the Global Curriculum and develop new scholarship on negotiation, including books and research articles. With support from the Harvard Global Health Institute, INP will continue to revise and expand its negotiation course offerings for Harvard students.

INP sees great promise for interdisciplinary research on the emotional dimensions of negotiation, and encourages students who are interested in exploring the emotional and identity-based aspects of negotiation to pursue research opportunities with INP.

## **2. The Global Negotiation Initiative**

GNI will continue to host and oversee the academic research aspect of the Abraham Path Initiative, with a specific emphasis on developing the Abraham Path University concept. Dr. Ury will continue to conduct research on the conditions for resolving the longstanding civil war in Colombia, as well as on the civil war in Syria. He is also working on a new book on the psychological aspects of negotiation.

Dr. Weiss is currently working on a book on confidence in negotiation and how people can improve their level of self-efficacy. The book will include insights from great negotiators and provide a practical ‘how to’ framework that readers can follow and utilize in their negotiations.

### **iii. Middle East Negotiation Initiative (MENI)**

The Middle East Negotiation Initiative (MENI) will continue to help PON strengthen, connect and expand various activities relating to the Middle East and to support faculty research efforts relating to the region. Professor Mnookin will continue to oversee this work with significant involvement by Professor Sebenius, Senior Fellow Shula Gilad and others.

#### **Research:**

Two papers are in progress under Professor Sebenius’ supervision:

1. “The Link between 3-D Negotiation and Design Thinking Using the Case Study of the Land Dispute between Sakhnin and Misgav,” by Shula Gilad and Karen Lee Bar Sinai
2. “Lessons from IPNP and Shades – Israeli-Palestinian Networks Based on Joint Negotiation Learning,” by Shula Gilad

**Shades Negotiation Program** MENI will continue to provide guidance and teaching, in coordination with various PON faculty affiliates.

**Lunch Talks and Seminars:** MENI will continue organizing negotiation-related events relevant to developments in the Middle East. Three programs are currently planned for the fall:

1. Professor Yair Hirschfeld, who initiated the secret Oslo Process, will give a talk on September 18, 2014, based on his new book *Track-Two Diplomacy toward an Israeli-Palestinian Solution, 1978-2014*.

2. PON Doctoral Fellow Vera Mironova will present her research findings from interviewing and polling hundreds of fighters and civilians affiliated with the Syrian Free Army.
3. Avi Goldstein will talk about his movie *Firelines*, the behind-the-scenes story of Palestinian firefighters who volunteered to help battle Israel's deadliest forest fire in Haifa in December 2010 despite tension between the two peoples. Professor Daniel Shapiro, HMS, who is currently completing a book on the role of identity in conflict, will moderate the session.

**PeaceHub:** MENI will provide continued support for Professor Robert Mnookin, as needed, as he prepares for and implements his role as mediator in the PeaceHub Track II negotiations.

#### **iv. MIT-Harvard Public Disputes Program**

PDP will continue its research efforts in the following areas: (1) *international environmental treaty-making*, (2) *the application of mediation techniques and strategies to a range of public disputes*, (3) *strategies for addressing values-based and identity-based disputes in the public arena*; and (4) *the resolution of sovereignty and land claims of indigenous peoples*.

Ongoing projects include the following:

*Volume XIX of Papers on International Environmental Negotiation*, edited by Professors Bill Moomaw and Lawrence Susskind, will be published in late 2014. This is a collected volume of the best papers submitted to their joint MIT-Fletcher class on International Environmental Negotiation, offered in the fall of 2012. This is the 19th and final year in which they will publish an edited collection of papers from this course, as Professor Moomaw is retiring from Tufts.

The second edition of Professor Susskind's *Environmental Diplomacy*, jointly authored by Professor Saleem Ali (at University of Queensland, Australia) will be published in 2015 by Oxford University Press. The new edition will review the changes in global environmental treaty-making that have occurred since the initial publication of the first edition in 1995.

PDP is working with the government of Finland to help promote the use of environmental mediation techniques to resolve mining disputes, forestry disputes and stalled negotiations between the Sami people and the government of Finland. PDP helped to produce the Fisker's Declaration, spelling out a multi-pronged strategy for initiating environmental dispute resolution experiments at the local, regional and national level in

Finland. Professor Susskind is working with former President Ahtisaari's Crisis Management Initiative. President Ahtisaari is a former winner of PON's Great Negotiator award.

PDP is working with the International Finance Corporation to evaluate ways of mediating disputes regarding implementation of the IFC's Performance Standards on environment and sustainability, particularly in the mining sector.

PDP, in conjunction with the CBI-Chile office, is in the process of helping the new national government to organize an energy policy dialogue in regions around the country.

The Arctic Devising Seminar will be held in September 2014 at PON. This "parallel informal negotiation" will produce a discussion summary that will be presented at the Greenland meeting of the Arctic Circle in October 2014.

The Water Diplomacy Workshop will be held again in June 2015 for senior water professionals from the developing world who want to learn to apply the water diplomacy framework formulated by Professor Shafik Islam (Tufts) and Professor Susskind.

Professor Susskind's new book, *Good for You, Great for Me: Finding the Trading Zone and Winning at Win-Win Negotiation* was published in June 2014. On September 18, 2014, PON will offer a one-day in-depth executive education program based on this book.

#### **v. Program on Negotiations in the Workplace**

Professors Kolb and McGinn will continue their project with the African Women in Agricultural Research and Development (AWARD), a project funded by the Bill and Melinda Gates Foundation. The project is intended to develop the capacity of African trainers to deliver a four-day negotiation workshop that emphasizes negotiations in the workplace.

Deborah Kolb continues work on a new book, entitled *Negotiating in the Shadow of Organizations: Gender, Negotiation and Change*. Working from case studies of women leaders, Kolb develops an approach to negotiating in organizations that help women leaders negotiate "second generation" gender issues. "Second generation" gender issues are the powerful yet often invisible barriers to women's advancement that arise from cultural beliefs about gender, as well as workplace structures, practices, and patterns of interaction that favor men. Women have to negotiate, not only over issues of compensation, but also for opportunities, for ways to manage their complex work and

personal lives, and to create value for the invisible work they do. Raising these types of issues can be met with resistance and so requires some different approaches to negotiation. But in the process of negotiating over second generation issues, changes in work practices are often the outcome.

#### **vi. PON Research Seminar**

In 2014-2015, the PON Research Seminar will be organized by Professor Jared Curhan (MIT). The PON Research Seminar invites leading scholars to speak about their research on negotiation and related fields to PON-affiliated faculty members and doctoral students from the Greater Boston area.

#### **b. New Scholarship**

In the coming year, PON's faculty will be teaching new courses at our consortium schools and publishing books and articles.

- Max Bazerman's latest book, *The Power of Noticing: What the Best Leaders See*, will be published by Simon and Schuster in August 2014.
- Dan Shapiro's forthcoming book on addressing identity conflicts will be published by Viking/Penguin in 2015.
- Deborah Kolb and Jessica Porter have completed a new book, *Small Wins, Big Gains: Negotiate to Make Your Value Visible*, to be published in 2015.

#### **c. PON Graduate Research Fellows**

The Program on Negotiation will host six research fellows for the 2014-2015 academic year:

##### **Arvid Bell**

##### **PhD Candidate, Political Science, Goethe University Frankfurt**

Arvid is a PhD scholar at the Peace Research Institute Frankfurt. His dissertation on German and American involvement in the Afghanistan War analyzes how national interests and foreign policy decisions are shaped by negotiations between political decision-makers and their constituents, and by their motives and emotions. While at PON, Arvid will conduct case-study interviews with academics and US politicians. His Afghanistan conflict simulation "The Transition" is being used as the capstone exercise of the Advanced Workshop in Multiparty Negotiation and Conflict Resolution at the Harvard Kennedy School. Arvid holds a Franco-German double degree in political science and international affairs from the Free University of Berlin and Paris Institute of Political Studies, as well as a Masters in Public Policy from Harvard University.

**Vera Mironova****PhD candidate, Political Science, University of Maryland**

Vera is a PhD candidate in political science at the University of Maryland. Her research addresses individual preferences for types of war termination and negotiations in conflicts. While at PON, she will work on her dissertation, using the survey and experimental data she collected from the frontlines in Syria. Focusing on Syria, she asks, to what extent do ordinary civilians and low level combatants have heterogeneous preferences to negotiate with adversaries or fight until victory? (The project has been mentioned by Chicago Tribune, Council on Foreign Relations, The Baltimore Sun, and U-T San Diego). In addition to Syria, she conducted research in the Balkans (Bosnia, Kosovo, and Croatia), Africa (DRC Congo, Burundi, and Rwanda), Caucuses (Azerbaijan, Georgia and Armenia) and Central Asia (Tajikistan, Uzbekistan, and Kirgizstan). She holds an MS in computer science, and an MA in economic geography from Moscow State University (Russia). Her PhD study was sponsored by Open Society Institute and her previous research has been published in *American Economic Journal: Applied Economics*.

**Todd Schenk****PhD Candidate, Environmental Policy and Planning, Massachusetts Institute of Technology**

Todd Schenk is a PhD candidate in the Environmental Policy and Planning group of MIT's Department of Urban Studies and Planning, and the Assistant Director of the MIT Science Impact Collaborative. Todd's work focuses on how planners, decision-makers, and other stakeholders can collaboratively make effective decisions in science-intensive situations that involve complex risks and high degrees of uncertainty. His dissertation research focuses on collaboration across institutional boundaries and the use of decision-support tools like scenario planning when making infrastructure planning decisions under climate change. Todd engages with stakeholders via role-play simulation exercises, using the exercises to explore options, tools, approaches, the use of science and data, and the influence of competing interests when making decisions.

**Boshko Stankovski****PhD Candidate, Political and International Studies, University of Cambridge**

Boshko Stankovski is a PhD candidate at the University of Cambridge, where he studies as a member of Trinity College. His dissertation is in the field of international law, and deals with issues of sovereignty and conditionality in peace agreements on self-determination and secession disputes. While at PON, he will research secession negotiations, focusing on whether there is a requirement to negotiate secession in international law, as well as on different aspects regarding the conduct of the parties in the negotiation process. He holds a BA in law from the University of Saints Cyril and Methodius (Skopje, Macedonia) and MPhil in international relations from the University of Cambridge, UK.

**Abbie Wazlawek**

**PhD Candidate, Management: Organizational Behavior, Columbia Business School**

Abbie is a doctoral student in the management department at Columbia Business School. Her research examines the line that defines the boundaries of appropriate behavior—a line we must be mindful of as we navigate social life in simultaneous pursuit of personal interests and accommodation of others. As a PON fellow, Abbie will explore feedback signals communicated to individuals who assert themselves inappropriately. Additionally, she will examine how a negotiator’s gender affects the concessions they make and the reciprocal accommodation they receive. Abbie’s work has been published in *Psychological Science and Personality* and *Social Psychology Bulletin*. She holds Bachelor’s degrees in psychology and economics from the University of Southern California.

**Dana Wolf**

**PhD Candidate, Public International Law, American University Washington College of Law**

Dana is a PhD candidate in public international law at American University Washington College of Law. Her research is on the end of military occupation and its implications for the occupying state. While at PON, Dana will explore the question of the obligations of a once-occupying state toward the formerly occupied territory. Specifically, she will look at whether states might be inclined to voluntarily accept some obligations, as negotiation theory would suggest, on the basis of justifications that would limit those obligations.

Dana holds an LL.B from IDC Herzliya in Israel and an LL.M from NYU’s School of Law where she acted as the Israeli Counsel at NYU’s moot court proceedings on the legality of the Security Fence. Dana served as Adviser at the Permanent Mission of Israel to the United Nations in New York and as Deputy Director of the Yitzhak Rabin Center in Israel. She also practiced criminal litigation at one of Israel’s top law firms.

**d. Visiting Scholars & Fellows**

**Bruce Allyn, Senior Fellow**, is an Adjunct Faculty member at the University of Oregon Law School and former Director of the Harvard-Soviet Joint Study. He is also the former Associate Director of the Harvard Strengthening Democratic Institutions Project. His current research focuses on negotiation and strategies for nonviolent action. He is writing a book on the nonviolent collapse of the Soviet Union, using it as a case study to derive lessons for regime change in current conflicts, particularly in the Middle East. While at PON, he is working with Professor James Sebenius to develop a case study on his experiences negotiating with the Russians.

**Shula Gilad, Senior Fellow**, develops programming and workshops for the Middle East Negotiation Initiative at PON. Shula is also a consultant to various Middle East programs and organizations.

### **3. Contributions to HLS Teaching Program & Other Teaching Activities**

The Program on Negotiation will continue to offer the wide variety of teaching programs and activities listed on page 31 in the coming year. These include:

- Courses at Harvard Law School
- The Harvard Negotiation Institute
- Executive Education
- Teaching Negotiation Resource Center (TNRC)
- Pedagogy @ PON
- The PON Seminars

### **4. Participation of HLS Students in Program Activities**

PON will continue to provide support to its network of over 650 students through the Student Interest Group. In addition to taking negotiation courses, students are always welcome at PON events; many assist faculty, and work as student teaching and student research assistants.

- a. Alternative Dispute Resolution Information Session – September 15, 2014** The Harvard Negotiation and Mediation Clinical Program will hold an information session for HLS students interested in the field of alternative dispute resolution.
- b. PON Open House for Students – October 6, 2014** - PON will again host its popular open house for Boston-area students interested in negotiation and conflict resolution early in the fall semester.
- c. PON Lunch Talks – 2014-2015** - PON plans on resuming the Lunch Talks in 2014-2015. On September 10, 2014, author James Conroy will speak about his recent book, *Our One Common Country: Abraham Lincoln and the Hampton Roads Peace Conference of 1865*. Additional events will be scheduled throughout the year.
- d. PON Film Series** - The PON Film Series will continue to offer films that provide a context for discussion about negotiation and conflict. On October 1, 2014, PON will host a screening of the documentary film *Ghost Army*, with director and producer Rick Beyer.

## **5. Faculty Participation**

Please indicate which faculty member or members would be the most plausible successor as faculty director should the Law School need to find a replacement for the current director on short notice. **(To be answered in a separate memo)**

## **6. Other Contributions to the HLS Community**

The Program on Negotiation is always seeking new and innovative ways to contribute to the HLS community. In addition, we will continue to offer opportunities such as:

- Public events of interest to students, staff, and members of the public
- Semester-length seminars on mediation and negotiation, open to all community members
- A fall Open House for students, faculty and individuals interested in ADR
- The PON Film Series, which provides opportunity for discussion on negotiation and conflict
- Access to the PON browsing library for all students, with 500+ titles related to negotiation
- Blog posts, free reports and negotiation teaching materials, accessible through PON's website

## **7. Law Reform & Advocacy**

The Program on Negotiation will continue to support 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. PON-affiliated faculty will continue to teach ADR principles in our semester-length seminars on Negotiation and Mediation. ADR principles are also taught in our Two-Day Intensive Negotiation Workshop for Lawyers & Working Professionals, and the fall and summer Mediation Workshops. CLE credit is given to HNI attendees as the course provides professional enrichment. Furthermore, publications from PON faculty in *Negotiation Journal*, *Harvard Negotiation Law Review*, and *Negotiation Briefings* will continue to spread the concepts of alternative dispute resolution to a wide audience throughout the world, including numerous practicing lawyers, judges and academics.

## **8. Connections to the Profession**

### **a. Research**

PON's extensive research activities will continue in the upcoming academic year. We anticipate a number of additional publications including journal articles, op-eds, and special reports.

### **b. The Harvard Negotiation Institute**

PON will again offer the popular Harvard Negotiation Institute Mediating Disputes course in October 2014, in collaboration with HLS. In June 2015, PON will offer its popular selection of week-long workshops and a 2-day intensive course. For future years, PON is considering possible new course offerings, course scheduling, and other revisions to reflect the growth in popularity of the HNI program.

### **c. Executive Education Programs**

PON will continue to offer six three-day "Negotiation and Leadership" courses along with one-day sessions with PON-affiliated faculty. The 2014-2015 one-day courses are:

- **Winning at Win-Win Negotiations** with Lawrence Susskind
- **Understanding Diplomacy and International Negotiations** with Gabriella Blum
- **The Power of a Positive No** with William Ury
- **Bargaining with the Devil** with Robert Mnookin
- **Thanks for the Feedback** with Douglas Stone and Sheila Heen
- **Beyond Reason: Using Emotions in Your Negotiations** with Daniel Shapiro

In addition, PON will again offer the **Advanced Negotiation Master Class**, once in the fall and once in the spring. This two and a half day course is limited to 60 participants, and is taught by four PON affiliated faculty members. The Master Class is designed to provide graduates of the Harvard Negotiation Institute and Negotiation and Leadership courses with an opportunity to further refine and strengthen their negotiation skills.

In October 2014, PON will offer a two-day long course in Hong Kong in collaboration with the China Education Group, taught by Professor Guhan Subramanian.

PON will continue the development of a blended learning course called **PON Global**, an innovative new course that will be offered to people around the world to learn negotiation theory and skills. Modeled after PON's flagship Negotiation and Leadership course, PON Global will use video, video-conferencing, and on-site facilitation to deliver negotiation training in locations outside of the United States. PON Global is being developed by Guhan Subramanian, Robert Mnookin, and Susan Hackley and will involve the participation of many PON faculty.

#### **d. PON Seminars**

Once again this fall, we will offer the PON Seminar Negotiation and Dispute Resolution. In the spring, PON will again offer the Mediation and Conflict Resolution seminar. These are semester-length courses open to the public and held on the HLS campus.

#### **e. Pedagogy@PON (P@PON) & The Teaching Negotiation Resource Center**

The Pedagogy @ PON (P@PON) brand will be absorbed by the Teaching Negotiation Resource Center (TNRC) brand, thus uniting the mission goals and product promotion under one umbrella.

The TNRC will send out weekly email newsletters to its growing list of email subscribers. The emails will include information about the latest role-play simulations, books and videos sold through the TNRC that will help negotiation teachers, trainers and scholars to advance their missions. We expect to reach more people as the year progresses, raise PON's profile in the teaching negotiation marketplace, and increase revenue.

### **9. Collaborations with other Schools and Departments**

The interdisciplinary nature of PON generates many opportunities throughout the year for collaboration with other schools and departments. Among other events, the PON Faculty Research Seminar, the Great Negotiator Award Program, The Kelman Seminar, the PON Film Series and our lunch talks offer regular opportunities for interaction with faculty and students from other Harvard departments and schools, as well as schools within the PON consortium.