

PROGRAM ON NEGOTIATION

HARVARD LAW SCHOOL



ANNUAL REPORT

ACADEMIC YEAR

2015-2016

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Summary of Academic Year 2015-2016

1. Executive Summary

The need for innovative ways to help the world deal effectively with conflict and generate problem-solving ideas motivates the faculty, students, scholars, and staff of the Program on Negotiation at Harvard Law School (PON). PON had a dynamic and energizing year of exploring new avenues to fulfilling its mission to support scholarship, provide educational opportunities, host events for the discussion of best practices and fresh ideas, reach out to new audiences globally, 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.

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.

Professor Robert H. Mnookin is the Chair of PON's Executive Committee. The other members 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, HLS/HBS professor Guhan Subramanian, and MIT professor Lawrence Susskind. Susan Hackley is PON's managing director and an ex officio member of the Executive Committee.

Highlights of the past year include:

Professors Robert Mnookin, James Sebenius (HBS), and Nicholas Burns (HKS) continued their research and writing related to the American Secretaries of State Project. In 2015-2016, General Colin Powell came to the Harvard Law School campus, and was interviewed by the three faculty members. His visit included a three hour panel discussion, attended by 300 students, on his most challenging negotiations and diplomatic endeavors, private interviews, and a formal lunch held in his honor. The faculty also interviewed Secretaries Condoleezza Rice and George Shultz at Stanford University.

The Program on Negotiation hosted Senator George Mitchell for a three hour panel discussion with Professors Mnookin and Sebenius, to discuss his efforts in brokering the Good Friday Accords and other negotiation milestones in his career. Senator Mitchell was the first recipient of the Great Negotiator Award in 2000.

In March 2016, the Program on Negotiation hosted a screening of *Bridge of Spies*, a feature film that recounts the true life story of HLS alumnus James Donovan, and the critical role he played in high stakes negotiations with East Germany and the Soviet Union over a prisoner exchange during the Cold War. The film screening was followed by a panel discussion with Martha Minow, dean of Harvard Law School, Professor Michael Wheeler, Harvard Business School, and Beth Amorosi, the granddaughter of James Donovan.

New books published by PON affiliated faculty in 2015-2016 included: *What Works: Gender Equality by Design*, by Iris Bohnet; *Negotiating the Impossible: How to Break Deadlocks and Resolve Ugly Conflicts (without Money or Muscle)*, by Deepak Malhotra; *Negotiating the Nonnegotiable: How to Resolve Your Most Emotionally Charged Conflicts*, by Daniel Shapiro; *Managing Climate Risks in Coastal Communities: Strategies for Engagement, Readiness and Adaptation*, by Lawrence Susskind, Danya Rumore, Carri Hulet, and Patrick Field. In November, the Program on Negotiation hosted a talk by Deborah Kolb on her new book, *Negotiating at Work*, released in early 2015.

PON has continued 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, held in Cambridge, MA, PON Global will use on-site facilitation, video modules, and video-conferencing, to deliver negotiation training to locations around the world. In 2015-2016, PON completed an extensive series of interviews with PON affiliated faculty members, developing a core library of video material that will serve as part of the curriculum for this course. In November 2015, PON ran a partial pilot in Tokyo of its new PON Global course, in conjunction with Sophia University of Tokyo and Nikkei Corporation. This two-day training was taught by Professor Subramanian and provided an opportunity to test portions of the new PON Global curriculum. In April 2016, PON ran a full three-day PON Global course in Tel Aviv, Israel, in conjunction with the Technion University. Professors Robert Mnookin and Guhan Subramanian each provided a one-hour question-and-answer session via teleconference. The course was very well received. PON Global will be offered in Saudi Arabia, Greece, and other locations in the coming year.

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 participants from around the world. As part of this year's HNI, PON for a second year offered its new Advanced Mediation Class, taught by PON faculty from HLS and MIT.

PON continued to offer its flagship three day executive education program, Negotiation and Leadership, combined with an optional one-day in-depth program. In December 2015, PON offered a new one-day course, "Getting to Yes with Yourself," taught by William Ury.

For the twelfth year, PON offered a negotiation workshop in Hong Kong in partnership with China Education Group. The workshop was taught by HLS/HBS Professor Guhan Subramanian.

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 Managing Director Susan Hackley and Anastasia Taylor-Lind, Photographer, 2016 Ruth Cowan Nash Nieman Fellow, presented a seminar entitled “War Changes Everyone,” in December 2015. In spring of 2016, Kelman seminar speakers included Michael Ignatieff, Edward R. Murrow Professor of Practice, Harvard Kennedy School, who spoke on “The Destruction of Syria and the Crisis of Universal Values”; and former South African Justice, Albie Sachs, who spoke on “The Soft Vengeance of a Freedom Fighter: Reflections on Conflict and Reconciliation”.

In May, the Program on Negotiation partnered with Harvard Hillel to host a panel discussion with Former Israeli Minister of Foreign Affairs Tzipi Livni, and U.S. Ambassador Dennis Ross, moderated by Professor Mnookin. The topic of the panel was “The Israeli-Palestinian Conflict and the U.S.: Negotiation Lessons and Possibilities.”

In addition to *Bridge of Spies*, the Program on Negotiation Film Series presented several feature and documentary films during the 2015-2016 academic year; each film screening included a panel discussion on the film. The series included a screening of the new documentary film *The Diplomat* by David Holbrooke, about his father Ambassador Richard Holbrooke, a Great Negotiator Award recipient. David Holbrooke joined Professor James Sebenius, Harvard Business School, in a panel discussion after the film. For information on other films screened this year, please see page 29.

PON co-sponsored the 2016 *Harvard Negotiation Law Review conference* on “Negotiating for Health: The Role of Negotiation and Dispute Resolution in Health Care,” held at Harvard Law School in February 2016. The keynote address was given by Dr. Leonard J. Marcus, Director of the Program for Health Care Negotiation and Conflict Resolution at the Harvard T.H. Chan School of Public Health.

PON’s website has 100,000 visits per month, and PON has an email list of 70,000 subscribers who receive updates on PON research and other offerings. PON is active on social media and hosts two active Linked In groups where program participants, practitioners and scholars interact and discuss ideas.

PON hosted many scholars and visitors from all over the world, inviting them to join us for events and faculty discussions. As a research program at HLS, PON continues to be an important resource for the HLS community and beyond and a close community of individuals passionate about collaboration, engagement, and scholarship in service to our mission to develop cutting-edge negotiation theory.

2. Research, Scholarship and Project Activities

A. Areas of Inquiry – Research Program’s Mission Statement

Founded in 1983, and based at Harvard Law School, The Program on Negotiation (PON) is a consortium of faculty and students from Harvard University, Massachusetts Institute of Technology, Tufts University and other Boston-area schools. As a dynamic, interdisciplinary research center dedicated to improving the theory and practice of negotiation and dispute resolution, PON draws from numerous fields of study, including law, business, government, psychology, economics, anthropology, the arts, and education. Through its projects and activities, PON encourages new thinking in negotiation theory, increases public awareness of successful conflict resolution processes, nurtures the next generation of negotiation scholars and teachers, provides a forum for the discussion of ideas and practices, and connects the discussion of conflict resolution with current events and real-world contexts.

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

B. Projects / Research & Scholarship

i. Harvard Negotiation Research Project

a. American Secretaries of State Project

With James Sebenius (Harvard Business School) and Nicholas Burns (Harvard Kennedy School), Professor Mnookin has continued the project, American Secretaries of State: Diplomacy, Negotiation and Statecraft (SOSP). The three faculty members are interviewing and filming each of the former Secretaries, analyzing some of their most important negotiations. In the 2015-2016 academic year, the SOSP conducted interviews with former Secretaries of State Colin Powell, Condoleezza Rice, George Shultz and re-interviewed Henry Kissinger. Professors Sebenius, Burns and Mnookin are writing a book about Henry Kissinger's approach to negotiation. Additional information on this research project can be found on page 16.

b. Great Negotiators, Effective Diplomacy, and Intractable Conflicts

Related to the American Secretaries of State Project, Professors Mnookin, Burns, and Sebenius developed a new course that explores what we can learn from studying great negotiators and diplomats grappling with some of the world’s most challenging problems. The course investigates how modern diplomacy and negotiation can effectively address seemingly intractable international conflicts and overcome barriers to agreement in civil wars,

interstate conflicts, and in trade and finance. Drawing on in-depth cases from global politics and business, the course develops diagnostic and prescriptive characteristics of effective negotiation and diplomacy as tools of political, military, economic and financial statecraft.

c. Negotiating Jewish Identity in Contemporary America

How can negotiation theory contribute to better understanding and resolution of the variety of conflicts facing individuals, families, and American communal organizations relating to Jewish identity? Professor Mnookin is pursuing research on this topic that he expects to result in a book.

Four important trends in America pose both challenges and conflicts: (1) the remarkable decline in anti-Semitism; (2) the remarkable increase in intermarriage; (3) the increasing proportion of people with a Jewish heritage who take pride in their Jewish heritage but are not religiously observant; and (4) the conflicts within the American Jewish community concerning various policies of the Israeli government. This research explores a number of issues concerning what it means to be Jewish in America today, the choices faced by young people, and the variety of ways Jewish identity is constructed in contemporary America. It asks if the treatment and circumstances of Jews have 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. As part of this project, Professor Mnookin and Brandeis Professor Leonard Sax are conducting an empirical survey of Harvard undergraduates concerning their religious identity. In June, 2016 Professor Mnookin participated in a four day symposium relating to Jewish identity sponsored by the Hartman Institute in Jerusalem.

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 Initiative, 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 several years, 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).

In conjunction with William Ury, PON Senior Fellow Bruce Allyn and James Sebenius continue a study initiative on the intersection of nonviolence with negotiation strategy, focusing on Nelson Mandela, Mahatma Gandhi, Martin Luther King, and Vaclav Havel.

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. Drawing on case study materials developed in this initiative, Professor Sebenius taught a one-day Program on Negotiation executive education course in October, entitled "Lessons from the Great Negotiators." In March 2016, Professor Sebenius co-moderated, with Professor Robert H. Mnookin, a panel discussion with former Senator George Mitchell, who received the Great Negotiator Award in 2000. This public talk was held at Harvard Law School and was attended by 250 people.

Professor James Sebenius co-leads the American Secretaries of State Project (SOSP) with Professor Mnookin, HLS, and Professor Nicholas Burns, HKS. Additional details on this project are included below.

Additionally, 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.

a. The Harvard International Negotiation Program

During the 2015-2016 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: Scholarship, Teaching, and Curriculum Development.

Scholarship

INP faculty members advanced scholarship in numerous ways. Dr. Shapiro published his newest book, *Negotiation the Nonnegotiable: How to Resolve Your Most Emotionally Charged Conflicts*. The book is the product of more than a decade of research and theory-building, and offers insights into why common ground seems so hard to reach in an emotionally charged conflict. *Negotiating the Nonnegotiable* offers concrete advice to overcome such

obstacles and reach agreement without compromising the most important values at stake. The book has received very positive reviews, and since its release, Dr. Shapiro has given numerous academic lectures and practical workshops about the book's theoretical frameworks to academic, political, and business groups.

INP affiliate Dr. Bruce Shackleton, HMS, is working with scholars Frank White and Charles Smith to examine the relationship between the "Tribes Effect" (a concept Dr. Shapiro coined in *Negotiating the Nonnegotiable*) and the "Overview Effect" (a concept Frank White coined in his classic book *The Overview Effect*), developing research as well as building curricula for workshops and courses. Dr. Shackleton is also working on a case study examining a family business and an intergenerational land transfer, and the "tribal" behavior involved in each.

INP faculty have produced other scholarly articles this year, including Dr. Shapiro's article in *Leader to Leader Journal*, "Leading Your Team to Peak Performance: How to Negotiate the Nonnegotiable."

INP is also developing a working group on the psychology of reconciliation, contributing to existing scholarship by focusing on how to heal the relational wounds of conflict. Working with undergraduate research assistant Emily Johnson, whose summer work is sponsored by the Harvard Global Health Institute, INP's reconciliation scholarship includes important contributions from both academics and practitioners with experience in some of the most intractable conflicts.

Dr. Shapiro organized and led a well-received program on "The Psychology of Radicalization" at the World Economic Forum's regional summit at the Dead Sea in Jordan. Through interactive pedagogy, the session examined fundamental psychological principles involved in radicalizing individuals' minds, such as milieu control and sacred doctrine. The session explored ways to combat these processes of radicalization in order to prevent violent extremism, and also drew upon ideas developed by INP affiliate Professor Robert Jay Lifton.

Additionally, Dr. Shapiro presented a talk at the Harvard Divinity School entitled, "Bridging the Religious Divide: Transforming Conflict When Emotions and Religion are at Play," as part of the Religions and the Practice of Peace Colloquium. In response, Rev. Dr. Septemmy E. Lakawa, of Jakarta Theological Seminary in Indonesia and current Research Associate and Visiting Assistant Professor of Women's Studies and Theology with the Women's Studies in Religion Program, offered insights based on her research on trauma and

interreligious peace. The event was cosponsored by INP, PON, and HDS's Religions and the Practice of Peace Initiative.

Lastly, this year the Harvard College International Negotiation Program re-launched with Dr. Shapiro as the faculty advisor. Their activities will include conflict management research and constructive conflict skill-building at the collegiate level.

Teaching

The INP faculty continue to advance the Harvard Negotiation Project's commitment to "spreading the skills of negotiation." Shapiro teaches one of the most highly-rated courses at Harvard College, in which students learn about the psychology of conflict and hear from Dr. Shapiro, as well as from others, who are using this scholarship to alleviate conflict around the world. He also offered guest lectures within Harvard and for other academic institutions, including the Fletcher School of Law and Diplomacy and MIT. Additionally, he taught in PON's flagship Negotiation and Leadership Program, executive education programs for senior leaders at the Harvard Kennedy School, and is now developing a day-long PON executive education seminar (to be presented in September 2016) on the theories and tools in his new book.

In collaboration with Harvard College students, Dr. Shapiro engaged middle and high school educators in learning about negotiation skills for the classroom through two workshops at the National Model United Nations conferences in partnership with Lebanese American University in New York, NY.

INP affiliates including Dr. Shapiro and Dr. Shackleton, along with other HMS faculty and McLean staff, led a 5-part negotiation training course at Harvard Medical School/McLean Hospital to infuse tools of negotiation into the hospital's operations. In addition, McLean's psychology internship class learned how to negotiate successfully in a range of challenging situations through an annual negotiation workshop led by Dr. Shapiro.

Curriculum Development

This year, INP faculty contributed to the development of PON-related teaching materials and case studies. Faculty have worked to develop context-specific cases and curricula based on Dr. Shapiro's new book, including teaching a workshop to the World Economic Forum's Family Business Council in Monaco. INP faculty also continue 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 completed a new case

study showcasing a peaceful negotiation process in the region – the formation of the United Arab Emirates, which negotiated to create a confederation of multiple emirates. The case, which includes a casebook and facilitator’s manual, will be used in workshops and classrooms around the world.

INP has also launched a new stream of curriculum development, aimed at building pedagogical resources to help students better understand how to address deeply entrenched conflicts implicating identity. Complementing Dr. Shapiro’s new book, curricula are targeted to the kinds of conflicts particular groups may commonly face – from couples to CEOs to heads of state.

b. The Global Negotiation Initiative

The Global Negotiation Initiative (GNI), co-founded by Dr. William L. Ury and Dr. Joshua N. Weiss, bridges theoretical academic research with practical negotiation work. Both Ury and Weiss work in various conflict areas around the world conducting trainings, facilitating workshops, and advising negotiation teams. GNI works in close partnership with the Abraham Path Initiative (API), 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 continues to oversee academic research on the Path’s development, which has grown to span over 2000 km across the Middle East. Both Ury and Weiss serve on the Board of Directors of API. In October 2015, the Program on Negotiation hosted an API event entitled “Negotiating the Path of Abraham: The Flip Side of the Middle East,” held at Harvard Law School. For more details on this event, see page 31.

GNI is now focusing on the development of the Abraham Path as an educational platform. This platform is unique in that faculty and students can travel the Path and engage with local hosts and communities in an exchange of different narratives, common experiences, and learning about the past and present of the region. A “Virtual Path” online enables those who cannot travel the physical path to learn about the region and its people. There are three strands of this education platform:

- On-the-ground courses on the Abraham Path: Faculty and students from universities around the world travel the Path and learn along the way in an experiential manner. Pilot courses have already been taught on such topics as: understanding the conflicts of the Middle East; learning negotiation along the Path; tourism and rural development; and anthropological exploration of the Middle East region.
- Online courses that use the Path as a backdrop: Online courses will bring the Abraham Path to those who cannot travel by offering an opportunity to study a range of subjects inspired by the Path. Potential courses include: Negotiating along Abraham’s Path, Archeology found

along the Path, Tourism and Travel, Cultures of the Path, and Sustainable Development and the Path.

- The Virtual Path: The Virtual Path aims to recreate the experience of travelling the Path online, offering virtual travelers an opportunity to learn as much as they would if they were actually walking. Both the on-the-ground and online courses will also use the Virtual Path to aid in the learning process. The Virtual Path will be the most broadly applicable element of the educational platform because it is open to everyone around the world.

GNI has also launched a new version of the Third Side website —based on Ury’s book *The Third Side: Why We Fight and How We Can Stop*— with a more user-friendly interface. GNI researchers are gathering new stories and planning to publish a monthly blog on Third Side actions around the world.

In 2015-2016, Dr. Josh Weiss’s activities included the following:

- Publishing, with James Sebenius, an updated version of the “Negotiating the Path of Abraham” Case Study through Harvard Business School
- Publishing an article in the July 2015 issue of the *Negotiation Journal* entitled “From Aristotle to Sadat: A short strategic persuasion framework for negotiators”
- Writing an article entitled “On Its Head: Teaching Negotiation in a Flipped Classroom,” for the *Program on Negotiation Pedagogy Blog*
- Launching a monthly blog entitled the “Leadership and Negotiation Nexus.”

Dr. Ury’s work over the past year includes:

- Serving as a peace advisor in Colombia, Myanmar, and Ukraine — conducting negotiation workshops and advising top leadership, government negotiators and rebel groups — as they work to reach agreement to end wars. He continues to write up these experiences to digest the relevant lessons in mediation theory and practice
- Participating in the One Earth Future Forum in Boston in November 2015, an annual discussion among global thinkers on how to chart a course towards long-term peace and security
- Leading a one-day *Getting to YES with Yourself* Executive Education Seminar at PON in December 2015 which focused on perhaps the most important and challenging negotiation of all: the internal negotiation each person has with himself or herself
- Walking and researching a new section of the Abraham Path in the Sinai in February 2016, extending from the Red Sea to the summit of Mt. Sinai

- Lecturing at the University of Geneva on “Getting to Yes in Challenging Times” in June 2016
- Joining senior mediators, high-level decision makers, and key peace actors in June 2016 at the Oslo Forum to share experiences and reflect on mediation practice.

iii. **American Secretaries of State Project**

The American Secretaries of State Project (SOSP)—a collaboration between the Future of Diplomacy Project at Harvard Kennedy School, the Program on Negotiation at Harvard Law School and Harvard Business School—aims to interview all the former U.S. Secretaries of State about the most consequential negotiations they conducted while serving in the nation’s highest foreign policy office.

SOSP is co-led by Professor Robert Mnookin of Harvard Law School, Professor Nicholas Burns of Harvard Kennedy School, and Professor James Sebenius of Harvard Business School.

Professors Burns, Sebenius and Mnookin have now interviewed Secretaries Kissinger, Shultz, Baker, Albright, Powell and Rice. Former Secretary of State Hillary Clinton has committed to participating. SOSP has already inspired a first-of-its-kind interdisciplinary course—“Negotiation and Diplomacy”—that Professors Burns, Sebenius and Mnookin taught in Spring 2015 and will again offer in Spring 2017. The course explores how modern diplomacy and negotiation can effectively address seemingly intractable international conflicts and overcome barriers to agreement in civil wars and interstate conflicts, as well as in trade and finance.

Professors Sebenius, Burns and Mnookin are writing a book about Henry Kissinger's approach to negotiation. Researcher Laurence A. Green and Dr. Eugene Kogan, SOSP Research Director, are assisting the faculty directors in this effort. Work is also underway on a proposal for a book that synthesizes the insights from all the living Secretaries of State on diplomacy, negotiation and leadership. There are plans to produce documentary films and case studies for use in teaching across Harvard University. An archive of associated research materials will be made available to scholars studying related disciplines of conflict resolution, mediation, negotiation and diplomacy.

In the 2015-2016 academic year, the SOSP conducted interviews with former Secretaries of State Colin Powell and Condoleezza Rice and re-interviewed Henry Kissinger and George Shultz. In October 2015, General Powell participated in a Harvard Law School panel discussion with Professors Sebenius, Mnookin and Burns. Three hundred students, faculty, and affiliates from Harvard Business School, Harvard Law School, and Harvard Kennedy School attended the invitation-only event. In preparation for discussions with Secretary Powell, Professor Sebenius led a faculty seminar on

Secretary Powell's major diplomatic efforts in Iraq, China, Russia, and the Middle East. Dr. Kogan contributed to the development of case study materials.

This initiative will make a unique and substantial contribution to the teaching of negotiation and diplomacy across Harvard University and beyond, while serving as a resource for future generations of scholars and practitioners in international affairs.

iv. 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, Managing Director Susan Hackley, and others.

MENI Events:

In October, PON Senior Fellow Shula Gilad organized an event for PON faculty, fellows and students, with Dr. Abdelmonem Said Aly of Egypt, to provide a forum for an in-depth discussion on events in the region. Dr. Said Aly is a writer and columnist for *Al-Ahram* newspaper, and Chairman of the Board, CEO, and Director of the Regional Center for Strategic Studies in Cairo.

Also in October, MENI hosted a screening and discussion of a new docudrama "Sabeena Hijacking: My Version," which tells the story of the 1972 hijacking of Sabena Airlines flight 571. The film's creator and producer, Nati Dinnar, and Palestinian actress and activist Rozeen Bisharat, who stars in the docudrama, were present for the discussion.

MENI co-sponsored "Fighting for Peace: Remembering Yitzhak Rabin," a special panel discussion held at Harvard Kennedy School on the 20th anniversary of Rabin's assassination. The panel featured Jonathan Ben Artzi, grandson of Prime Minister Yitzhak Rabin, and Ronald Heifetz, Founding Director, Center for Public Leadership, and the King Hussein bin Talal Senior Lecturer in Public Leadership, Harvard Kennedy School. The event, held in November, was hosted by Harvard's Israel Caucus, and co-sponsored by MENI and Harvard Hillel.

In the spring, MENI co-sponsored a screening at Harvard Kennedy School of "The Wanted 18," a new Just Vision film. The screening was followed by a panel discussion with Suhad Babaa, Executive Director of Just Vision, and Hilary Rantisi, Director of the Middle East Initiative, moderated by Marshall Ganz, Senior Lecturer in Public Policy, Harvard Kennedy School. The film tells the story of West Bank Palestinian activists who hid a herd of dairy cows from Israeli authorities during the first Intifada.

In addition, Shula Gilad assisted with the planning and development of seminars and talks for a study group organized by Israeli and Palestinian students at Harvard Kennedy School, who met regularly throughout the academic year.

In July 2015, Gilad organized a two-day training for the Middle East Partnership Initiative (MEPI) sponsored by Roger Williams University. Seventeen young leaders from 15 Middle Eastern countries attended the training, held on the HLS campus. The training included a lecture by Jamil Mahuad, the former President of Ecuador.

v. MIT-Harvard Public Disputes Program

The MIT-Harvard Public Disputes Program team (PDP) continued its research efforts in the primary areas in which it has made important contributions to theory building and defining best practices over the past three decades: (1) international environmental treaty-making, (2) the application of mediation techniques to a wide range of public disputes, (3) strategies for addressing values-based and identity-based disputes in the public arena; and (4) strategies for resolving the sovereignty and land claims of indigenous peoples. Dr. David Fairman and Mr. Patrick Field continued to serve as Associate Directors of PDP. Mr. Takeo Kuabara serves as PDP Program Manager. Professor Lawrence Susskind, Vice-Chair of PON and Ford Professor of Urban and Environmental Planning at MIT, is the director of PDP.

In 2015-2016 PDP faculty participated in and supported PON teaching and training activities. Professor Susskind and Dr. Fairman contributed video materials to the new PON Global program. Professor Susskind organized PON's Negotiation Master Class (which will now be offered twice a year), and with Professor David Hoffman presented HNI's Advanced Mediation Workshop. He served as part of the teaching faculty for PON's Negotiation and Leadership Program, Director of PON's Teaching Negotiation Resource Center (TNRC), leader of the twice-yearly PON Negotiation Pedagogy Workshop (faculty dinner seminars), with the help of Dr. Fairman, and offered an in-depth one day training program called "Winning at Win-Win Negotiation" based on his 2014 book *Good for You, Great for Me: Finding the Trading zone and Winning at Win-Win Negotiation* (Public Affairs).

Public Disputes Program Publications:

New books from PDP faculty and affiliates in 2015 include: *Managing Climate Risks in Coastal Community: Readiness, Engagement and Adaptation* (Anthem, 2015) by Professor Susskind, Mr. Field, Professor Danya Rumore (MIT doctoral student and PDP staff, and now an Assistant Professor University of Utah), and Carri Hulet (also former PDP staff and now senior mediator at the Consensus Building Institute). In addition, forthcoming is *Joint Fact Finding in Urban Planning and Environmental Disputes* (Taylor and Francis), by Professor Masahiro Matsuura and Professor Todd Schenk, both PHD graduates of MIT and former PDP staff. Foreword and chapter contributed by Professor Susskind and Mr. Field. Professors Susskind, Schenk, and Rumore were notified that their article "Role Play Simulations for Climate Change Education and Engagement" was accepted by *Nature: Climate Change*, one of the most important international outlets for research on scientific topics.

The second edition of Professor Susskind's *Environmental Diplomacy*, jointly authored by Professor Saleem Ali (now at University of Queensland, Australia and formerly a PDP staff member), was published in early 2015 by Oxford University Press. The new edition analyzes the most important changes in global environmental treaty-making since the publication of the first edition in 1995.

Other highlights from the 2015-2016 year include:

Launching the new Sacred Lands Project:

The Sacred Lands Project (SLP) of the MIT-Harvard Public Disputes Program explores the idea of sacred lands disputes as a subset of public conflicts. Mediators need an understanding of the concept of sacred lands and the symbols that are attached to them. Our hope is to develop a set of teachable practices for mediators working in the context of sacred land conflicts. SLP is exploring theoretical questions regarding the sacredness of land and the intersection of religion and politics as well as practical questions concerning the mediation of conflicts over sacred places. We expect that mediators working in the realm of conflicts over sacred places in both domestic and international settings will appreciate an opportunity to think together about strategies for handling this challenging and unique component of public conflicts. The project is headed by Ms. Susan Podziba, a Visiting Scholar at MIT's Department of Urban Studies and Planning with the help of Ms. Lucy Moore, one of America's most experienced mediators of sacred land disputes.

Launching the Cambridge Climate Change and Public Health Risk Project:

The City of Cambridge faces daunting climate change-related risks. The health impacts of local climate changes are likely to be devastating if no action is taken to prepare. A team led by Professor Lawrence Susskind is investigating new ways of helping the city formulate public health risk management plans. Research Assistants Ella Kim, Hannah Susan Payne, Geneva Foster and Anna Doty (all MIT graduate students) have created a new role play simulation that the Science Impact Collaborative team is using to engage numerous stakeholder groups in the city. In Fall 2016, PDP will hold five public workshops and summarize its findings for the Cambridge City Council.

Continuation of the Water Diplomacy Program:

Jointly with MIT and Tufts University, PDP continues to co-organize a train-the-trainer Water Diplomacy Workshop for 30 water professionals in June each year. The week-long program is hosted on the Harvard Law School campus. The Workshop 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. The MIT-Harvard Public Disputes Program also continues to co-lead the NSF-funded Research Coordination Network on Water Conflict and Security. This promotes coordination among the heads of 15 international research centers, each of whom is working on better ways of managing water conflict. 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.

Continuation of US-Mexico Water and Energy Negotiations:

Dr. Bruno Verdini, a post-doctoral fellow at MIT, is leading a research effort examining recent conflicts over expansion of renewable energy production in Mexico. This is a three year project funded by the Mexican government. In March 2015, Professor Susskind and Dr. Verdini presented a training program for the Mexican Ministries of Environment and Energy in Mexico City on strategies for resolving energy facility siting disputes. In 2015 Dr. Verdini's MIT dissertation on US-Mexico water and hydrocarbon negotiations won the Howard Raiffa Award granted each year by PON for the best doctoral paper or dissertation in the dispute resolution field.

vi. 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. Simmons Professor emerita Deborah Kolb and HBS Professor Kathleen McGinn are co-directors for the project.

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 September 2015, in Nairobi, Kolb and Porter ran the second phase of Train the Trainer Workshop in Kenya. The focus of this training was gender and negotiation and the challenges and tactics to deal with negotiation in the workplace. Three trainees ran the entire program with intensive preparation and debriefing sessions. The training notes from the workshop (it is a 3.5 day program) will be available for others to use in international programs that have a gender and negotiation focus. The program makes use of specifically developed cases and role-play materials that fit an international community of scientists and managers. There will be one more program before the workshop is turned over entirely to African trainers.

Deborah Kolb published "Be Your Own Best Advocate," which takes the major themes from her book (with Jessica Porter) *Negotiating at Work: Turn Small Wins into Big Gains*, and turns them into actionable steps when negotiating for yourself at work: Recognize, Prepare, Initiate, and Navigate. The article came to the attention of people at the Executive Office of Personnel at the White House who have been planning programs for political appointees who will be returning to the private sector. Kolb ran two negotiation workshops for this group. She also met with several women's groups

who wanted to discuss some of the gender issues—especially concerning ways to plan and manage their work and personal lives in new roles in the private sector.

Deborah Kolb has continued her work on gender and change. With partners in several organizations, who are committed to moving more women into leadership, Kolb employs a second generation gender bias perspective (See Ibarra, Ely & Kolb, “Unseen Barriers”, HBR, 2013) to analyze the various ways that subtle gender bias creates barriers to success for different groups of women. These barriers include a maternal bias, implicit bias in hiring, evaluation, and promotion, conceptions of an ‘ideal worker’ who is available 24/7, lack of mentors and sponsors, the burdens of role overload and expectations of invisible work. By connecting data from the organization with research studies, leaders collaborate to create ‘small wins’ that hold significant promise of change. In her work on Women’s Leadership Development Programs, there is always a connection made between individual development and change in the organization. In making these connections, negotiation is the mechanism through which these changes occur.

Pinar Fletcher and Kathleen McGinn co-authored a paper on “Competing At All Costs: Dysfunctional Competition & Gender.” Across three laboratory experiments they explore whether men and women differ in their willingness to risk incurring costs in order to hurt competitors. Across all participants, propensity for destructive competitive behavior is higher in high-intensity competitions with winner-takes-all incentives and high social comparison than in low-intensity competitions with variable reward schemes and no social comparison. Men and women show a similar propensity for destructive competitive behavior in high-intensity competitions where expected net payoffs from such behavior are relatively certain, and are likely to be high and positive. But women are more likely than men to pay attention to contextual cues regarding expected payoffs. As a result, women are more likely than men to curb destructive competitive behavior in low-intensity competitions where expected net payoffs from such behavior are uncertain and low. Behavioral norms that eschew destructive competition further reduce such behavior in low-intensity competitions both among men and women, but the gender gap in propensity for destructive competition persists after observing positive behavioral norms.

Kathleen McGinn, Corinne Low and Nava Ashraf completed their multiyear field study exploring the role of negotiation skills in girls’ schooling and health outcomes. In a randomized controlled study conducted in 41 schools in Lusaka, Zambia, they test the marginal value of negotiation skills on girls’ ability to control important life outcomes. In a 3x2 design, they layer negotiation skills on top of an informational intervention that provides facts on HIV avoidance and the benefit of schooling. They measure results through data from girl and guardian surveys, a trust game between participating girls and their guardians, take-up of an optional outside-school educational opportunity, school attendance records, national exam results, and progression into

high school. The intervention and data collection were conducted by a field team in Zambia, housed in the Zambian office of Innovations for Poverty Action (IPA). The manuscript reporting the results of the study, currently in preparation, reveals positive effects on girls' education (school attendance and test scores) and health (reducing meals missed and pregnancy).

Kathleen McGinn, Charlice Hurst (Notre Dame), Ann Tenbrunsel (Notre Dame), Elise Jones and Hise Gibson (HBS PhD 2015, Commander US Army) have begun a multi-year field experiment studying the potential for couples negotiation training to positively affect family and career outcomes. The curriculum, still in design phase, integrates traditional negotiation materials with negotiation scenarios based on interviews with military couples and chaplains. Survey data will be collected from each partner, via smart phones, pre and post training at 1 month intervals over 18 months.

vii. 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 2015-2016, no seminars were held. Instead we focused on presentations by local scholars (for details, see "PON Research Lab"). Next year we plan to resume the PON Research Seminar alongside the PON Research Lab.

viii. PON Research Lab

During 2015-2016, with sponsorship from PON, Professor Curhan (MIT) developed with Professor Alison Wood Brooks (HBS) and Professor Julia Minson (HKS), a new interfaculty research lab for faculty and doctoral students from PON-affiliated universities. The purpose of the PON Research Lab is to provide a venue for faculty and students to receive feedback on early-stage empirical research projects on negotiation and decision making. Meetings were held on April 4, 2016 (speaker: Professor Brooks), May 9, 2016 (speaker: Professor Minson), and June 13, 2016 (speaker: Professor Subramanian). Meetings are planned approximately once every 5 weeks in 2016-2017. For details, see www.ponresearchlab.com.

ix. Leadership and Negotiation

Leadership and Negotiation is a new research project developed by Professor Alain Lempereur, Brandeis University, and Professor Jeswald Salacuse, The Fletcher School, Tufts University, to explore the intersectionality between negotiation and leadership studies.

Professors Lempereur and Salacuse, along with Professor Emeritus (NYU) Melvin Shakun, conducted a session on "Leadership and Negotiation" at the annual Group Decision and Negotiation Conference held in Warsaw, Poland, in June 2015.

Professor Salacuse delivered the keynote speech “The Hidden Persuader: The Role of the Advisor in Negotiations and Group Decision Making” at the 15th annual Group Decision and Negotiation Conference held in Warsaw, Poland, in June 2015.

In October 2015, Professor Lempereur organized two events with Peter Mauer, President of the International Committee of the Red Cross, including a public address at Brandeis University on “Negotiating to Protect Lives: An ICRC Mission,” and a PON faculty breakfast discussion on “Leading a Negotiating Humanitarian Organization.”

Professor Salacuse taught a new course, “Negotiating International Leadership,” in the master’s program at the Fletcher School during the spring semester. Forty-eight students enrolled in the course. Professor Salacuse also gave the keynote speech “Negotiating Global Leadership” at the Negotiation and Leadership Conference, sponsored by the Harvard Alumni, on April 21, 2016.

Four related articles were published this year:

- Professor Lempereur’s article “Empowering Leaders through Inquiry in Burundi and the DR Congo” was published in *Culture, Negotiations and International Conflict e-Journal*, Vol. 5, #6, Sep 2015
- Professor Salacuse’s article “The Effect of Advice on Negotiations: How Advisors Influence What Negotiators Do” appeared in the April 2016 issue of the *Negotiation Journal*
- Professor Salacuse’s article “The Hidden Persuader: The Role of the Advisor in Negotiations and Group Decision Making—Perspectives from the European Union” was published in the May 2016 issue of *Group Decision and Negotiation*
- Professor Lempereur’s article “Humanitarian Negotiation to Protect: John Rabe and the Nanking International Safety Zone (1937–1938)” was accepted by *Group Decision and Negotiation* for publication in the July 2016 issue

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 February 2016, HNMCP and PON co-sponsored the *Harvard Negotiation Law Review* Symposium. For more details on the Symposium, see page 25.

D. Publications and Other Activities

i. Publications

a. *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.

A highlight of the past year was the October 2015 special section devoted to exploring the legacy of Richard Walton and Robert McKersie's seminal work, *A Behavioral Theory of Labor Negotiations*, on the fiftieth anniversary of its publication. The special section comprised thirty-five articles written by thirty-six authors. Topics included dualities in negotiation, attitudinal structuring, intra-organizational bargaining, and the impact of behavioral theory on community negotiations, workplace negotiations, and negotiation education.

Additional article topics in 2015-2016 included:

- What dispute systems designers can learn from the field of Project Management
- The impact of Mary Parker Follett's theories on the man who directed NASA during the race to the moon
- How public-private partnerships manage conflict
- How various third parties (the European Union, the United States) mediated the "Cod Wars" between Iceland and the United Kingdom
- The impact of complex business networks on negotiations
- The influence of advisors on negotiators
- The role of "focal points" and "turning points" in negotiations

In September 2015, Joel Cutcher-Gershenfeld, a professor at Brandeis University's Heller School for Social Policy and Management, became *Negotiation Journal's* new editor, following Michael Wheeler's resignation after twenty years in that role. In his April 2016 Editor's Note, Cutcher-Gershenfeld explained that the editorial transition at *Negotiation Journal* would be "characterized by simultaneously staying the course in focus, format, and approach, while also supporting continuous improvement."

In that spirit of continuous improvement, *Negotiation Journal* has made the following small adjustments in its article designations: Research Reports are now known as Research Articles; Review Essays will now be known as Book Review Essays; and Columns will now appear under the heading of Perspectives.

In 2015, institutions across the globe continued to switch from traditional single journal subscriptions (print, online, or both) to online licenses that give them access to a package of Wiley journals: four hundred additional institutions secured access to *Negotiation Journal* via online licenses in 2015.

b. *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, on the web, and as a tablet edition.

c. *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 2016 *HNLR* Symposium entitled "Negotiating for Health: The Role of Negotiation and Dispute Resolution in Healthcare" on February 27, 2016. For more details on the Symposium, see page 25.

d. *Teaching Negotiation*

The Teaching Negotiation Resource Center (formerly the Clearinghouse) communicates with faculty and practitioners in the negotiation community through blog posts, articles and emails, sharing updates about TNRC research, events, and teaching materials. For more information please see page 38.

e. *Books published by PON-affiliated faculty in 2015-2016*

- *What Works: Gender Equality by Design*, by Iris Bohnet, published in 2016 by Belknap Press
- *Negotiating the Nonnegotiable: How to Resolve Your Most Emotionally Charged Conflicts*, by Daniel Shapiro, published in 2016 by Viking
- *Negotiating the Impossible: How to Break Deadlocks and Resolve Ugly Conflicts (without Money or Muscle)*, by Deepak Malhotra, published in 2016 by Berrett-Koehler Publishers
- *Managing Climate Risks in Coastal Communities: Strategies for Engagement, Readiness and Adaptation*, by Lawrence Susskind, Danya Rumore, Carri Hulet, and Patrick Field, published in 2015 by Anthem Press

ii. *Conferences*

a. *Harvard Negotiation Law Review Symposium*

PON co-sponsored the 2016 *HNLR* symposium, "Negotiating for Health: The Role of Negotiation and Dispute Resolution in Health Care." Held at Harvard Law School on February 27, 2016, the conference fostered a thought-provoking discussion about the ways in which alternative dispute resolution theory and

practice could contribute to an understanding of the changing field of healthcare. The panels and speakers included:

- Introduction and Welcome by Professor Robert Bordone
- Remarks by Harvard Law School Dean Martha Minow
- Panel one: “Balancing Incentives for Innovation with Affordable Drug Prices: Understanding Interests”
 - Panelists: Jamie Love and Mark Wu
 - Moderated by: Elaine Lin Hering
- Panel two: “Mergers & Acquisitions: Unique Challenges for Healthcare Institutions”
 - Panelists: Michele Garvin, Brent Henry, Deborah Joelson, and Stephen M. Weiner
 - Moderated by: Jeff Weiss
- Panel three: “Negotiating Resource Allocation in Times of Crisis: The Ebola Case Study”
 - Panelists: Eric Goralnick, Melvin Kohn, and Eric J. McNulty
 - Moderated by: Robert Bordone
- Panel four: “Navigating Challenges through Collaboration in a Post-Affordable Care Act Environment”
 - Panelists: Wendy Mariner, W. Thomas McGough, Jr., and Timothy Westmoreland
 - Moderated by: Amy Lischko
- Keynote Address: Dr. Leonard J. Marcus, Director of the Program for Health Care Negotiation and Conflict Resolution at the Harvard T.H. Chan School of Public Health

iii. Workshops

a. Women2Women

Susan Hackley, Managing Director of PON, led a negotiation skills workshop to 120 young women as part of the annual Women2Women (W2W) Conference, in July 2015. 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 tenth consecutive year that Ms. Hackley has taught this workshop.

Additionally, Susan Hackley led a negotiation skills workshop for young women in Antwerp, Belgium, in November 2015. Organized by Empower Peace in collaboration with the US Embassy in Belgium, the workshop was part of a leadership training program.

b. Water Diplomacy Workshop

The MIT-Harvard Public Disputes Program, in partnership with Tufts University, offered a Water Diplomacy Workshop in June 2016. This week-long train-the-trainer program offered negotiation skills to water professionals from around the world.

iv. Events

a. American Secretaries of State Project

On October 30, 2015, the American Secretaries of State Project welcomed former Secretary of State Colin Powell to Harvard Law School. At a 3-hour panel discussion moderated by Professors Robert Mnookin, James Sebenius and Nicholas Burns, General Powell discussed the major negotiation challenges and diplomatic efforts he faced as Secretary of State. Discussions focused in particular on negotiations related to Iraq, China, Russia, and the Middle East. Three hundred students and faculty from Harvard Business School, Harvard Kennedy School and Harvard Law School attended the event, held in Ames Courtroom in Austin Hall.

b. Senator George Mitchell, Great Negotiator Award recipient

On April 29, 2016, PON hosted a 2-hour public talk with Senator George Mitchell, our first Great Negotiator Award recipient. Senator Mitchell was interviewed by Professors Robert Mnookin and James Sebenius, and offered reflections on his experience as a mediator in the Northern Ireland peace process, and the efforts that led to the Good Friday Peace Accord. He also shared insights from his diplomatic efforts in the Middle East. Over 200 students, faculty and members of the wider community attended the event.

c. The Herbert C. Kelman 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 2015-2016 Kelman Seminars were:

- “Syria Unseen: Living Under the Regime”
Presenters: Andrea Bruce, Documentary Photographer, 2016 Nieman Fellow; and Donna Hicks, Associate at the Weatherhead Center for International Affairs, Harvard University (September 28, 2015)

- “Understanding ISIS”
Presenters: Paul Wood, BBC Foreign Correspondent, 2015 Shorenstein Center Fellow; and Michael Hudson, Seif Ghobash Professor of International Relations and Arab Studies, Emeritus at Georgetown University, former Visiting Scholar at the Middle East Initiative, Harvard Kennedy School (October 19, 2015)
- “Turkey Under Siege: Inside and Out”
Presenters: Yavuz Baydar, Turkish journalist, Former Joan Shorenstein Fellow, Fall 2014; and Lenore Martin, Associate at the Weatherhead Center for International Affairs, Professor of Political Science, Department of Political Science, Emmanuel College (November 23, 2015)
- “War Changes Everyone”
Presenters: Anastasia Taylor-Lind, Photographer, 2016 Ruth Cowan Nash Nieman Fellow; and Susan Hackley, Managing Director, Program on Negotiation at Harvard Law School, Project Founder, *A Child’s Guide to War* (December 7, 2015)
- “Beyond the Headlines: Understanding and Misunderstanding Islam”
Presenters: Ali S. Asani, Professor of Indo-Muslim and Islamic Religion and Cultures, Harvard University, Director, Prince Alwaleed bin Talal Program in Islamic Studies at Harvard University; and Jeff Seul, Lecturer on the Practice of Peace, Harvard Divinity School, Partner, Holland & Knight (February 17, 2016)
- “The Destruction of Syria and the Crisis of Universal Values”
Presenter: Michael Ignatieff, Edward R. Murrow Professor of Practice, Harvard Kennedy School (March 7, 2016)
- “Reporting Rape: How the media in the US and India cover sexual violence – and its impact on audiences”
Presenters: Jacqueline Bhabha, Professor of the Practice of Health and Human Rights, Harvard T.H. Chan School of Public Health, Jeremiah Smith Jr. Lecturer, Harvard Law School, University Adviser on Human Rights Education, Director of Research, FXB Center Carr Center for Human Rights Policy; Dara Kay Cohen, Assistant Professor of Public Policy, Harvard Kennedy School, Ash Center for Democratic Governance and Innovation; and Joanna Jolly, Joan Shorenstein Fellow, Spring 2016, BBC South Asia Editor and Washington Reporter (April 11, 2016)
- “The Soft Vengeance of a Freedom Fighter: Reflections on Conflict and Reconciliation”
Presenter: Justice Albie Sachs, Art of Change Fellow, Ford Foundation, Former Judge, Constitutional Court of South Africa (May 18, 2016)

d. PON Lunch Talks

Throughout the academic year, PON invites experts and practitioners in the field of negotiation, mediation and conflict resolution to speak about their work or research. These presentations typically include a 30-minute talk by the presenter, followed by a Q&A period. These free lunchtime events are open to HLS students, faculty, staff and the wider community. The talks presented this year were:

- “New Findings in the Field of Negotiation: Research from the PON Graduate Research Fellows (Session One)”
Presenters: Netta Barak-Corren, S.J.D Candidate, Harvard Law School; and Michael Baskin, PhD Candidate in International Affairs, Fletcher School of Law and Diplomacy at Tufts University (February 23, 2016)
- “Magistrate Judges, Settlement and Procedural Justice”
Presenter: Nancy A. Welsh, William Trickett Faculty Scholar and Professor of Law, Penn State University, Dickinson School of Law (February 29, 2016)
- “International Mediation in Complex Development Disputes: Finding Common Ground between Communities and the Private Sector”
Presenters: Gina Barbieri, Senior Specialist, Dispute Resolution; and David Hoffman, Lecturer at Law, Harvard Law School (March 23, 2016)
- “Innovative Approaches to Inter-Ethnic Conflict Management in Eastern Africa”
Presenter: Father Patrick Devine, Founder and Executive Director, Shalom Center for Conflict Resolution and Reconciliation, Nairobi, Kenya (March 28, 2016)
- “New Findings in the Field of Negotiation: Research from the PON Graduate Research Fellows (Session Two)”
Presenters: Yookyong Kim, PhD Candidate, Management and Organization, University of Southern California, Marshall School of Business; and Elizabeth Wiley, PhD Candidate, Management, Columbia Business School (April 15, 2016)
- “Conflict Sites: Negotiating a Space and Place for Travellers”
Presenter: Jo Richardson, Professor of Housing and Social Research, De Montfort University, Leicester, UK (May 12, 2016)

e. 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.

- “*Two Days, One Night*”
Labor-management negotiation scholar Joel Cutcher-Gershenfeld led a discussion after a screening of this engaging Belgian film that raises

profound questions about work, negotiation and advocacy for oneself, and gender. (October, 1, 2015)

- *“Sabena Hijacking: My Version”*
PON screened a thought-provoking docudrama on the 1972 hijacking of Sabena Airlines flight 571 from Vienna to Tel Aviv. The film, developed and produced by Nati Dinnar, uses interviews, archive material, and dramatic reenactments to tell the story of the hijacking and the tense negotiations that followed. The film includes interviews with four Israeli Prime Ministers and Therese Halsa, one of the four hijackers. A panel discussion followed the PON screening, with Nati Dinnar and Rozeen Bisharat, a Palestinian filmmaker, actress, and activist who portrays Bisharat in the film. (October 22, 2015)
- *“The Wanted 18”*
In the award-winning documentary, *“The Wanted 18”*, directors Amer Shomali and Paul Cowan bring to life a story of nonviolent resistance during the First Intifada through a mix of stop-motion animation and interviews. This Just Vision film recreates the story of a town in the West Bank/Occupied Territories in 1987, where a group of Palestinians begins producing milk for the town’s residents. The event was co-sponsored by the Middle East Initiative at the Harvard Kennedy School. The film was followed by a discussion with Suhad Babaa, Executive Director of Just Vision, and Hilary Rantisi, Director of the Middle East Initiative, and moderated by Marshall Ganz, Senior Lecturer in Public Policy, Harvard Kennedy School. (February 25, 2016)
- *“Bridge of Spies”*
PON hosted a screening and discussion of this recently released feature film depicting the real life story of James Donovan (played by Tom Hanks), a Brooklyn lawyer and HLS alumnus who negotiated the release of a captured American U-2 pilot during the Cold War. A post-screening discussion followed with Harvard Law School Dean Martha Minow, Harvard Business School Professor Michael Wheeler, and James Donovan’s granddaughter, Beth Amorosi. (March 30, 2016)
- *“The Armor of Light”*
This new documentary film by Abigail Disney follows the journey of an Evangelical minister, Reverend Rob Schenck, a well-known anti-abortion activist, as he begins to engage fellow conservatives in dialogue and asks them to re-consider whether being pro-gun is consistent with being pro-life. Along the way, Rev. Schenck meets Lucy McBath, the mother of Jordan Davis, an unarmed teenager who was murdered in Florida and whose story has cast a spotlight on “Stand Your Ground” laws. The film explores the impact of this unexpected alliance on both activists, and explores the challenges they face as they dialogue with others on this emotionally charged subject. A discussion

followed the screening of the film, with director Abigail Disney, and Rev. Rob Schenck, moderated by Professor Iris Bohnet, director of the Women and Public Policy Program at Harvard Kennedy School. The event was co-sponsored by Women and Public Policy Program at Harvard Kennedy School, Pforzheimer House at Harvard University, and the Religions and the Practice of Peace Initiative at Harvard Divinity School. (March 31, 2016)

- *“The Diplomat”*
“The Diplomat” tells the remarkable story of the life and legacy of Ambassador Richard Holbrooke, whose singular career spans fifty years of American foreign policy from Vietnam to Afghanistan. Told through the perspective of his eldest son David, the documentary takes you behind the scenes of high stakes diplomacy where peace is waged and wars are ended. Ambassador Holbrooke was awarded the Great Negotiator Award by the Program on Negotiation in 2004. The film screening was followed by a discussion with director David Holbrooke and Harvard Business School Professor James Sebenius. The Future of Diplomacy Project at Harvard Kennedy School co-sponsored the event. (April 12, 2015)

f. Other Events

- 2015 Program on Negotiation Open House
Students from Harvard, MIT, Tufts, and other schools in the greater Boston area were invited to meet PON faculty and other interested students, and to find out how they could get involved with the Program on Negotiation during the coming academic year. Over 80 students attended. (September 21, 2015)
- *“Negotiating the Path of Abraham: The Flip Side of the Middle East”*
The Abraham Path Initiative and the Program on Negotiation co-sponsored a full day event featuring panel discussions on the theme of negotiation. Speakers included William Ury, Dave Cornthwaite, Leon McCarron, Hannah Messerli, James Sebenius, and José Filipe Torres. This public event was attended by over 100 people. (October 10, 2015)
- *“Identity, Culture, and Conflict Resolution”*
The Program on Negotiation co-sponsored the fall program of the New England Chapter of the Association of Conflict Resolution (NE-ACR). Panelists included Hugh O’Doherty, a conflict resolution practitioner and Senior Associate with Cambridge Leadership Associates; Professor Alain Lempereur, Director of the Coexistence and Conflict Program at the Heller School for Social Policy and Management at Brandeis University; and Professor Kimberlyn Leary, associate professor of psychology at Harvard Medical School. The panel was moderated by

Samuel (Mooly) Dinnar, instructor for the Harvard Negotiation Institute at Harvard Law School. (October 21, 2015)

- “Fighting for Peace: Remembering Yitzhak Rabin”
The Middle East Negotiation Initiative at PON co-sponsored this panel discussion, held on the anniversary of Yitzhak Rabin’s assassination. Presenters were: Jonathan Ben Artzi, Grandson of Prime Minister Yitzhak Rabin, and Ronald Heifetz, Founding Director, Center for Public Leadership, King Hussein bin Talal Senior Lecturer in Public Leadership, Harvard Kennedy School. The program was hosted by Harvard’s Israel Caucus and co-sponsored by Harvard Hillel. (November 9, 2015)
- “*Negotiating at Work: Turn Small Wins into Big Gains*”
The Program on Negotiation hosted a talk by Dr. Deborah Kolb on her new book, *Negotiating at Work*, which offers advice on how to use negotiation strategy to increase opportunities, flexibility, and support in the work space. (November 17, 2015)
- “Bridging the Religious Divide: Transforming Conflict when Emotions and Religion are at Play”
At this event co-sponsored with Harvard International Negotiation Program, and the Religions and the Practice of Peace Colloquium, Daniel Shapiro discussed the hidden emotional factors that fuel conflict and presented a model for using emotions constructively to promote conflict transformation. Rev. Lakawa responded to Dr. Shapiro’s presentation in light of her own research on “The Landscape of Trauma and the Aesthetic of Interreligious Peace: an Indonesian Case of Christian Muslim Relations.” (November 19, 2015)
- “The Israeli-Palestinian Conflict and the U.S.: Negotiation Lessons and Possibilities”
Ms. Tzipi Livni, Former Israeli Minister of Foreign Affairs, and former U.S. Ambassador Dennis Ross participated in a panel discussion on “The Israeli-Palestinian Conflict and the U.S.: Negotiation Lessons and Possibilities.” The panel was moderated by Professor Robert Mnookin. The event was co-sponsored by the Harvard Jewish Law Students Association, Harvard Hillel, Center for Jewish Studies, and Department of Near Eastern Languages & Civilizations at Harvard University (April 14, 2016)

E. Fellows, Visiting Researchers, Research Assistants and Interns

i. 2015-2016 Visiting Scholars and 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.

- Arvid Bell, Research Fellow, is a PhD scholar at the Peace Research Institute Frankfurt. While at PON, under the supervision of Professors Brian Mandell and Alain Lempereur, Arvid developed teaching materials for the Afghanistan conflict simulation “The Transition,” a 72 person multi-party, multi-issue simulation that Arvid created. He also collaborated with Dana Wolf on an article for the *Negotiation Journal*, which features lessons learned from teaching multi-party negotiation exercises. 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.
- Shula Gilad, Senior Fellow, conducts research and develops programming for the Middle East Negotiation Initiative at PON. Shula also consults with various Middle East programs and organizations. She holds a Ph.D. in Public Policy from Brandeis University’s Heller School of Social Policy and Management.
- Mark Williams, Research Fellow, continues to analyze the obstacles that emerge repeatedly in transboundary water negotiations and how dispute settlement tools can help resolve water-related disputes in various parts of the world. Prior to joining PON, Williams was a Fellow at the Harvard Kennedy School’s Carr Center for Human Rights, where he focused on human rights to water and sanitation. He received his J.D. from the University of California at Hastings in 1990.
- Dana Wolf, Research Fellow, holds a PhD in public international law from American University Washington College of Law. Her research centers on the end of military occupation and its implications for the occupying state. While at PON, Dr. Wolf collaborated with Arvid Bell on an article for the *Negotiation Journal*, which features lessons learned from teaching multi-party negotiation exercises, and on plans to develop a multi-party simulation based on complex negotiation scenarios in the Middle East.

ii. 2015-2016 PON Graduate Research Fellows

The Program on Negotiation hosted four graduate research fellows for the 2015-2016 academic year:

- Netta Barak-Corren
S.J.D Candidate, Harvard Law School

As a PON Graduate Research Fellow, Netta Barak-Corren examined why people obey or disobey the law when it conflicts with their religious beliefs, and whether lawmakers can mitigate this conflict in advance. An S.J.D. candidate at Harvard Law School and a research fellow with the Behavioral Insights Group in

Harvard Business School, Netta has received numerous awards, including the Sinclair Kennedy traveling fellowship awarded by the president and fellows of Harvard University, the Fisher-Sander award for her thesis, and the Howard Raiffa award for her paper on false negotiations. She was a Pearlman, Gammon and Shapiro scholar and a P.E.O. International Peace Prize recipient. Her research is supported by grants from the Program on the Legal Profession at Harvard Law School, and Harvard's multidisciplinary program on Mind, Brain and Behavior. Netta is also the founder and co-organizer of Harvard's Empirical Legal Studies group. She received her LLB/BA in Law and in Cognitive Science *summa cum laude* from the Hebrew University of Jerusalem in 2011. She was valedictorian of her class, and a three-time recipient of the Albert Einstein award. Before starting her doctoral work at Harvard, Netta clerked for the Chief Justice of the Israeli Supreme Court, the Honorable Dorit Beinisch.

- Michael Baskin
PhD Candidate, International Affairs, The Fletcher School of Law and Diplomacy at Tufts University

Michael Baskin's research fields include international negotiation and conflict resolution, as well as energy and resource policy. His dissertation research examines the use of negotiation and conflict resolution by military actors within armed conflict. While at PON, he analyzed and integrated qualitative research, including semi-structured interviews with US military officers regarding their negotiation and engagement experiences while deployed to Afghanistan from 2008-2013.

Michael maintains an avid interest in energy policy, energy public-policy disputes, and climate change negotiations. He held an Oak Ridge Institute for Science and Education (ORISE) fellowship with the Office of Energy Efficiency and Renewable Energy in the US Department of Energy. There he helped catalyze several veterans' initiatives including the Solar Ready Vets program and provided support to the First Lady's Joining Forces initiative focused on veteran employment, health, and education.

Michael served as a US Army infantry officer for six years with 27 months of service in Afghanistan and Iraq. He holds a BS from the US Military Academy at West Point and studied abroad under the post-9/11 GI Bill for an MA specializing in diplomacy and conflict at the Interdisciplinary Center (IDC) Herzliya, Israel.

- Yookyong Kim
PhD Candidate, Management and Organization, University of Southern California

Yookyong Kim's research focuses on the psychology of scarcity and its impact on competition and negotiation. Using experimental studies, her works examine how individuals think and behave under the influence of scarcity. For example, her research has shown that 1) a scarcity mindset determines what strategy people choose to gain social influence in groups; 2) economic scarcity leads the poor and the rich to have different cognitive processing; and 3) people engage in "dominance-based competition" without a mutual desire for scarce resources, competitive behavior that is motivated by the desire to be superior to other people, rather than to maximize one's own resources.

She is conducting a research project that investigates scarcity effects in negotiation. She has discovered that negotiators pay greater attention to scarce items and consequently scarcity facilitates win-win agreements. Non-scarce negotiation items do not receive those cognitive resources, and negotiators are less likely to achieve mutually beneficial agreements on those issues. With a series of planned studies, Yookyong sought to understand under what circumstances scarcity benefits or harms negotiators.

- Elizabeth Wiley
PhD Candidate, Management, Columbia Business School

As a PON fellow, Elizabeth Wiley studied how interpersonal expectations and attributions affect outcomes in negotiations. Her work on expectations investigates the impact of interpersonal cynicism on deception. She finds that negotiators have overly cynical expectations about others' ethical standards, consistently overestimating the percentage of people who think deception is appropriate in negotiations, and that interpersonal cynicism increases negotiators' likelihood of engaging in deception. Her research on interpersonal attributions in negotiations explores the value of using precise versus approximate first offers, the circumstances under which making the first offer leads to a first mover disadvantage, and the effects of silence in negotiations.

Beyond her interest in negotiations research, Elizabeth is invested in advancing negotiation teaching and application. She served as the Columbia Business School Negotiations Fellow from 2013-2014, has co-authored a negotiation case, has co-instructed a negotiation workshop at Columbia College, and regularly acts as a T.A. for the Managerial Negotiations course at Columbia Business School.

Elizabeth graduated magna cum laude from Dartmouth College with a B.A. in Psychology and worked as a consultant prior to graduate school.

iii. 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. The following fellows began their internships during fiscal year 2015-2016 and will have completed their respective internships in September 2016.

The 2015-2016 PON Summer Fellows are:

- Sonia Kikeri
Heller School for Social Policy and Management, Brandeis University

Sonia is a graduate student at the Heller School for Social Policy and Management, pursuing both a Masters in Conflict Resolution and an MBA in Nonprofit Management. This summer, Sonia is working with a Filipino nonprofit that uses cultural regeneration as a form of peacebuilding through active engagement and dialogue with communities in Mindanao. In this conflict zone, any overtly political activity is repressed, including official across-group mediations. By reviewing the organization's development, role in society, and current operations, Sonia is exploring how this nonprofit acts as an unofficial grassroots mediator and mediation space. Prior to attending the Heller School, Sonia studied CVE initiatives and faith-based nonprofits working in Gaziantep, Turkey, in response to the Syrian Crisis. She is from Atlanta, GA, and holds a BSFS from Georgetown University's Walsh School of Foreign Service.

- Myriam Marcuello-Lopez
Heller School for Social Policy and Management, Brandeis University

Myriam is a Master's student in Conflict Resolution and Near Eastern and Judaic Studies. Her professional and academic focus is on contemporary Islamism, armed non-state actors, conflict transformation, and peacebuilding and the arts. Because of her strong interest in the Syrian crisis, this summer Myriam is undertaking a 3-month practicum with the Lebanese NGO Peace Labs. She is working in North Lebanon engaging with communities to mitigate conflicts, some of them related to the influx of Syrian refugees. She is supporting projects aiming at the strengthening of local capacities for peace, mainly through existing Local Conflict Conciliation Committees. Myriam holds a Master's degree in International Humanitarian Aid from the Faculty of Law of Aix-Marseille III in France and a diploma from the Institute of Political Studies of Grenoble. She previously worked as a humanitarian worker in the field of child protection and protection of civilians in situations of armed conflict.

- Hiroko Yamamoto
Harvard Law School

Hiroko is a first-year student at Harvard Law School. Her academic and professional interest lies in the promotion of an effective international dispute resolution system for corporations and ordinary individuals, grounded in her experience residing in six countries and regions, prior internship in international litigation practice, and first law degree in civil law. This summer, she is serving as Marshall at the Asia Pacific Regional Office of the Hague Conference on Private International Law (HCCH). HCCH is an inter-governmental organization working towards the progressive unification of the rules of private international law (conflict of laws). It does this primarily by promulgating conventions and other instruments relating to cross-border legal cooperation, the well-being of the child, and international commercial law.

iv. Student Teaching and Research Assistants

HLS students worked as teaching assistants for the Harvard Negotiation Institute, as well as for the HLS Winter and Spring Negotiation Workshops. Serving as teaching assistants provides students with the opportunity to enhance their learning of negotiation by working closely with faculty, and to 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. 2015-2016 PON Interns and Student Assistants

PON was pleased to welcome student assistants and interns during the 2015-2016 academic year. Working with PON staff, students are able to gain experience in the field and see the scope of PON's work. Medhini Kumar was the PON student assistant in fall 2015. Medhini is pursuing a Masters in Middle Eastern Studies at the Faculty of Arts and Sciences at Harvard University. She helped organize the American Secretaries of State Project event with General Colin Powell, and assisted with various PON and MENI activities. Matt Reidy, an undergraduate at Tufts University, was a student assistant in the spring semester. Matt provided administrative and on-site support for PON's executive education programs and assisted with publicizing on-campus events. Ashley Ertilien, an undergraduate student at Brandeis University, was a Summer Search intern at PON during the summer of 2015 and returned during the summer of 2016. Ashley provided administrative help on a range of projects and was critical to the success of the Harvard Negotiation Institute's June programs. A number of Harvard Kennedy School and Harvard Law School students also volunteered to help with logistics at events that PON sponsored, most notably the American Secretaries of State Project visit by General Colin Powell and the panel discussion with former Israeli Foreign Minister Tzipi Livni and former US Ambassador Dennis Ross.

3. Teaching (Contributions to the 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:

- “Advanced Negotiation: Multiparty Negotiation, Group Decision Making, and Teams”
Professor Robert Bordone, Ms. Rachel Viscomi, Fall 2015
- “Harvard Negotiation and Mediation Clinic”
Professor Robert Bordone, Fall 2015 and Spring 2016
- “Negotiation Workshop”
Professor Robert Mnookin, Winter 2016
Professor Robert Bordone, Spring 2016
- “Legal Profession: Collaborative Law”
David Hoffman, Fall 2015
- “Mediation”
David Hoffman, Spring 2016
- “Deals”
Professor Guhan Subramanian, Spring 2016
- “Law and Business”
Professor Guhan Subramanian, Spring 2016

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.

B. Harvard Negotiation Institute at the Program on Negotiation (HNI)

The Harvard Negotiation Institute at the Program on Negotiation, which is run in partnership with Harvard Law School, 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.

For more information about HNI, please see page 44.

C. Teaching Negotiation Resource Center

PON’s Teaching Negotiation Resource Center (TNRC) is dedicated to improving the way people teach and learn about negotiation. It serves as PON’s intellectual focal point for negotiation education. Professor Lawrence Susskind of MIT leads the pedagogical initiatives of the TNRC.

The TNRC is involved in a range of activities including research, curriculum development, training, and networking among those interested in negotiation pedagogy. The pedagogical mission of the TNRC 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
- Help PON reach new audiences of negotiation practitioners and students through e-newsletters, workshops, seminars, and other educational activities

The TNRC 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. TNRC products and services are made available to customers from all over the world; many of its teaching exercises are available in non-English languages.

The 2015-2016 year saw the release of a number of new role-play simulations and translation of more than a dozen role-play simulations. The TNRC also makes a number of its cases available through the HLS Case Studies portal and through Harvard Business Publishing. In order to address faculty interest, and broader market trends, the TNRC created a new licensing agreement with DecisionMapper, Inc., creators of the iDecisionGames platform: an innovative web-based technology focused on streamlining the administration of negotiation simulations. This agreement has created an additional revenue stream for the TNRC and offered an enhanced simulation experience for both teachers and students of negotiation.

More than 12,200 educators receive the Teaching Negotiation weekly email, featuring articles on negotiation pedagogy and updates on our teaching materials. The TNRC also hosts bi-annual faculty seminars related to negotiation pedagogy. The 2015 fall faculty dinner seminar focused on tracking student learning trajectories in negotiation, primarily by using scorable simulations. The presentation was made by Gordon Kaufman (MIT) with a panel discussion led by Larry Susskind (MIT), Kessely Hong (HKS) and Bruce Patton (Vantage Partners, LLC). The 2016 spring faculty dinner seminar focused on PON's Great Negotiator case studies, specifically on how to teach the Tommy Koh (2014) case. The presentation was made by James Sebenius (HBS), co-chair of the Great Negotiator Award committee and lead author of PON's Great Negotiator case studies.

Finally, Boston College invited PON's Assistant Director James Kerwin and Pedagogy Coordinator Warren Dent to present a workshop on using simulations in teaching at their annual conference titled *Excellence in Teaching Day: Rethinking Connection*. The workshop

took place on May 9, 2016, and had the highest number of registrations of all the breakout sessions with over 40 BC faculty members in attendance. The presentation featured negotiation exercises and videos, commentary from PON faculty on the role of simulations, research findings from the *Negotiation Journal*, and information from the Derek Bok Center focused on the power of active learning techniques, specifically simulation-based teaching.

D. 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. These semester-length courses are designed, and priced, to increase public awareness and understanding of effective dispute resolution principles; the multiple sessions over many weeks allow participants full immersion in both theory and practice. In the 2015-2016 academic year, these courses were:

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

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. Students are recognized for their research through the PON Graduate Student Grants and the PON Next Generation Grant. Students are eligible for the two negotiation writing prizes awarded through PON: the Roger Fisher and Frank E. A. Sander Prize and the Howard Raiffa Doctoral Student Paper Award Prize. 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.

A. PON Student Interest Group (SIG)

The SIG connects over 900 students from Harvard University, MIT, Tufts, Brandeis, UMass Boston, Simmons College and other Boston-area schools. Through the SIG, students connect to the PON community, resulting in networking and learning opportunities. Subscribers to the SIG email list received updates on events, fellowship and grant opportunities, and internships and job announcements.

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’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 2015-2016 Fellows can be found on page 36.

C. Student Teaching and Research Assistants

Students worked as teaching assistants for the Harvard Negotiation Institute, as well as for the HLS Winter and Spring Negotiation Workshops. Serving as teaching assistants provides students with the opportunity to enhance their learning of negotiation by working closely with faculty, and to train to be problem-solvers in a dynamic context.

D. PON Open House

PON hosts an annual open house for students to learn about opportunities to work with faculty and student organizations connected to ADR. Students are 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 (HNLN) is one of the country's leading journals of alternative dispute resolution scholarship. *HNLN* 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. HLS professor and PON Executive Committee member Robert Bordone serves as a faculty advisor to *HNLN*.

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 2015-2016 were:

- George Yin, Harvard University
- Andrew Taffer, Fletcher School of Law and Diplomacy, Tufts University
- Leslie John, Harvard Business School
- Tyler Josh, Harvard University
- Tina Robiolle-Moul, Fletcher School of Law and Diplomacy, Tufts University
- Dana Wolf, PON Research Fellow

G. Graduate Student Grants Program

The Program on Negotiation Graduate Student Grants Program has been designed 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 2015-2016 were:

- Mitchell Alva (with Feuerstein), Harvard Kennedy School
- Aviva Feuerstein (with Alva), Harvard Kennedy School
- Oluwagbemiga Dasyiva, Heller School for Social Policy and Management, Brandeis University

- Phoenicia Lewis, Heller School for Social Policy and Management, Brandeis University
- Christopher Mirasola, Harvard Law School and Harvard Kennedy School

H. Roger Fisher and Frank E. 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 2016 Fisher/Sander Prize was awarded to Kyongwha Chung, HLS '16, for her paper entitled "Emergency Arbitration in Investment Treaty Disputes."

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 2015, Martha Jeong of Harvard Business School was awarded the Raiffa prize for her paper "Backing Down: A (Partially) Misguided Aversion to Changing Our Minds," which was co-authored with Leslie John, Francesca Gino, and Laura Huang.

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 research, mentor students, teach and train diverse groups both at HLS and throughout the US and abroad. Working with Managing Director Susan Hackley, PON affiliated faculty oversee PON's many enterprises, including the TNRC and Harvard Negotiation Institute. 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, provide additional opportunities for engagement. For details see page 46.

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 and Advocacy

The Program on Negotiation supports law reform through the advancement of alternative dispute resolution (ADR) processes. Concepts developed over the years by PON faculty present a vast array of ideas, strategies, and skills for problem solving in a way that maximizes gains for all parties while protecting each party's interests. Law students learn how to be effective and self-aware advocates as they develop their skills in negotiation workshops, seminars, and classes. 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. Articles 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. In addition, PON co-sponsored the 2016 *HNLN* Symposium, entitled "Negotiating for Health: The Role of Negotiation and Dispute Resolution in Health Care."

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 and HBS professor 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, military leaders, corporate trainers, and corporate counsel are among the approximately 1,500 people who participated in negotiation training courses in 2015-2016. Courses include:

i. Harvard Negotiation Institute at the Program on Negotiation (HNI)

The Harvard Negotiation Institute at the Program on Negotiation, which is run in partnership with Harvard Law School, 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. This was our second year offering an Advanced Mediation Course; it was well received and complemented the popular Mediating Disputes workshop.

HNI courses held this past year include:

- “Mediating Disputes” - October 2015 and June 2016
Professor Robert Mnookin; Gary Friedman, mediator; Dana Curtis, attorney mediator
- “Advanced Mediation Workshop: Mediating Complex Disputes”
David Hoffman, Lecturer on Law; Professor Larry Susskind; Susan Podziba, mediator; Audrey Lee, mediator; and Samuel Dinnar, negotiation consultant
- “Negotiation Workshop: Improving Your Negotiating Effectiveness”
Bruce Patton, Co-Founder and Distinguished Fellow, Harvard Negotiation Project
- “The Harvard Negotiation Intensive: A 2-Day Workshop”
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

Our June 2016 HNI program welcomed 383 participants, an increase of 36 participants over June 2015. The October 2015 course reached its capacity of 48 participants. In June 2016, many individuals availed themselves of a 2-course discount, attending multiple weeks of the program.

A review of our demographic data for our June 2016 participants confirms that HNI continues to appeal to a large international audience (approx. 58%) as well as residents of the United States.

Similarly, HNI appeals to a diverse industry base: Individuals attend from the fields of law, corporate, and government predominantly, but we saw healthy representation

from education, the nonprofit sector; as well as other fields such as administration, construction management, real estate and development, etc. The workshops offer continuing legal education (CLE) credits for U.S. lawyers seeking to meet CLE requirements. The courses have been approved for CLE credits by every state to which we have applied.

ii. Negotiation and Leadership & One-Day In-Depth Sessions

The Negotiation and Leadership Program is PON's flagship executive education training program, designed to help participants become successful negotiators, deal with difficult people and hard bargainers, structure deals, and manage conflict productively. The three-day program, held at the Charles Hotel in Cambridge, was offered six times during the 2015-2016 academic year. The program was attended by over 900 participants from over 60 countries. Participants came from many diverse fields, including law, government, business, education, and the military.

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:

- "Lesson from the Great Negotiators" with James Sebenius
- "Difficult Conversations" with Bruce Patton and Douglas Stone
- "Getting to Yes with Yourself" with William Ury
- "Bargaining with the Devil" with Robert Mnookin
- "Winning at Win-Win Negotiations" with Lawrence Susskind
- "Leveraging the Power of Emotions in Your Negotiations" with Daniel Shapiro

iii. Advanced Negotiation Master Class

In November 2015, the Program on Negotiation offered the Advanced Negotiation Master Class, the fourth offering of a two and a half day program designed to provide graduates of Harvard Negotiation Institute and Negotiation and Leadership courses with an opportunity to further refine and strengthen their negotiation skills. Limited to 60 participants, and taught by four PON affiliated faculty members, the Master Class continues to be very successful and will be held twice in the coming year.

iv. PON Global

In November 2015, PON ran a partial test pilot in Tokyo of its new PON Global Course. PON Global is a blended learning course which offers negotiation training to people in locations around the world. For this initial pilot, PON offered a 2-day training in conjunction with Sophia University of Tokyo and Nikkei Corporation. For the initial launch, the course was taught by Guhan Subramanian. The course was well received with strong evaluations, providing a proof of concept to this hybrid model of executive education.

In April 2016, PON ran a full 3-day PON Global course in Tel Aviv, Israel, in conjunction with the Technion University. The course included videos of PON faculty, role

simulations, and two one-hour live teleconferences with PON faculty in Cambridge (Professor Robert Mnookin at HLS and Professor Guhan Subramanian at HBS). The course received excellent reviews, and will be offered again in Tel Aviv in September 2016.

v. PON Executive Education in China

In October 2015, 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 Hong Kong.

C. 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. These semester-length courses are designed, and priced, to increase public awareness and understanding of effective dispute resolution principles; the multiple sessions over many weeks allow participants full immersion in both theory and practice. In the 2015-2016 academic year, these courses were:

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

D. Webinars

In 2015-2016 the Program on Negotiation offered four webinars on topics related to negotiation, taught by PON affiliated faculty:

- September: “What People Really Want: 5 Secrets to Successful Negotiating” – Daniel Shapiro
- November: “Thanks for the Feedback” – Sheila Heen
- February: “Bargaining with the Devil” – Professor Robert Mnookin
- March: “Thanks for the Feedback” – Sheila Heen

E. PON Website

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 Negotiation and Leadership 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 averaging around

100,000 visits per month. In addition, PON's growing daily email list (now 70,000 subscribers) is another way people learn about PON. PON currently sends 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 lunch talks.

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.

F. The Teaching Negotiation Resource Center (TNRC)

The TNRC is dedicated to improving the way people teach and learn about negotiation. It serves as PON's intellectual focal point for negotiation education. Professor Lawrence Susskind of MIT leads the pedagogical initiatives of the TNRC. The TNRC is involved in a range of activities including research, curriculum development, training, and networking among those interested in negotiation pedagogy. For more information on these activities, see page 38.

9. Collaborations with Other Departments and 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. PON is managed by an Executive Committee, representing Harvard Law School, Harvard Business School, MIT, The Fletcher School, and Brandeis University. The PON Executive Committee is chaired by HLS 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 opportunities for engagement and collaboration across departments and schools.

Notable collaborative events held in 2015-2016 include the following:

- The American Secretaries of State Project, co-sponsored by the Program on Negotiation and the Future of Diplomacy Project at Harvard Kennedy School. Former Secretary of State Colin Powell spoke at a public event at Harvard Law School in October, which was attended by 300 students and faculty from HKS, HBS and HLS.
- The new PON Research Lab, developed by Professors Jared Curhan (MIT), Alison Brooks (HBS), and Julia Minson (HKS). The lab featured a series of presentations by faculty on current empirical research studies, and was attended by faculty and PhD students from PON's consortium schools.
- The 2016 *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.
- 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.
- The PON Film Series, which offers screenings of films that relate to themes of negotiation and conflict resolution. In 2015-2016, the PON Film Series partnered with several other schools and departments at Harvard, including the Middle East Institute and the Women and Public Policy Program at Harvard Kennedy School, Pforzheimer House at Harvard University, and the Religion and the Practice of Peace Initiative at Harvard Divinity School. For information on the films screened this past year, see page 29.

10. Awards, Other Activities & Publications

Jeswald Salacuse, the Henry J. Braker Professor of Law at the Fletcher School, was named a Distinguished Professor by Tufts University in 2016. This honor recognizes faculty members who have made exceptional contributions in teaching and research.

Plans for Academic Year 2016-2017

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.

PON will continue to expand its PON Global offerings, working with partners to offer the program in international settings. Three PON Global sessions are confirmed for fall 2016, in Israel, Greece and Saudi Arabia. A faculty dinner and screening of PON Global videos is planned for early September.

The Program on Negotiation will host a panel discussion with Professor Daniel Shapiro and other Harvard faculty to discuss how to resolve emotionally charged conflicts. Professor Shapiro will also offer a new seminar on September 22, based on his newest book, *Negotiating the Non-Negotiable*. This seminar will be a one-day program held after the September Negotiation and Leadership executive education program.

In December 2016, PON will host a panel discussion, organized by Professor Alain Lempereur, to mark the tricentenary of François de Callières's book, *On the Manner of Negotiating with Princes*, published in 1716.

The Teaching Negotiation Resource Center will continue to develop teaching materials and offer its twice-yearly faculty seminars. The fall seminar will introduce new video teaching materials based on The Transition Exercise, a 72-person simulation developed by former PON Fellow Arvid Bell. A full length documentary about "The Transition" is also in production and should be released in the spring of 2017.

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: Harvard Negotiation Research Project, Harvard Negotiation Project, 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

a. American Secretaries of State Project

With James Sebenius (Harvard Business School) and Nicholas Burns (Harvard Kennedy School), Professor Mnookin will continue leading the American

Secretaries of State Project (SOSP). The three faculty chairs are working on a book about Henry Kissinger's approach to negotiation.

b. Great Negotiators, Effective Diplomacy, and Intractable Conflicts

Related to the American Secretaries of State Project, professors Mnookin, Burns, and Sebenius have developed a new course, "Negotiation and Diplomacy," that explores what we can learn from studying great negotiators and diplomats grappling with some of the world's most challenging problems. This course will be offered again in spring 2017.

c. Negotiating Jewish Identity in Contemporary America

Professor Mnookin will continue research on four important trends in America related to Jewish Identity in contemporary America: (1) the remarkable decline in anti-Semitism; (2) the remarkable increase in intermarriage; (3) the increasing proportion of people with a Jewish heritage who take pride in their Jewish heritage but are not religiously observant; and (4) the conflicts within the American Jewish community concerning various policies of the Israeli government. As part of this project, Professor Mnookin and Brandeis Professor Leonard Sax are conducting an empirical survey of Harvard undergraduates concerning their religious identity.

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 2016-2017, current HNP activities will continue, including the HNP-related activities of the Middle East Negotiation Initiative and the Negotiation Roundtable.

a. The 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 pursues new models of reconciliation for groups in conflict, as well as continues 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.

Dr. Shapiro is now developing a day-long PON workshop on the theories and tools in his new book, *Negotiating the Nonnegotiable: How to Resolve Your Most Emotionally Charged Conflicts*, which will be presented in September 2016.

b. The Global Negotiation Initiative

GNI is now focusing on the development of the Abraham Path as an educational platform. This platform is unique in that faculty and students can travel the Path and engage with local hosts and communities in an exchange of different narratives, common experiences, and learning about the past and present of the region. A “Virtual Path” online enables those who cannot travel the physical path to learn about the region and its people. There are three strands of this education platform:

- On-the-ground courses on the Abraham Path:
Faculty and students from universities around the world travel the Path and learn along the way in an experiential manner. Pilot courses have already been taught on such topics as: understanding the conflicts of the Middle East; learning negotiation along the Path; tourism and rural development; and anthropological exploration of the Middle East region.
- Online courses use the Path as a backdrop:
Online courses will bring the Abraham Path to those who cannot travel there by offering an opportunity to study a range of subjects inspired by the Path. Potential courses include: Negotiating along Abraham’s Path, Archeology found along the Path, Tourism and Travel, Cultures of the Path, and Sustainable Development and the Path.
- The Virtual Path:
The Virtual Path will be the most broadly applicable element of the educational platform, because it is open to everyone around the world. The Virtual Path aims to recreate the experience of travelling the Path online. It will form a real-life experience for virtual travelers to learn as much as they could glean if they were actually walking. Both the on-the-ground and online courses will also use the Virtual Path to aid in the learning process.

GNI has launched a new version of the Third Side website —based on PON co-founder William Ury’s book *The Third Side: Why We Fight and How We Can Stop*— with a more user-friendly interface. GNI researchers are gathering new stories and planning to publish a monthly blog on Third Side actions around the world.

iii. American Secretaries of State Project

The SOSP inspired interdisciplinary course—“Negotiation and Diplomacy”—taught by Professors Sebenius, Mnookin, and Burns, will be offered in spring 2017. The course, first taught in spring 2015, explores how modern diplomacy and negotiation can effectively address seemingly “intractable” international conflicts and overcome barriers to agreement in civil wars and interstate conflicts, as well as in trade and finance.

Professors Sebenius, Burns and Mnookin are writing a book about Henry Kissinger's approach to negotiation. Researcher Lawrence A. Green and Dr. Eugene Kogan, SOSP Research Director, are assisting the faculty directors in this effort. Work is also underway on a proposal for a book that synthesizes the insights from all the living Secretaries of State on diplomacy, negotiation and leadership. There are also plans to produce documentary films and case studies for use in teaching across Harvard University. An archive of associated research materials will be made available to scholars studying related disciplines of conflict resolution, mediation, negotiation and diplomacy.

iv. MIT-Harvard Public Disputes Program

The MIT-Harvard Public Disputes Program team (PDP) will continue its research efforts in: (1) international environmental treaty-making, (2) the application of mediation techniques to a wide range of public disputes, (3) strategies for addressing values-based and identity-based disputes in the public arena; and (4) strategies for resolving the sovereignty and land claims of indigenous peoples. Dr. David Fairman and Mr. Patrick Field will continue to serve as Associate Directors of PDP. Mr. Takeo Kuabara serves as PDP Program Manager. Professor Lawrence Susskind, Vice-Chair of PON and Ford Professor of Urban and Environmental Planning at MIT, is the director of PDP.

Projects for the coming year will include:

Sacred Lands Project:

The Sacred Lands Project (SLP) of the MIT-Harvard Public Disputes Program explores the idea of sacred lands disputes as a subset of public conflicts. Mediators need an understanding of the concept of sacred lands and the symbols that attach to them. The hope is to develop a set of teachable practices for mediators working in the context of sacred land conflicts. SLP will continue exploring theoretical questions regarding the sacredness of land and the intersection of religion and politics as well as practical questions concerning the mediation of conflicts over sacred places. The project is headed by Ms. Susan Podziba, a Visiting Scholar at MIT's Department of Urban Studies and Planning, with the help of Ms. Lucy Moore, one of America's most experienced mediators of sacred land disputes.

Cambridge Climate Change and Public Health Risk Project:

The City of Cambridge faces daunting climate change-related risks. The health impacts of local climate changes are likely to be devastating if no action is taken to prepare. A team led by Professor Lawrence Susskind will continue to investigate new ways of helping the city formulate public health risk management plans. Research Assistants Ella Kim, Hannah Susan Payne, Genea Foster and Anna Doty (all MIT graduate students) have created a new role play simulation that the Science Impact Collaborative team is using to engage numerous stakeholder groups in the city. In the Fall 2016, PDP will hold five additional public workshops and summarize its findings for the Cambridge City Council.

Water Diplomacy Program:

Jointly with MIT and Tufts University, PDP continues to co-organize a train-the-trainer Water Diplomacy Workshop for 30 water professionals in June each year. The Workshop 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. The MIT-Harvard Public Disputes Program also continues to co-lead the NSF-funded Research Coordination Network on Water Conflict and Security. This promotes coordination among the heads of 15 international research centers, each of whom is working on better ways of managing water conflict.

Continuation of US-Mexico Water and Energy Negotiations:

Dr. Bruno Verdini, a post-doctoral fellow at MIT, is leading a research effort examining recent conflicts over expansion of renewable energy production in Mexico. This is a three year project funded by the Mexican government.

v. Program on Negotiations in the Workplace

Kathleen McGinn, Charlice Hurst (Notre Dame), Ann Tenbrunsel (Notre Dame), Elise Jones and Hise Gibson (HBS PhD 2015, Commander US Army) will continue a multi-year field experiment studying the potential for couples negotiation training to positively affect family and career outcomes.

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. The program makes use of specifically developed cases and role-play materials that fit an international community of scientists and managers. There will be one more program before the workshop is turned over entirely to African trainers.

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 2016-2017 we plan to hold the PON Research Seminar alongside the PON Research Lab.

vii. PON Research Lab

Developed by Professor Curhan (MIT), with Professor Alison Brooks (HBS) and Professor Julia Minson (HKS), the PON Research Lab is an interfaculty research lab for faculty and doctoral students from PON-affiliated universities. The purpose of the PON Research Lab is to provide a venue for faculty and students to receive feedback on early-stage empirical research projects on negotiation and decision making. Meetings are planned approximately once every 5 weeks in 2016-2017. For details, see www.ponresearchlab.com.

B. 2016-2017 PON Graduate Research Fellows

The Program on Negotiation will host four research fellows for the 2016-2017 academic year:

- Meirav Furth-Matzkin
S.J.D. Candidate, Harvard Law School

Meirav Furth-Matzkin is a research fellow at the John M. Olin Center for Law, Economics & Business and the Program on the Foundations of Private Law at Harvard Law School. Her primary research interests are contract law, consumer contracts, negotiation, behavioral law and economics, and empirical methods in law. Her dissertation project investigates the impact of deceptive market practices on consumers' (mis)perceptions and behavior, while applying mixed empirical methodologies and psychological insights. Her first paper on this topic, which was awarded the Harvard Law School's Olin Prize for the best paper in Law & Economics, reveals that drafting parties routinely contravene the law by inserting unenforceable terms into their contracts. As a PON fellow, Meirav will research the role that such legally dubious clauses play in post-contract negotiations, through a series of experimental studies.

Meirav holds a Master of Laws from Harvard Law School and a Bachelor's Degree in Law and International Relations magna cum laude from the Hebrew University of Jerusalem. She is a Pearlman Scholar and a P.E.O International Peace Prize recipient. She is also a member of Harvard's Empirical Legal Studies Group (HELs) and the Behavioral Insights Group (BIG) at Harvard Business School. Before joining Harvard Law School, Meirav clerked for Justice Uzi Vogelman at the Supreme Court of Israel.

- Liliia Khasanova
Ph.D. Candidate, International Law, Kazan Federal University, Russia

Liliia Khasanova's research focuses on the resolution of international trade disputes primarily within the framework of the World Trade Organization. Her research has an interdisciplinary nature and combines theoretical and practical approaches. The theoretical approach includes detailed legal analysis of the negotiation procedures and dispute settlement systems of the World Trade Organization, while the practical approach aims to define certain guidelines for negotiations in international trade disputes. The project objective is to prove that negotiations that lead to a 'mutually-agreed solution' are the most profitable, convenient, and flexible way to resolve trade disputes at any stage of the conflict.

Liliia received her Specialist Degree in Law *summa cum laude* from Kazan Federal University, and she prepared her graduate thesis at the University of Giessen, Germany. She has gained international academic experience through participation in International WTO Moot Court Competition, Moot Court on International Arbitration, and International Rounds of Phillip C. Jessup Competition. Her team ranked first in negotiations at the International Competition 'Day of Crisis' 2015 in Paris.

- Taylor Moulton
Ph.D. Candidate, Sloan School of Management, Massachusetts Institute of Technology

Taylor Moulton is a complex systems scholar whose work focuses on exploring productivity, emotion, and relationship dynamics between individuals and organizations. In his negotiation research, Taylor investigates the interactions between personalities, power, and objective performance. His research also includes exploring the micro-mechanisms building or eroding subjective value in negotiations and their influence on outcomes. In particular, he is interested in studying the importance of timing in negotiated agreements.

Taylor holds a Bachelor's Degree in Engineering from the University of Florida and a Master of Science from the Massachusetts Institute of Technology. Before beginning his doctoral studies, he enjoyed a wide array of experiences in the fields of engineering, investment finance, and nonprofit environmental education.

- Adepeju O. Solarin
Ph.D. Candidate, Political Science, Albert Ludwigs University of Freiburg, Germany

Adepeju Solarin completed her Bachelor's and Master's degrees at the University of Minnesota, Twin Cities, focusing on Management and New Media Studies, and Restorative Justice and International Human Rights. She is currently a dual researcher at the Max Planck Institute for Foreign and International Criminal Law in the Research

School on Retaliation, Mediation, and Punishment (REMEP), and the Arnold Bergstraesser Institute as part of her interdisciplinary project on international mediation. Her doctoral thesis focuses on the role of respect in international mediation.

As a PON research fellow, Adepeju will focus on differentiating respect from trust and demonstrate how and why mediation practices might benefit from an initial focus on respectful behavior when convening conflict antagonists. Empirical support for this perspective includes two case studies (Oslo Accords 1993 and Liberia Agreement 2003), as well as mediator-interviews with Nigerian Presidents Abubakar and Obasanjo.

C. 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.
- Mark Williams, Research Fellow, will continue analyzing the obstacles that emerge repeatedly in transboundary water negotiations and exploring how dispute settlement tools can help resolve water related disputes in various parts of the world. Prior to joining PON, Mark was a Fellow at the Harvard Kennedy School's Carr Center for Human Rights, where he focused on human rights to water and sanitation. He received his J.D. from the University of California at Hastings in 1990.

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 38 in the coming year. These include:

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

4. Participation of HLS Students in Program Activities

PON will continue to provide support to its network of over 900 students through the Student Interest Group. In addition to taking negotiation courses, students are welcome at PON events; many assist faculty and work as student teaching and student research assistants.

A. PON Open House for Students

PON will again host its popular open house early in the fall semester for Boston-area students interested in negotiation and conflict resolution.

B. PON Lunch Talks and Other Public Events

PON Lunch Talks and public events are open to students and cover a broad range of topics.

C. PON Film Series

The PON Film Series will continue to offer films that provide a context for discussion about negotiation and conflict.

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. 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
- PON lunch talks and the PON Film Series, which are open to all members of the HLS community
- 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 and 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, and will be reflected in a number of publications including journals and special reports.

B. Executive Education Programs

i. Harvard Negotiation Institute (HNI)

PON will offer the popular Harvard Negotiation Institute Mediating Disputes course in October 2016. In June 2017, PON will offer its selection of week-long workshops and a 2-day intensive course.

ii. Negotiation and Leadership & One-Day In-Depth Sessions

PON will continue to offer six three-day "Negotiation and Leadership" courses along with one-day sessions with PON-affiliated faculty. In September 2016, the one-day course will be "Negotiating the Non-Negotiable," a new course taught by Professor Daniel Shapiro, based on his recently published book. In October, the one-day offering will be "Difficult Conversations," taught by Bruce Patton and Douglas Stone. In December, William Ury will teach a one-day program on "Getting to Yes with Yourself." Three one-day courses will also be offered in Spring 2016.

iii. Advanced Negotiation Master Class

PON will continue to offer the Advanced Negotiation Master Class, confirmed for November 2016 and April 2017. This is a two and a half day course with a limited class size, designed to provide PON alumni with "master" negotiation skills.

iv. PON Global

As FY 16 came to a close, there were two contracts in place for PON Global courses to be offered in Fall 2016. In September PON will offer a second PON Global course in Tel Aviv in conjunction with the Technion University. A session is planned in Jeddah, Saudi Arabia, on October 3 - 5, 2016, in conjunction with the Global Business School. Plans were also underway for an offering in Greece in conjunction with the Athens Chamber of Commerce. Discussions with other potential global partners are ongoing.

v. PON Executive Education in China

In October 2016, PON will again offer a two-day course in Hong Kong in collaboration with the China Education Group, taught by Professor Guhan Subramanian.

C. PON Seminars

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

D. The Teaching Negotiation Resource Center (TNRC)

The TNRC will continue to send out weekly *Teaching Negotiation* newsletters to its growing email list, currently at 12,200 subscribers. The emails include information about the latest role-play simulations, books and videos sold through the TNRC that will help negotiation teachers, trainers, and scholars advance their missions. The emails also include articles, teaching tips, and videos to help educators learn from their peers about best practices for teaching negotiation.

The TNRC will research ways to engage with its audience via new platforms, explore new fulfillment possibilities, and leverage technology to reach more audiences in ever-increasingly innovative ways.

9. Collaborations with Other Departments and Schools

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 American Secretaries of State Project, 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.