



The Program on Negotiation at Harvard Law School Annual Report for Academic Year 2009-2010

Part One: Report of Activities

A. Summary of Academic Year 2009-2010

1. Executive Summary

The Program on Negotiation (PON) at Harvard Law School was founded in 1983 to develop and improve the theory and practice of negotiation and conflict management by supporting the work of negotiation scholars and teachers and helping students recognize the central role of negotiations in professional life and become better negotiators. In all of PON's projects and activities there is a focus on creating and implementing innovative ways to:

- encourage new thinking in negotiation theory
- serve the mission of PON's consortium schools (Harvard, MIT, Tufts) to help prepare graduates to assume leadership roles in the world community
- nurture the next generation of negotiation teachers and scholars
- provide a lively forum for the discussion of ideas and practices
- increase public awareness of successful conflict management processes, and
- connect the discussion of conflict management with current events and real-world contexts.

In 2009-2010, PON sponsored and hosted a wide range of activities and programs that presented new scholarship, insights, and case studies to faculty, students, associates, and visitors. PON scholars strive to expand the frontiers of negotiation theory, and also seek innovative and practical ways to connect negotiation theory with current conflicts, problems, and challenges. PON also continued to offer a robust schedule of negotiation seminars to over 1200 executives and managers in the private and public sector, through its on-campus Harvard Negotiation Institute courses and off-campus Executive Education programs.

This year saw the publication of three important books that flowed directly from PON activities. PON Chair Robert H. Mnookin's book, *Bargaining with the Devil: When to Negotiate, When to Fight*, discusses how to make wise decisions when confronted with an evil or untrustworthy adversary. As Professor Mnookin noted in his Introduction, the book had its roots in the debate PON sponsored after September 11th on the question of whether the US government should be prepared to negotiate with the Taliban, a question still in discussion today.

Also published this year was *Negotiauctions: New Dealmaking Strategies for a Competitive Marketplace* by HLS and HBS professor Guhan Subramanian. The author describes how most

deals are neither exclusively negotiations nor auctions but are a hybrid, and he gives advice for operating in this “increasingly commonplace and important arena.”

HLS Visiting Professor of Law Lawrence Susskind, a co-founder of PON and Ford Professor of Urban and Environmental Planning at MIT, co-authored with Hallum Movius the book, *Built to Win: Creating a World-Class Negotiating Organization*. The book outlines ways organizations can align their culture, structures, and processes with their negotiation goals, leading to higher-value agreements and a competitive advantage.

PON was founded as a joint program of Harvard, MIT, and Tufts University, and its activities are overseen by an Executive Committee representing the three schools. The PON Executive Committee is chaired by Professor Robert Mnookin, and the three Vice-Chairs of PON are James Sebenius (Practice-Focused Research), Guhan Subramanian (Research), and Lawrence Susskind (Instruction). Max Bazerman, Jeswald Salacuse, and Iris Bohnet are also members of the PON Executive Committee.

PON has been since its inception a truly multi-disciplinary program, drawing on research and expertise from a number of fields, including law, business, public policy, economics, psychology, decision science, and anthropology. An example of PON’s cross-disciplinary research was this year’s PON Research Seminar, which was held in conjunction with a fall seminar course taught by HKS professor Jennifer Lerner on the role of trust, emotions, ethics, and morality (TEEM) in decision-making and negotiation. The TEEM project’s co-directors are from HBS (Max Bazerman and Deepak Malhotra), HKS (Jennifer Lerner and Iris Bohnet), and FAS (Joshua Greene). Collectively the work of TEEM connects PON to a group of over 25 researchers in the Harvard community and to many others worldwide.

PON’s growing Student Interest Group now has over 1100 students on its listserv, students from Harvard, MIT, Tufts, Brandeis, UMass Boston, Simmons College, and other Boston-area schools. PON continued to offer abundant opportunities for students to become involved, by taking negotiation courses, serving as teaching assistants, doing research for faculty, working in the PON offices, participating in student discussion groups, collaborating with students from other schools, and receiving grants for summer work and special projects.

In addition to teaching graduate students, PON faculty teach negotiation courses to well over 1000 executive education participants each year. This year, PON continued to offer a series of executive education courses through the Harvard Negotiation Institute (in partnership with HLS), and a PON negotiation workshop was taught by Professor Mnookin at the new EBS University Law School in Frankfurt, Germany. PON continued to offer a series of additional executive education programs in Cambridge at the Charles Hotel.

PON sponsored or co-sponsored a number of conferences, including the Gender and Negotiation Conference and the Dispute Resolution Works-in-Progress Workshop Conference. PON also collaborated with the Center for Public Leadership at HKS to co-sponsor the annual International Association for Conflict Management conference, held in Kendall Square. In conjunction with this conference, PON also co-sponsored with the Dispute Resolution Center at the Kellogg School of Management a Negotiation Teaching Workshop that highlighted new materials and teaching techniques. In addition, the Herbert C. Kelman Seminar Series on

Negotiation, Conflict, and the News Media, continued to feature journalists and negotiation professionals as speakers.

PON invested in building an expanded website with a significant and growing amount of content, and the website, which went live in May 2009, now has on average 25,000 visitors per month. PON has engaged many new readers through a number of methods, including offering special reports on key negotiation topics and the online publication of regular e-zine newsletters. PON also has a YouTube channel and Facebook, LinkedIn, and Twitter accounts. The Negotiation Pedagogy at the Program on Negotiation (NP@PON) project connects to teachers and trainers worldwide; the NP@PON e-newsletter, which includes substantive information about new teaching materials, strategies, and research, is sent to over 6000 negotiation educators.

In addition, PON also reached out to the Cambridge community by offering the City of Cambridge the opportunity to have key staff attend PON executive education seminars at no cost. A number of city employees have taken advantage of this offer, and we expect the program to continue.

More detailed information about all PON activities is available at the PON website, www.pon.harvard.edu

2. Research, Scholarship and Project Activities

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

PON supports a broad scope of research in order to recognize the diversity of disciplines that both build on negotiation theory and advance new negotiation concepts. Our scholars represent a wide array of disciplines, including law, psychology, economics, business and management, public policy, sociology, and international relations. They are recognized leaders in the field and contribute their scholarship and expertise in a variety of ways, including through scholarly articles, books, mainstream media, online media, and in their teaching. (See also: Connections to Profession, page 21). PON oversees a number of faculty-led research projects and initiatives. A brief description of each project is below, including recent developments.

b. Projects / Research & Scholarship

i. Trust, Emotions, Ethics and Morality in Negotiation (TEEM)

This year PON invested in the continued development of the research initiative Trust, Emotions, Ethics and Morality in Negotiation (TEEM), an effort to create, organize and disseminate a new generation of research that integrates these cutting-edge themes, enhancing scientific and practical understanding of how decisions influence negotiated outcomes. TEEM's goal is to have a concentrated effect by supporting research related to the five project co-directors, Max Bazerman (HBS), Iris Bohnet (HKS), Joshua Greene (FAS), Jennifer Lerner (HKS), and Deepak Malhotra (HBS), and their colleagues.

Last fall the first TEEM course was taught by Professor Jennifer Lerner at the Kennedy School. Structured as a seminar, the course brought in guest speakers from throughout the country to talk about their current work. The class was also taught in parallel with a course at Stanford University taught by Jared Curhan of MIT. Topics in this course, among others, included:

- “The Effects of Contracts on Trust” with Harvard Professor Deepak Malhotra
- “Bounded Ethicality” with Harvard Professor Max Bazerman
- “Sex Differences in Aggression in Simulated War Games” with Brown University Professor Rose McDermott.

In January, Max Bazerman also taught a 5-day mini-course at Harvard Business School based on TEEM research: Negotiation and Decision Making: Trust, Emotions, Ethics, and Morality. The course was open to doctoral students, faculty, MBA students interested in pursuing a research career, and a small number of research-focused undergraduates from throughout Harvard. This course will be offered again in 2011.

Work completed by core TEEM faculty in the past year includes more than 30 publications, including:

- Bazerman, Max, and Joshua D. Greene. "In Favor of Clear Thinking: Incorporating Moral Rules into a Wise Cost-benefit Analysis." *Perspectives on Psychological Science* 5, no. 2 (March 2010): 209-212.
- Bohnet, Iris., Hermann, B., & Zeckhauser, R. (2010). Trust and the reference points for trustworthiness in Gulf and Western countries. *Quarterly Journal of Economics* CXXV (2) (2010): 811-828.
- Han, S., Lerner, J. S., and Zeckhauser, R (2010). Disgust promotes disposal: Souring the status quo. HKS Faculty Research Working Paper Series RWP10-021, June 2010.
- Malhotra, Deepak. "Without Conditions: The Case for Negotiating with the Enemy." *Foreign Affairs* 88, no. 5 (September - October 2009): 84-90.

ii. Harvard Negotiation Research Project

During this past year, the activities of the HNRP focused primarily on two broad topics (a) the limits of negotiation, and the challenge of making wise decisions about whether to negotiate or resist; and (b) ethnic conflict in divided society.

Professor Mnookin completed his book, *Bargaining with the Devil: When to Negotiate, When to Fight*, which was published by Simon and Schuster in February 2010. More than 200 people attended an event that celebrated the book’s publication, co-sponsored by the Harvard Law School, the Program on Negotiation, and Facing History and Ourselves. At this event, Dean Martha Minow, Professor Gabriella Blum and Margot Stern Strom served as discussants. In the months that followed, Mnookin was invited to deliver talks about his work at special events focusing on the book organized by the Chicago Council on Global Affairs; the Commonwealth Club of San Francisco; the World Affairs Council; UCLA; UC Riverside; the Securities and Exchange Commission; the United States Court of Appeals for the DC Circuit; the Department of the Treasury; the Boston Bar Association; the Maryland Bar Association and various other venues. Google and Microsoft, as part of their respective programs to share ideas found in notable new books, invited Mnookin to make a presentation before a live audience at their respective headquarters. These lectures were then webcast to employees around the world.

Bargaining with the Devil was also featured on three nationally broadcast radio shows: All Things Considered; the Diane Rehm Show; and the Forum.

On the topic of ethnic conflict, Mnookin and Professor Alain Verbeke continued their collaborative work relating to the conflict within Belgium between the French speaking Walloons and Dutch speaking Flemish. They completed a major article on this topic, which was published in *Law and Contemporary Problems* (Vol. 72, Spring 2009). In connection with Mnookin's ongoing work relating to the Israeli-Palestinian conflict, Mnookin spent one week working in Israel and Jordan, as part of the international advisory committee chaired by former Secretary of State George Shultz.

iii. 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, assumed leadership of the Harvard Negotiation Project this year, while the PON Executive Committee (of which he is a member) continues to oversee HNP and its affiliated research initiatives.

As Director of HNP, Professor Sebenius is working to more fully develop an intellectual orientation for HNP and create a platform for broader involvement and research in challenging classes of negotiations. Under his leadership, HNP is focusing on the following themes for organizing HNP activities. First, a Middle East Negotiations initiative provides a focus for a variety of activities with a Middle Eastern aspect, including the academic activities of the Abraham Path and the Israeli-Palestinian Negotiating Partners. Secondly, the Great Negotiator Study Initiative examines PON's eight year old Great Negotiator Program and takes a systematic look at the honorees as a group, looking for cross-cutting insights. The third initiative is a Harvard China Negotiation Initiative, collaborating with a number of faculty who have found public and private negotiations with China-related aspects to be of special interest. All of these initiatives offer significant opportunities for cross-disciplinary involvement by faculty and students. In addition to these new initiatives, two existing initiatives will continue under HNP.

The International Negotiation Initiative

(INI) aims to expand the role of psychology to address current global concerns, including terrorism and violent conflict. Directed by HLS Lecturer on Law and HMS Assistant Professor Daniel Shapiro, this initiative has built a Global Advisory Network, consisting of business, political and media leaders who support the mission of INI by offering advice, observations about regional or global conflict trends, and recommendations for real-world contexts where INI might field-test ideas.

The Global Negotiation Initiative

The Global Negotiation Initiative (GNI) continues to support the academic research dimension of the Abraham Path Initiative, which seeks to inspire and support the opening of a permanent cultural route of pilgrimage and tourism retracing the footsteps of Abraham in the Middle East. GNI developed a detailed case analysis of the Initiative, published by Harvard Business School, that highlights lessons for the field of negotiation. The case served as the basis for an academic conference in fall of 2009. GNI has recently embarked on a Cultural Memory of Abraham project that seeks to understand the deep importance of

Abraham to the people of the Middle East and to look for commonalities and differences in the narratives that can serve as the basis for discussion and connection.

GNI is also working on a number of student exchange activities to enable Harvard students to experience the path. Students recently took part in walks in the Palestinian Territories and Jordan. GNI works collaboratively with a number of entities at Harvard to further the academic aspects of the Abraham Path Initiative, including the Harvard Business School, Harvard Divinity School, the Middle East Initiative at the Kennedy School of Government, and the Prince Al Waleed Bin Talal Islamic Studies Center at Harvard University.

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

In the past year, GNI Co-Founder and Distinguished Senior Fellow William Ury has been involved with the Israeli-Palestinian Negotiating Partners (IPNP), participating in negotiation seminars and meeting with Israeli and Palestinian government officials. Ury continues to offer the How to Say No Executive Seminar annually.

iv. MIT-Harvard Public Disputes Program

In 2009-2010, the Public Disputes Program (PDP) continued its on-going research dealing with (1) international environmental treaty negotiation, (2) consensus building in the public sector, and (3) ensuring that science is given its due in resource management decisions. In addition, we added three new topics to our research agenda. The first focuses on the social responsibilities of multinational corporations. This work was undertaken in conjunction with the Organization for Economic Cooperation and Development (OECD). The second explores the ways in which mediation might be used to resolve values-based and identity-based disputes. The work was undertaken with students enrolled in an advanced negotiation course at Harvard Law School. The third is the product of collaboration with experts in the communication field, particularly Professor Phillip Glen at Emerson College, aimed at discovering how recent findings in the communication field might enhance negotiation practice. More detail on PDP publications is available on the PDP [web site](#).

v. Dispute Resolution Program

The Dispute Resolution Program (DRP) promotes research and theory-building on the ever-increasing array of alternative dispute resolution mechanisms, with emphasis on how those procedures are best used in conjunction with judicial and regulatory systems. It also promotes the development of innovative teaching materials in this realm. The Multi-Door Courthouse (MDC), a concept originated by DRP founder and Co-Director Frank E. A. Sander, is a system for assessing disputes and recommending alternatives to litigation.

Professor Sander continues to serve as Chair of the Editorial Board of the *Dispute Resolution Magazine*, the quarterly publication of the Dispute Resolution Section of the American Bar Association. Professor Sander prepared a video for the national conference on the Multi-door

Courthouse that took place in Canberra, Australia, in July 2009. He continues to work with Professor Mariana Hernandez Crespo of St. Thomas Law School in Minneapolis, Minnesota who is seeking to introduce the MDC in Brazil and other South American countries. In addition, Professor Sander is collaborating on a teaching book on dispute system design with Professors Nancy Rogers (The Ohio State University), Robert Bordone (Harvard Law School), and Craig McEwen (Bowdoin College). HBS Professor and DRP co-director Michael Wheeler continues to serve as Editor of the *Negotiation Journal*.

Each semester, the DRP sponsored breakfast Dispute Resolution Forums (DRF) during the academic year where speakers discuss their negotiation and mediation experiences. These forums are open to area practitioners, faculty, and students. In conjunction with PON, the DRP also publishes the Dispute Resolution Directory, an annual catalog of negotiation and conflict resolution courses and internships in the Greater Boston area.

vi. Program on Negotiations in the Workplace

Articles from the 2007 Gender and Negotiation Conference at Harvard's Kennedy School of Government, (co-sponsored by the Program on Negotiation, the Women and Public Policy Program at the Kennedy School, Harvard Business School, and the Center for Gender in Organizations at the Simmons School of Management) appeared as a special issue on gender and negotiation in the journal *Negotiation and Conflict Management Research* in February 2009. This year, Professor Kolb extended this work in a review of the research on gender and negotiation for the 25th Anniversary of the *Negotiation Journal*. The paper, entitled "Too Bad for Women, or Does it Have to Be," explores the potential of looking at gender in the broader context of a negotiated order and how that perspective can lead to changes in how gender plays out in negotiations.

vii. PON Research Seminar

Co-organized by Professors Jared Curhan (MIT/Stanford University) and Guhan Subramanian (Harvard), the PON Research Seminar invites leading scholars from around the country to speak about their research on negotiation and related fields to a group of PON-affiliated faculty members and advanced doctoral students from the Greater Boston area. This year the PON Research Seminar was structured differently from past years. Professor Jennifer Lerner (HKS) taught a course on TEEM in collaboration with a Stanford University course taught by Professor Jared Curhan (who was teaching at Stanford for the academic year.) Additional information about this course and TEEM can be found on page 3.

c. Clinical Work

Harvard Negotiation and Mediation Clinical Program

The [Harvard Negotiation & Mediation Clinical Program \(HNMCP\)](#), though not a part of the Program on Negotiation, had its most successful and active year to date. Specifics about their most recent activities can be found in the current [newsletter](#). The HNMCP website also includes information and brief descriptions about this year's student [projects](#).

As in past years, HNMCP continued to benefit from various institutional resources available at PON. For example, because HNMCP has no student space, PON generously welcomed HNMCP students to use the PON library space, the public computer terminals in the PON library, and PON's photocopying, scanning, and faxing resources. Until HNMCP acquires its

own facilities, the use of these resources is essential for HNMCP to survive. In addition, in an effort to build a spirit of communication, connection, and collaboration between PON and HNMCP, PON generously includes HNMCP staff at various celebratory events and lunches throughout the year.

d. Publications & Other Activities

i. Publications

1. *Negotiation Journal*

Negotiation Journal is a quarterly, peer-reviewed publication with a multidisciplinary approach to dispute resolution. Contributors include lawyers, diplomats, politicians, executives, labor negotiators, psychologists, economists, scholars and others. This year marked the 25th anniversary for *Negotiation Journal*.

2. *Negotiation*

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

3. *Harvard Negotiation Law Review*

The *Harvard Negotiation Law Review* (HNLR) is a multidisciplinary journal on dispute resolution published annually by HLS students. HNLR launched a new website in September of 2009. HNLR.org features a host of articles on negotiation, mediation, arbitration, and other dispute resolution topics, as well as archives of print editions of the journal and other ADR content.

4. *Teaching Negotiation*

NP@PON (Negotiation Pedagogy at the Program on Negotiation) publishes a free, biannual e-newsletter, *Teaching Negotiation*, which highlights current research, new teaching materials and upcoming events, as well as offering a discussion forum for negotiation instructors. It is circulated to a list of more than 6,000 negotiation and dispute resolution educators.

5. Books published by PON-affiliated faculty in 2009-2010

- Mnookin, Robert. *Bargaining with the Devil: When to Negotiate and When to Fight*. Simon & Schuster, 2010.
- Subramanian, Guhan. *Negotiauctions: New Dealmaking Strategies for a Competitive Marketplace*. W.W. Norton & Company, 2010.
- Salacuse, Jeswald. *Law of Investment Treaties*. Oxford International Law Library, 2010.
- Kramer, R. M., A. E. Tenbrunsel, and M. H. Bazerman, eds. *Social Decision Making: Social Dilemmas, Social Values, and Ethical Judgments*. Routledge, 2009.
- Movius, Hallum and Susskind, Lawrence. *Built to Win: Creating a World-class Negotiating Organization*. Harvard Business School Publishing, 2009.

- Babbitt, Eileen F. and Lutz, Ellen (eds.) *Human Rights and Conflict Resolution in Context: Colombia, Sierra Leone, and Northern Ireland*. Syracuse University Press, 2009.

ii. Conferences

- The 23rd Annual International Association for Conflict Management Conference was held at the Boston Marriott Cambridge in Kendall Square from June 24 to June 27. The Program on Negotiation and the Harvard Kennedy School's Center for Public Leadership were the lead co-sponsors for the event. The Local Arrangements Committee, led by Susan Hackley, managing director of PON, and HKS Professor Hannah Riley Bowles, coordinated the execution of the Conference's events, which included the opening night's poster session and the three days of paper sessions, symposiums, workshops and roundtables that followed. The Program on Negotiation also negotiated the contract for the venue, the audio visual support, and the poster session. PON Professor Lawrence Susskind and Larry Crump won the IACM Outstanding Book Award for their book *Multiparty Negotiation*. PON Graduate Fellow Sreedhari Desai won the IACM Graduate Scholarship.
- On June 24, the Program on Negotiation of Harvard Law School and Dispute Resolution Research Center at the Kellogg School of Management co-sponsored a Pre-Conference Negotiation Teaching Workshop which was held at the Harvard Kennedy School. HBS Professor Michael Wheeler of PON and Jeanne Brett of DRRC oversaw the registration and general organization of the event. The purpose of the workshop was to share materials and techniques with experienced negotiation teachers. The following is a list of PON faculty that presented at the event: Jeswald Salacuse, Larry Susskind, Deepak Malhotra, Deborah Kolb, and Robert Bordone.
- In December, the Public Disputes Program hosted a meeting for corporate social responsibility experts, mediators with trans-national experience, and national agency heads responsible for implementing OECD's Guidelines Governing the Social Responsibilities of Multinational Corporations. The report of that session led to the presentation of a capacity-building program in Paris at OECD headquarters for all 30 National Contact Points. Some of the recommendations from the December workshop will be incorporated into the ten-year revisions of the OECD Multinational Corporate Social Responsibility Guidelines.
- The third annual Dispute Resolution Works-in-Progress Workshop Conference was held November 13-14. Presenters included law professors and academics in other relevant disciplines, as well as working professionals with scholarly interests.
- Co-sponsored by the Harvard Kennedy School's Women and Public Policy Program, the Program on Negotiation, and the Center for Gender in Organizations at the Simmons School of Management, the Gender and Negotiation Conference held in October brought together scholars from around the country to examine how gender affects negotiation.

- On February 27, the Harvard Negotiation Law Review hosted an annual symposium entitled “The Negotiation Within.” While HNLR symposia in previous years have mostly involved strategies for and theories about negotiating with other parties, this year’s discussion examined the interplay of negotiation theory and conflict within oneself. Participants discussed how conflict resolution strategies can help resolve the tension of an inner debate and how to examine the ways in which negotiations within a person or an entity affect that conflicted party’s external negotiations with other parties.

iii. Workshops

- A PON negotiation workshop was taught by Professor Mnookin at the new EBS University Law School in Frankfurt, Germany in June 2010.
- Since fall of 2006, Professors Mnookin and Bordone have given negotiation training on an annual basis to the American Academy of Matrimonial Lawyers. This year the course took place on May 21-22 in Santa Monica, CA.
- In April, 2010 PON held a training for students and PON community members called “Managing Emotions Throughout the Mediation Process.” This training taught attendees how to handle these difficult situations and focused on essential skills for every mediator.
- On April 8, 2010 PON Managing Director Susan Hackley and PON Student Interest Group Coordinator Sarah Whitman led a negotiation training in partnership with the Harvard College Leadership Development Institute as part of their Leadership Communication Series. Approximately 40 undergraduate student leaders were in attendance.
- In March PON led a training in partnership with the Harvard Mediation Program called “Mediator’s Toolbox: Key Skills Training” This training provided students and PON community members with an introduction to mediation through a brief overview of the three commonly used tools of mediation - active listening, facilitation, and assumption exploration.
- In January, Professor Max Bazerman taught a 5-day mini-course at Harvard Business School based on TEEM research: *Negotiation and Decision Making: Trust, Emotions, Ethics, and Morality*. The course was open to doctoral students, faculty, MBA students interested in pursuing a research career, and a small number of research-focused undergraduates from throughout Harvard.
- In January 2010, managing director Susan Hackley, with Program Assistant Lisa Witzler, led the “Negotiating Skills and Knowledge Building Workshop” for the Women as Moderating Influences Colloquium 2010. Held at HKS, the workshop and colloquium were organized by the Institute for Inclusive Security, whose goals include advocating for the full inclusion of all stakeholders in peace and security processes around the world.

- In fall 2009, a conference was held at Harvard to explore the academic components of the Abraham Path Initiative, the cultural route of pilgrimage retracing the footsteps of Abraham in the Middle East. Under the leadership of William Ury and James Sebenius, the conference highlighted lessons for the field of negotiation, through a detailed case analysis published by HBS. The Initiative connects with a number of entities at Harvard, including HBS, HDS, the Middle East Initiative at HKS, and the Prince Al Waleed Bin Talal Islamic Studies Center at Harvard University.
- Last August managing director Susan Hackley led a negotiation skills workshop at HLS for The Women2Women International Leadership Conference Cultural Exchange. The program is sponsored by Empower Peace, a Boston-based nonprofit organization. The Women2Women conference is a five-day forum aimed at empowering future young women leaders from the Middle East, Near East, and the United States. Susan has been part of the program since it launched in 2005 and received a leadership award for her contributions.

iv. Events

- The Herbert C. Kelman Seminar Series on Negotiation, Conflict, and the News is held about once a month throughout the academic year. The series is sponsored by the Program on Negotiation, the Nieman Foundation for Journalism, the Weatherhead Center for International Affairs, the Joan Shorenstein Center on the Press, Politics, and Public Policy, and the MIT-Harvard Public Disputes Program, as well as Boston area members of the Alliance for Peacebuilding. Kelman Seminars and speakers this year included, among others:
 - Jorge I. Dominguez and Anita Snow spoke as part May 4th at a seminar entitled “The Future of Cuba, Cuban-Americans, and the U.S. Government: Reconciliation or War Crime Tribunals and Property Restitution?”
 - Ambassador Peter W. Galbraith spoke April 13th at a seminar entitled “Afghanistan: How to end the violent conflict and promote reconciliation.”
 - James Reynolds, China Correspondent for BBC News and International Nieman Fellow and PON Managing Director Susan Hackley spoke September 15th at the kickoff event, titled “In the Global Village, Can War Survive?”
- “Oil and Conflict: A View from the Front Lines” – April 15, 2010. A media presentation and discussion of the role oil plays in global conflict. Peter Maas, New York Times Magazine writer and author of *Crude World: The Violent Twilight of Oil*, discussed the power of oil to fan the flames of existing problems and harm countries that possess large quantities of it. His work has taken him to Iraq, Saudi Arabia, Russia, Nigeria, Venezuela, and Kuwait. Photographer Ed Kashi shared his photographs and multimedia work on the Niger Delta, focusing on issues of oil, development, environmental and economic destruction, and sustainability. Co-sponsored by PON, the Nieman Foundation for Journalism, and the Shorenstein Center on the Press, Politics, and Public Policy.

- “The Brazilian Experience on Dispute Systems Design (DSD): the TAM and Air France cases” - April 6, 2010. Diego Faleck, LL.M. '06, spoke of his perspective on international negotiation as Chief of Staff of the Secretariat of Economic Law of the Ministry of Justice in Brazil.
- “Mediation and Your Career: Jobs as a Mediator and Marketing Your Mediation Skills Everywhere Else” - March 31, 2010. Co-sponsored with the Harvard Mediation Program, this lunchtime discussion with ADR practitioners provided an opportunity for students to learn about the ways in which mediation professionals apply their mediation skills in their day-to-day jobs.
- “Armed Conflicts: Root Causes, Perpetuating Factors and Lessons Learned” - March 31, 2010. Susan Hackley joined Kathleen Kern of Christian Peacemaker Teams and Dr. Eric Schiller of University of Ottawa at a panel discussion held at Clark University. The panel was sponsored by Clark University’s Department of International Development, Community and Environment.
- “Alternative Dispute Resolution in the Federal Government: What’s up at the Federal Energy Regulatory Commission and elsewhere?” with Deborah Osborne - March 4, 2010. Co-sponsored with Harvard Negotiation and Mediation Clinical Program, Deborah Osborne spoke about her experience at Group Manager of the Dispute Resolution Service in the Federal Energy Regulatory Commission.
- “Peacebuilders in Action - Search for Common Ground” - February 24, 2010. Susan Collin Marks, Senior Vice President of Search for Common Ground (SFCG) spoke of Common Ground's mission and work as a global conflict transformation organization with 400 staff working out of offices in 20 countries. SFCG produces soap operas in 15 countries, operates the Common Ground News Service in the Middle East, builds consensus among polarized communities in the US, and works with children and youth worldwide to prevent conflict and heal the wounds that are caused by conflict.
- *Bargaining with the Devil* Book Release - February 4, 2010. Co-sponsored by PON, Harvard Law School and Facing History and Ourselves, this event celebrated the publication of Professor Mnookin’s new book, *Bargaining with the Devil: When to Negotiate, When to Fight*.
- “Northern Ireland Peace Process: What Then, What Now, What Next” - December 2, 2009. Held at the Harvard Kennedy School, this event was co-sponsored by PON, the Belfer Center for Science and International Affairs and the Minda de Gunzburg Center for European Studies. The Right Honorable Shaun Woodward MP, the UK’s Secretary of State for Northern Ireland, led a discussion on his perspective on the events that led to devolution, the fragile peace enjoyed by all sides today and prospects for building greater peace tomorrow.
- “PON Summer Fellows Brown Bag Lunch” - October 30, 2009. PON 2009 Summer Fellows shared their experiences with students and faculty at this brown bag lunch.

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

i. PON 2009-2010 Graduate Research Fellow

The Program on Negotiation hosted one graduate research fellow for the 2009-2010 academic year:

Sreedhari D. Desai

Ph.D. Candidate in Organizational Behavior, University of Utah

Sreedhari's research investigates how individuals behave in organizations, with a focus on ethical decision making and fairness. Her dissertation, entitled, "Warding off organizational vampires: Moral cues and social norms as a necklace of garlic," examines the possibility of offering employees a safe way in which they may prevent their superiors from asking them to perform unethical acts. Specifically, she investigates whether employees may dissuade their superiors from issuing unethical directives by exposing them to cues related to ethics. If displaying cues such as moral quotations at the bottom of emails, pictures of ethical leaders in one's cubicle, or religious accessories on one's person can trigger implicit psychological processes in superiors' minds such that without realizing it, they feel discouraged from asking their subordinates to engage in unethical acts, then the latter may have a way of saying "no" without fearing subsequent retaliation. Sreedhari holds an M.S. in Finance from the University of Utah and a B.S. in Metallurgical Engineering from the Punjab Engineering College.

ii. 2009-2010 Visiting Scholars & Researchers

Lin Adrian

Ph.D. Candidate, University of Copenhagen

Lin Adrian was in residence at PON for three months in the spring of 2010. Her current doctoral research examines court-annexed mediation in Denmark. The primary aim of her work is to see to what extent the court-annexed mediation process in theory and practice differs from adjudication with regard to the role of the mediator, the role of parties, and role of the law. While in Cambridge, she explored Massachusetts mediation systems. Lin was able to observe mediations in civil court cases while also researching the more theoretical and legal aspects of mediation in Massachusetts.

Gonga Gunnay

Izmir University of Economics

Dr. Gonga Gunay joined PON as a Visiting Scholar as part of the Fulbright Program, working with Professor Max Bazerman. Dr. Gunay is at Izmir University of Economics in Izmir, Turkey.

Ned Lazarus

Ph.D. Candidate, School of International Service, American University

Lazarus's research is a long-term evaluation of US-based peace education programs for Israeli and Palestinian youth. His dissertation combines qualitative and quantitative methods to track the peace-building activity of more than 800 Israeli and Palestinian graduates of the largest such program, Seeds of Peace, from 1993 to the present. Entitled Conflict, Identity and Intervention: The American Generation of Israeli-Palestinian Encounters, the study focuses on the effects of dramatic changes in personal, organizational and conflict contexts on graduates' commitments to peace-building. Before beginning his doctoral studies at American University's School of International Service, Lazarus served as Program Director at the Seeds of Peace Jerusalem

Center for Coexistence from 1996-2004. His research is inspired and informed by work experience in the Middle East, and research conducted as a 2007-08 "Peace Scholar" Dissertation Fellow at the United States Institute of Peace.

David Dixon

M.A. Candidate, Harvard Graduate School of Education

Captain David Dixon joined the Program on Negotiation as visiting researcher for the summer of 2010. He worked closely with PON faculty member Professor Michael Wheeler on three projects including working with the not-for-profit Consensus Building Institute to extend their negotiation training for Army Stryker forces in Afghanistan.

iii. PON Summer Research Fellowship Program

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

This past summer, seven graduate students were selected: Jasmine Barrett (Fletcher), Arielle Berney (Fletcher), Cassidy Evans (U-Mass Boston), Ariel Heifetz (Fletcher), Jessica Heinzelman (Fletcher), Patrick Karurewa (Fletcher), and Orlee Rabin (Brandeis). The fellows investigated a range of topics including: NGO partnership development with North Korea, post-conflict recovery in Sri Lanka, and the use of modern technology and "crowd sourcing" in evaluating ongoing crises.

iv. Student Teaching and Research Assistants

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

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

v. 2009-2010 PON Interns & Student Assistants

PON brought in several student assistants and interns during the 2009-2010 academic year. Caleb Waldron, a student at Kalamazoo College, spent the summer of 2009 working on several projects for the PON Clearinghouse. Jessica Gustin (JD Candidate, Northeastern University, MPH candidate, Tufts University) spent the academic year at PON working primarily on the

PON website. HLS 2L Charline Yim returned to PON as a part-time student assistant and Cindy Guan, a recent graduate of Colby College, spent a month at PON working on the 2010 Harvard Negotiation Institute as part of the Summer Search program.

3. Teaching (Contributions to HLS Teaching Program)

a. Courses at Harvard Law School

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

- Bargaining with the Devil: Negotiation and the Problem of Evil: Seminar
Professor Robert Mnookin, Fall 2009

- Negotiation Workshop
Professor Robert Mnookin, et al., Winter 2010; Professor Robert Bordone et al., Spring 2010

- Corporations
Professor Guhan Subramanian, Fall 2009

- Law And Business Seminar: Reading Group
Professor Guhan Subramanian, Full Year

- Dispute Systems Design: Seminar
Professor Robert Bordone, Fall 2009

- Negotiation and Mediation Clinical Workshop
Professor Robert Bordone, Stephan Sonnenberg, Spring 2010

- Advanced Negotiation Theory
Visiting Professor of Law, Lawrence Susskind, Fall 2009

- International Negotiation
Assistant Professor Gabriella Blum, Winter 2010

- Mediation
Lecturer on Law David Hoffman, Spring 2010

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. Detailed information is on each school's website as well as in the Dispute Resolution Directory, available on PON's website.

b. Executive Education

PON has established itself as one of the world's outstanding executive negotiation training institutions. The [Executive Education Series](#) is designed to help participants become successful negotiators, deal with difficult people and hard bargainers, and manage conflict productively.

Thousands of business leaders, government officials, corporate trainers, and corporate counsel have participated in these negotiation training courses offered by the Program on Negotiation in partnership with The Langfords Group. PON-affiliated faculty teach the workshops. This year PON invited select City of Cambridge employees to attend the courses free of charge.

c. Teaching Materials and Curriculum Development: The PON Clearinghouse

The Program on Negotiation publishes a range of teaching materials related to negotiation and alternative dispute resolution, including role simulations, other interactive exercises, and instructional videos. Many of these materials are used in the HLS Winter and Spring Negotiation Workshops, the PON Seminars, and the Harvard Negotiation Institute workshops. PON distributes these teaching materials through its pedagogical resource center, the [PON Clearinghouse](#).

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

The Clearinghouse continually develops new resources for teaching and learning about negotiation and dispute resolution. The 2009-2010 year saw the release of several new role simulations and three new books by PON faculty.

d. NP@PON: Negotiation Pedagogy at the Program on Negotiation

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

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

- Contribute to the growing field of negotiation pedagogy through research and publications;
- Support both experienced and next-generation negotiation educators through workshops, idea exchanges, and other educator-focused events;
- Foster connections between communities of negotiation educators and education scholars;
- Develop and distribute teaching materials that are useful in skills-based negotiation instruction;

- Explore and test the application of new technologies to improve teaching and learning about negotiation; and
- Help PON reach new audiences of negotiation practitioners and students through workshops, seminars, and other educational activities.

This past year, NP@PON hosted two faculty dinners. The first focused on the teaching of “micro-skills” in negotiation. Bruce Patton of Vantage Partners and one of the founders of the Harvard Negotiation Project was the presenter. The second focused on the use of video in negotiation instruction. Hallum Movius of the Consensus Building Institute was the presenter. Based on the discussion that followed, there was a clear agreement among the faculty present that PON and the Clearinghouse ought to invest in a new generation of web-based video teaching materials.

Negotiation Journal devoted most of a special issue to publication of the papers that grew out of the Communication and Negotiation Workshop that Professor Larry Susskind (MIT) and Phil Glenn (Emerson) organized in 2009 under NP@PON auspices.

NP@PON continued publication of its electronic newsletter, *Teaching Negotiation*, which is circulated twice a year to over 6,000 negotiation educators worldwide.

e. The Harvard Negotiation Institute at the Program on Negotiation

The Harvard Negotiation Institute (HNI), which takes place on the HLS campus, continues to provide a popular training opportunity for both lawyers and non-lawyers interested in improving their negotiation and mediation skills. There were 300 participants in this year’s workshops, which are held in June and during flyout week at HLS. Information about the courses offered this year can be found on page 21 and our [website](#).

f. 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 to increase public awareness and understanding of effective dispute resolution principles. Additional information about this year’s courses can be found on page 22.

4. Student Participation

Central to PON’s mission is mentoring and partnering with students. In addition to taking negotiation courses, students are always welcome at PON; many serve on committees, cosponsor events with PON, assist faculty, and become involved in the PON Student Interest Group which now has over 1100 members. 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 brings together over 1100 students who are interested in conflict resolution and negotiation from Harvard University, MIT, Simmons College, Tufts, Brandeis, UMass Boston and other Boston-area schools. The Student Interest Group offers support to students in

organizing events and discussion groups, and provides opportunities for students to connect with each other and with faculty to learn more about the field. Subscribers to the SIG email list receive bi-weekly updates of events, internships and job announcements. In addition to speaker events and a career series, the SIG supports student-led discussion groups (see below).

b. 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. The \$1000 prize is awarded to the best student paper on a topic related to negotiation, dispute systems design, mediation, dispute resolution or ADR. The 2009 Fisher/Sander Prize was awarded in May to Jamison Davies (HLS '11), for his paper "Formalizing Legal Reputation Markets."

c. Raiffa Doctoral Student Paper Award

This prize was established by PON in 2008 in honor of Professor Howard Raiffa, Frank Plumpton Ramsey Professor of Managerial Economics, Emeritus. The annual prize of \$1000 is awarded to a doctoral student at Harvard, MIT, or Tufts, with the best research paper on a topic relating to negotiation, competitive decision-making, dispute resolution, mediation, or ADR. Nour Kteily, a Ph.D. candidate in Psychology at Harvard was this year's winner for his paper entitled "Getting to the Table: Factors Affecting the Willingness of Israelis and Palestinians to Negotiate."

d. Religion, Conflict and Peace Student Discussion Group

During 2009-2010, the Religion, Conflict and Peace Student Discussion Group (RCP) continued to offer events for students interested in the relationship between religion and conflict. The oldest PON Student Discussion Group, RCP events and meetings continue to draw large groups of students from HLS and other consortium schools.

e. Support for Student Leaders

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

PON Managing Director Susan Hackley and PON Student Interest Group Coordinator Sarah Whitman also led a negotiation training in partnership with the Harvard College Leadership Development Institute as part of their Leadership Communication Series. Approximately 40 undergraduate student leaders were in attendance at this workshop in April, 2010.

f. Career Development Events

Designed to collect and disseminate information on internship opportunities in the field, the Internship Fair connects students with recruiters from various Boston-area organizations conducting work in negotiation and dispute resolution. This year, we held a "virtual" Internship Fair during which the internship opportunities from 18 different organizations were posted online for a week. The feedback from students and recruiters was very positive. Students greatly appreciated the accessibility of the online fair while recruiters reported a large increase in quality applications for their internships.

g. Summer Fellowship Program

The [PON Summer Fellowships](#) are grants to students who are undertaking internships or unpaid summer research projects in negotiation and dispute resolution. The Fellowship Program's emphasis is on advancing the links between scholarship and practice in negotiation and dispute resolution by supporting students interested in exploring career paths, either professional or academic, in this field. Information about the 2010 fellows can be found on page 14.

h. Graduate Student Grants Program

For the third year, PON offered its Graduate Student Grants Program to encourage scholarship in the fields of negotiation and conflict resolution, with the aim of supporting cutting edge research at the graduate level.

Four grants were awarded this academic year to support research on a range of topics, including designing new multiparty negotiation exercises and Buddhist foundations of Tibetan policy towards China.

i. Student Teaching & Research Assistants

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

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

j. Harvard Negotiation Law Review

The [Harvard Negotiation Law Review](#) (HNLR) continues its mission to advance Alternative Dispute Resolution (ADR) scholarship and knowledge. Along with Professor Sander, PON Chair Robert Mnookin and Professor Bordone serve as faculty advisors to HNLR.

k. The PON Film Series & Other Special Events

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

The 2009-2010 Film Series dealt with a wide variety of topics. PON screened several short films from the Abraham Path Initiative (see page 5) in the fall. PON Co-Founder and Chair of the

Abraham Path Initiative William Ury led the discussion of films documenting the Initiative's work in Turkey, Jordan, and Palestine.

Other special events open to students and the public included:

- "Oil and Conflict: A View from the Front Lines"
- "Afghanistan: How to end the violent conflict and promote reconciliation"
- "Alternative Dispute Resolution in the Federal Government: What's up at the Federal Energy Regulatory Commission and elsewhere?"
- "Mediation and Your Career: Jobs as a Mediator and Marketing Your Mediation Skills Everywhere Else"
- "Armed Conflicts: Root Causes, Perpetuating Factors and Lessons Learned"
- "Peacebuilders in Action – Search for Common Ground"
- "Northern Ireland Peace Process: What Then, What Now, What Next"
- "Gender Differences in Negotiation: Personality or Strategy?"

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. PON faculty look to PON as a focal point for their work in negotiation and conflict resolution and engage through a number of activities. They develop and serve as chair of conferences and seminars, give presentations on their research, work with students on both faculty and student scholarship, mentor students, teach and train diverse groups both at HLS and elsewhere and to groups in the US and abroad, and, working with managing director Susan Hackley, oversee all of PON's many enterprises, including the Clearinghouse publications center and the executive education workshops. PON faculty and associates also engage with diverse audiences through writing op-eds and articles, giving media interviews, and being available as a resource on negotiation aspects of current events. Throughout this report is evidence of the committed involvement of a number of faculty, most of whom have been involved for ten or more years.

6. Other Contributions to the HLS Community

PON and our research programs offer a wide variety of opportunities to the HLS community throughout the year. The Harvard Negotiation Institute takes place twice a year on the HLS campus, and PON and HLS share equally in the profits. In addition to bringing over 300 lawyers and professionals annually to HLS, HNI gives HLS students the opportunity to hone their teaching skills by working as Teaching Assistants during the program.

At the start of every school year PON hosts an open house that is open to HLS students and the broader public. This event serves as a wonderful opportunity to let students and others know about our research programs, events, and ways that they can become more involved with PON. This is one of our most popular events and drew over 125 people to campus last fall.

PON has an extensive library with a wide variety of materials relating to negotiation and conflict resolution. This browsing library is open to all students and serves as an excellent resource. The library is also available for students to use as a meeting space.

The Global Negotiation Initiative (page 5) has also been working on a number of student exchange activities to enable Harvard students to experience the Abraham Path.

Finally, PON events are not only open to students but the broader HLS community and beyond. Our events are attended by students, faculty, staff, and the general public and provide the opportunity for many people to learn about negotiation and conflict resolution.

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 give presentations to groups around the world on negotiation. Faculty also teach at the Harvard Negotiation Institute (page 21) including the Two-Day Intensive Negotiation Workshop for Lawyers & Working Professionals. Furthermore, publications from PON faculty in *Negotiation Journal*, *Harvard Negotiation Law Review*, and *Negotiation* newsletter continue to spread the concepts of alternative dispute resolution to a wide audience throughout the world, including numerous practicing lawyers, judges and academics.

8. Connections to the Profession

a. Research

In addition to research described beginning on page 3, articles and presentations by PON faculty and associates enable PON to bring its work to a broader audience.

[The Negotiations Research Network](#) (NEG), part of the Social Science Research Network (SSRN), is an on-line venue providing access to scholarly articles and professional announcements of interest to the negotiation and dispute resolution community. Directed by PON Executive Committee member Max H. Bazerman, NEG is one of a number of specialized networks that SSRN has organized for the worldwide dissemination of research in all of the social sciences.

b. The Harvard Negotiation Institute at the Program on Negotiation

The Harvard Negotiation Institute at the Program on Negotiation offers week-long workshops in negotiation and mediation with members of the Harvard Faculty. Workshops are held in June and September of each year and meet Monday through Friday, 9AM to 5PM, at the Harvard Law School campus.

The workshops are open to lawyers and others seeking comprehensive learning in negotiation and mediation. Participants from over thirty countries attended this year's workshops, demonstrating the global reach of PON in the areas of law, business and government, as well as the non-profit sector.

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

The 2009-2010 courses were:

Mediation Workshop

Professor Emeritus Frank Sander, Michael Lewis and Linda Singer

Negotiation Workshop: Tools for Preparing to Negotiate Effectively

Bruce Patton, Co-Founder and Distinguished Fellow, Harvard Negotiation Project

Two-Day Intensive Negotiation Workshop for Lawyers & Working Professionals

Professor Robert Bordone

Advanced Negotiation Workshop: Deal Design & Implementation

Professor Guhan Subramanian and David Lax

Negotiation Workshop: Creating Value in Deals & Disputes

Professor Robert Bordone and

Michael Moffitt, Professor of Law at the University of Oregon

Advanced Negotiation Workshop: Difficult Conversations

Bruce Patton, Co-Founder and Distinguished Fellow, Harvard Negotiation Project,

Sheila Heen, Lecturer on Law; Affiliate, Harvard Negotiation Project, and

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

c. Executive Education Programs

The Program on Negotiation is among the world's outstanding executive negotiation training institutions. Business leaders, government officials, corporate trainers, and corporate counsel are among the nearly 900 people who participated this year in negotiation training courses offered by PON in partnership with The Langfords Group.

d. PON Seminars

Open to participants from all disciplines and professional fields, the [PON Seminars](#) provide negotiation and mediation courses to the community. These semester-length courses are designed to increase public awareness and understanding of effective dispute resolution principles. The course attracts a wide variety of students including diverse members of the community, Harvard staff, and students from area colleges and universities that do not offer negotiation courses.

Two courses are taught each year: Negotiation and Dispute Resolution in the fall, and Mediation and Conflict Management in the spring. Both courses provide participants with a conceptual framework and practical advice for professional and personal development in dispute resolution and are taught by HLS graduates.

e. Dispute Resolution Forum

PON's Dispute Resolution Forum (DRF) is a practitioner-oriented forum for ADR professionals, scholars, and graduate students from the greater Boston area. It is a venue in which PON's commitment to improving the theory and practice of negotiation and conflict resolution is

invigorated by the ideas and experiences of practitioners. DRF activities bring the work of scholars in the many disciplines involved in alternative dispute resolution to the attention of practitioners and provide an opportunity for members to trade information, compare experiences, and gain new perspectives. On average some 50 people, including community mediators, faculty, and students, attend each session.

The Spring 2010 Dispute Resolution Forum was: “Alternative Dispute Resolution in the Federal Government: What’s up at the Federal Energy Regulatory Commission and elsewhere?” with Deborah Osborne, Group Manager, Dispute Resolution Service, Federal Energy Regulatory Commission.

f. PON Web Sites

The PON site (<http://www.pon.harvard.edu>), which receives approximately **25,000 visits per month**, describes PON and its component research projects, publicizes PON activities, and supports communication with PON’s community of scholars and practitioners. The PON Clearinghouse site (www.pon.org) serves as PON’s curricular resource center, offering a wide range of negotiation-related teaching materials and services to its constituency of educators and practitioners.

PON continually works to advance the content and usability of its websites. PON has posted videos on YouTube and is using Twitter and Facebook to keep interested parties up to date. PON has worked very hard to update the website in order to make the site more user-friendly.

Since last year, PON has worked closely with the Mequoda Group, an external consultant, to develop an enhanced online marketing system able to drive traffic and efficiently process credit card transactions. Since beginning this work, the number of visitors to the PON site has increased by close to 10,000 people per month.

In September 2009 PON received preliminary approval from HLS CIO Benoit Gaucherin, to move its website from the Harvard servers to a server hosted by Rackspace. PON’s increased online marketing activities precipitated the need for more reporting and tracking capabilities. For example, sending out over 20,000 emails often caused the site to crash, and this impacted the effectiveness of marketing campaigns and reporting.

Working with Ben Gaucherin, we identified a process for university approval and worked with various departments to ensure that PON was compliant across domains. We consulted with Scott Bradner, Harvard University’s Technology Security Officer, to review the site for technology security; Gene Madden of Cash Management advised us on PCI Compliance (Rackspace is on his list of PCI compliant vendors and at Gene’s suggestion we wrote in Trustwave scans to our contract. Monthly Trustwave scans protect the site against any security threats that could develop). Rick Calixto and Eric Harris of the Harvard Trademark Program provided a Use of Name review, and Ben Gaucherin monitored our progress. After receiving approval from the various parties, PON had the Office of General Counsel review our proposed contract with Rackspace and in December of 2009 we made a successful transition.

9. Collaborations with Other Departments & Schools

a. Consortium Structure

PON is an inter-university consortium created by the Presidents of Harvard, MIT and Tufts. 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, and other Boston-area schools. Through its various research programs, teaching activities, the Student Interest Group, and public events, PON continued to benefit from its interdisciplinary nature throughout the academic year as it brought together scholars from various departments and universities. While faculty from other Boston-area schools participate in our activities, the consortium is managed by an Executive Committee representing the three schools. The PON Executive Committee is chaired by Professor Robert Mnookin, and the three Vice-Chairs of PON are James Sebenius (Practice-Focused Research), Guhan Subramanian (Research), and Lawrence Susskind (Instruction). Max Bazerman, Jeswald Salacuse, and Iris Bohnet are also members of the PON Executive Committee.

b. Inter-departmental & Inter-University Events

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

- With the Center for Public Leadership, PON cosponsored the International Association for Conflict Management's 23rd annual conference in June 2010. The conference featured a combination of poster and paper sessions, workshops, symposia, and roundtables.
- The Global Negotiation Initiative (GNI) has been working collaboratively with a number of entities at Harvard to further the academic aspects of the Abraham Path Initiative, including the Harvard Business School, Harvard Divinity School, the Middle East Initiative at the Kennedy School of Government, and the Prince Al Waleed Bin Talal Islamic Studies Center.
- Trust, Emotions, Ethics, and Morality in Negotiation (TEEM) held a 5-Day mini-course at the Harvard Business School. More information on TEEM and the course can be found on page 3.
- The Herbert C. Kelman Seminar Series on Negotiation, Conflict, and the News is sponsored by the Program on Negotiation, the Nieman Foundation for Journalism, the Weatherhead Center for International Affairs, the Joan Shorenstein Center on the Press, Politics, and Public Policy, and the MIT-Harvard Public Disputes Program, as well as Boston area members of the Alliance for Peacebuilding. These discussions were held approximately once a month during the academic year, bringing together international journalists with negotiation experts.
- PON and the Harvard Mediation Program co-sponsored a monthly series of mediation workshops and brown bag lunches designed for students interested in mediation as a personal and professional tool.

- In fall 2009, a conference was held at Harvard to explore the academic components of the Abraham Path Initiative, the cultural route of pilgrimage retracing the footsteps of Abraham in the Middle East. Under the leadership of William Ury and James Sebenius, the conference highlighted lessons for the field of negotiation, through a detailed case analysis published by HBS. The Initiative connects with a number of entities at Harvard, including HBS, HDS, the Middle East Initiative at HKS, and the Prince Al Waleed Bin Talal Islamic Studies Center at Harvard University.
- “Oil and Conflict: A View from the Front Lines” – April 15, 2010. A media presentation and discussion of the role oil plays in global conflict. Peter Maas, *New York Times Magazine* writer and author of *Crude World: The Violent Twilight of Oil*, discussed the power of oil to fan the flames of existing problems and harm countries that possess large quantities of it. This event was co-sponsored by PON, the Nieman Foundation for Journalism, and the Shorenstein Center on the Press, Politics, and Public Policy.
- “The Brazilian Experience on Dispute Systems Design (DSD): the TAM and Air France cases” - April 6, 2010. Diego Faleck, LL.M. '06, spoke of his perspective on international negotiation as Chief of Staff of the Secretariat of Economic Law of the Ministry of Justice in Brazil.
- “Armed Conflicts: Root Causes, Perpetuating Factors and Lessons Learned” – March 31, 2010. Susan Hackley joined Kathleen Kern of Christian Peacemaker Teams and Dr. Eric Schiller of University of Ottawa at a panel discussion held at Clark University. The panel was sponsored by Clark University’s Department of International Development, Community and Environment.
- “Alternative Dispute Resolution in the Federal Government: What’s up at the Federal Energy Regulatory Commission and elsewhere?” with Deborah Osborne – March 4, 2010. Co-sponsored with Harvard Negotiation and Mediation Clinical Program, Deborah Osborne spoke about her experience at Group Manager of the Dispute Resolution Service in the Federal Energy Regulatory Commission.
- “Peacebuilders in Action – Search for Common Ground” – February 24, 2010. Susan Collin Marks, Senior Vice President of Search for Common Ground (SFCG) spoke of Common Ground's mission and work as a global conflict transformation organization with 400 staff working out of offices in 20 countries. SFCG produces soap operas in 15 countries, operates the Common Ground News Service in the Middle East, builds consensus among polarized communities in the US, and works with children and youth worldwide to prevent conflict and heal the wounds that are caused by conflict.
- *Bargaining with the Devil* Book Release – February 4, 2010. Co-sponsored by PON, Harvard Law School and Facing History and Ourselves, this event celebrated the publication of Professor Mnookin’s new book, *Bargaining with the Devil: When to Negotiate, When to Fight*.

- The *Harvard Negotiation Law Review* held a symposium in February entitled “The Negotiation Within” which examined the interplay of negotiation theory and conflict within oneself. It featured a number of PON associated professors as well as a panel discussion.
- “Northern Ireland Peace Process: What Then, What Now, What Next” – December 2, 2009. Held at the Harvard Kennedy School, this event was co-sponsored by PON, the Belfer Center for Science and International Affairs and the Minda de Gunzburg Center for European Studies. The Right Honorable Shaun Woodward MP, the UK’s Secretary of State for Northern Ireland, led a discussion on his perspective on the events that led to devolution, the fragile peace enjoyed by all sides today and prospects for building greater peace tomorrow.
- The Program on Negotiation has been involved since the beginning this year of the Harvard Publishers Network, a new organization for those working at Harvard who have commercial publishing operations. Held at HMS, the first meeting included representatives from Harvard Business Publishing, Harvard University Press, Harvard Magazine, Harvard President’s Office, School of Education Press, Harvard Health Publications, and PON. In addition to sharing best practices and experiences, the group explores ways to collaborate across schools.
- The Public Disputes Program continues its work on collaborative approaches to the management of natural resources. In conjunction with the MIT-USGS Science Impact Collaborative (MUSIC), PDP students worked in Louisiana, Florida and Massachusetts to test the efficacy of collaborative adaptive management and to help develop ways that contending groups at the municipal level might reach agreement on how best to handle the risks associated with climate change. One product of these interactions is a set of role simulations that help local officials and citizen activists to learn ways of managing the risks associated with climate change.
- NP@PON hosted 3 faculty seminars on negotiation pedagogy in the fall of 2009. Presenters included Max Bazerman (HBS), Peter Coleman (Columbia University), and James Sebenius (HBS).
- In September 2009 PON co-sponsored The Reassessing the Nagorno-Karabakh Conflict Symposium at the Fletcher School at Tufts University.
- The PON Film Series and Special Events. The Film Series and our brown bag lunch series provide venues to collaborate with other programs and schools. Additional information about our inter-university events can be found on page 24.

10. Awards, Other Activities & Publications

Over the past year, PON faculty and affiliates received several awards for their work. In addition to the books mentioned on page 8, there were a number of new publications, including several articles by faculty members. PON affiliates were also interviewed by

many different sources, including media outlets, regarding current events and their research. Examples of this year's awards, activities, and publications include:

- Professor Susskind and Professor Larry Crump (Griffiths University in Australia)'s four volume set, *Multiparty Negotiation* (Sage) received the best book of the year award from the International Association for Conflict Management (IACM).
- Sreedhari Desai, a PON Graduate fellow, won the International Association for Conflict Management Graduate Scholarship for two of her papers, "Some Like it Hot: Why Some People Respond Negatively to Procedural Fairness," (co-authored with Drs. Harris Sondak and Kristina Diekmann) and, "When Executives Rake in Millions: Meanness in Organizations" (co-authored with Drs. Arthur Brief and Jennifer George).
- In February Prof. Robert Mnookin was interviewed on National Public Radio's show, "All things considered" about his new book, *Bargaining with the Devil: When to Negotiate, When to Fight*. He was also a featured guest on NPR's Diane Rehm show discussing his new book
- Guhan Subramanian had an article based on his book *Negotiauctions* published in the *Harvard Business Review* in December 2009.
- Prof. Mnookin co-authored an article in *Law and Contemporary Problems* with Alain Verbeke: "Persistent Nonviolent Conflict with No Reconciliation: The Flemish and Walloons in Belgium."
- In an interview with the Boston Globe, Professor Robert H. Mnookin, Chair of the Program on Negotiation at Harvard Law School, responded to the national debate on the arrest of Harvard Professor Henry Lewis Gates, Jr.
- PON affiliate Ehud Eiran was interviewed in June by NPR, the New York Times and Newsweek about the Gaza Flotilla blockade.
- Associate Professor and PON affiliate Hannah Riley Bowles was interviewed about women and salary negotiations for a New York Times article published May 14, 2010.
- Professor Robert Mnookin's *Bargaining with the Devil: When to Negotiate, When to Fight*, was highlighted in Richard Bernstein's New York Times article, "Is it Time to Engage the Taliban?" Bernstein uses Professor Mnookin's most recent book as a framework to discuss whether now is the time for the Obama administration to negotiate with the Taliban regarding Osama bin Laden's extradition.
- Professor Susskind presented the Frank Sander Lecture at the Dispute Resolution Section of the American Bar Association's annual meeting. His talk on "Mediating Values-Based and Identity-Based Disputes" led to the creation of a special ABA Committee to explore possible ways of promoting more widespread use of mediation to help reconcile parties in high-profile public controversies. Students in the HLS Advanced Negotiation course in the Fall of 2009 prepared a detailed Teaching Note (available through the PON Clearinghouse) entitled "Teaching About Mediation of

Values-Based and Identity-Based Disputes.” This note discusses three new role simulations that were tested in that class and are now available through the Clearinghouse.

- PON Executive Committee chair Robert Mnookin was interviewed by the NY Times, New Hampshire Public Radio, and Fox News about Elena Kagan’s Supreme Court nomination.
- PON Professor Frank Sander was interviewed about alternative dispute resolution and the multi-door courthouse by Professor Mariana Hernandez Crespo. PON collaborated with University of St. Thomas School of Law for this interview.
- PON published Volume XVII of *Papers on International Environmental Treaty Negotiation*. Professor Susskind and Professor William Moomaw edited a collection of graduate student papers submitted in their joint International Environmental Negotiation class. The individual papers are downloadable for free from the PON Clearinghouse.
- PON Professor Robert Bordone was featured on CNN discussing what politicians can learn from negotiation experts.
- PON affiliate Ehud Eiran participated in a discussion on the PBS television program The Charlie Rose Show about crisis negotiations and US interactions with Iran.
- PON Professor and Executive Committee member Guhan Subramanian was featured on thedeal.com and in *Forbes India* discussing his book *Negotiauctions: New Dealmaking Strategies for a Competitive Marketplace*.
- PON Chair Prof. Robert Mnookin was a featured guest and interviewed on three different National Public Radio shows about his new book, *Bargaining with the Devil: When to Negotiate, When to Fight*. (See page 4)
- The Front Page of the Boston Globe featured an article on Kenneth Feinberg, President Obama’s “Pay Czar.” Feinberg was a guest lecturer at Professor Robert Bordone’s Dispute Systems Design Course.
- The Boston Globe highlighted PON as “a renowned source of expertise in the field,” in its story, “Iraq latest crucible for Harvard mediation.” Reporting on the work done by conflict resolution professionals at Conflict Management Group in Cambridge, Massachusetts, the article highlighted PON Founder Roger Fisher and noted that “conflict management experts from the Boston area also helped tackle vexing international stalemates, from Northern Ireland to South Africa, Kosovo to China.”
- Professor Max Bazerman, member of the PON Executive Committee and professor of Business Administration at Harvard Business School (HBS), and HBS Ph.D. candidate Chia-Jung Tsay published a working paper titled, “A Decision-Making Perspective to Negotiation: A Review of the Past and a Look into the Future” on August 20, 2009.

- Additional foreign language versions of Professor Lawrence Susskind's *Breaking Robert's Rules*, originally published by Oxford University Press in 2006, were published in Russian, Dutch, and French. The Russian version was re-written with the help of Professor Arthur Demchuck (Moscow State University) who was a PDP Visiting Faculty Associate several years ago. The Dutch version was authored by Frans Evers, a long-time PDP faculty colleague. The French version was prepared by Yann Duzert and long-time PON faculty colleague Alain Lempereur.
- PON managing director Susan Hackley published an article in the Marquette Law Review entitled: *In the Global Village, Can War Survive?*

B. Plans for Academic Year 2010-2011

1. Executive Summary

PON faculty and staff look forward to an exciting year of new and continuing programs and activities that continue to strengthen the connections between theory and practice in the field of negotiation and conflict management.

On September 27, PON will honor and learn from its ninth Great Negotiator, Martti Ahtisaari, Nobel Prize winner and former president of Finland. PON's Vice Chair for Practice-Focused Research, HBS professor James Sebenius, is collaborating with Nicholas Burns, director of the Future of Diplomacy Project at HKS, to plan this seminal PON event. Ahtisaari will be recognized for his "extraordinary achievements in challenging negotiations to resolve conflicts in places such as Namibia, Aceh, and Kosovo."

PON will launch six new One Day Executive Education programs, based on insights from the books written by the faculty member teaching. These courses include: *Bargaining with the Devil*, taught by HLS professor and PON Chair Robert Mnookin; *Deal Making and Negotiauctions*, HLS/HBS professor Guhan Subramanian; *Creating a World-Class Negotiating Organization*, MIT professor Lawrence Susskind; *Managerial Decision Making*, HBS professor Max Bazerman and HKS professor Iris Bohnet; *Negotiating Better International Deals*, Tufts professor Jeswald Salacuse; and *The Power of a Positive No*, Dr. William L. Ury.

2. Research, Scholarship and Project Activities

a. Research Projects

PON will continue to support a broad scope of research in order to recognize the diversity of disciplines that both build on negotiation theory and advance new negotiation concepts. Our scholars represent a wide array of disciplines, including law, psychology, economics, business and management, public policy, sociology, and international relations. They are recognized leaders in the field and contribute their scholarship and expertise in a variety of ways, including through articles, books, mainstream media, online media, and in their teaching. PON oversees a number of faculty-led research projects and initiatives. Throughout the coming year, PON will continue to support several research initiatives, including Trust, Emotions, Ethics and Morality in Negotiation (TEEM), Harvard Negotiation Research Project, Harvard Negotiation Project, MIT-Harvard Public Disputes Program, Dispute Resolution 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. Trust, Emotions, Ethics and Morality in Negotiation

This coming year, PON will continue development of the research initiative Trust, Emotions, Ethics and Morality in Negotiation (TEEM), an effort to create, organize and disseminate a new generation of research that integrates these cutting-edge themes, enhancing scientific and practical understanding of how decisions influence negotiated outcomes. TEEM's goal is to have a concentrated effect by supporting research related to the five project co-directors, Max Bazerman (HBS), Iris Bohnet (HKS), Joshua Greene (FAS), Jennifer Lerner (HKS), and Deepak Malhotra (HBS), and their colleagues.

ii. Harvard Negotiation Research Project

The Harvard Negotiation Research Project (HNRP), directed by PON Chair Robert Mnookin, aims to strengthen the theoretical underpinnings and empirical scholarship related to negotiation and dispute resolution and develop practical tools that translate the theory of dispute resolution into practical processes for parties engaged in conflict. During this next year, the project will focus on (a) the completion of a survey of new developments in behavioral economics and social-cognitive psychology that can illuminate negotiation behavior; and (b) approaches to mitigating “behind the table conflicts” that often impede the resolution of conflicts between ethnic groups.

iii. 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 this year.

The International Negotiation Initiative (INI) continues to expand the role of psychology to address current global concerns, including terrorism and violent conflict. Directed by HLS Lecturer on Law and HMS Assistant Professor Daniel Shapiro, this initiative will continue to build a Global Advisory Network, consisting of business, political and media leaders who support the mission of INI by offering advice, observations about regional or global conflict trends, and recommendations for real-world contexts where INI might field-test ideas.

The Global Negotiation Initiative (GNI) continues to support the academic research dimension of the Abraham Path Initiative, which seeks to inspire and support the opening of a permanent cultural route of pilgrimage and tourism retracing the footsteps of Abraham in the Middle East. GNI will continue to develop a detailed case analysis of the Initiative that will highlight lessons for the field of negotiation. GNI is continuing a number of student exchange activities to enable Harvard students to experience the path. GNI will enhance their collaborative relationships with a number of entities at Harvard to further the academic aspects of the Abraham Path Initiative, including the Harvard Business School, Harvard Divinity School, the Middle East Initiative at the Kennedy School of Government, and the Prince Al Waleed Bin Talal Islamic Studies Center at Harvard University.

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

iv. MIT-Harvard Public Disputes Program

The Public Disputes Program (PDP) continues its work on collaborative approaches to the management of natural resources. PDP continues its on-going research in three areas: (1) international environmental treaty negotiation, (2) consensus building in the public sector, and (3) ensuring that science is given its due in resource management decisions.

v. Dispute Resolution Program

The Dispute Resolution Program (DRP) will continue to promote research and theory-building on the ever-increasing array of alternative dispute resolution mechanisms, with emphasis on how those procedures are best used in conjunction with judicial and regulatory systems. It also promotes the development of innovative teaching materials in this realm. The Multi-Door Courthouse (MDC), a concept originated by DRP founder and Co-Director Frank E. A. Sander, is a system for assessing disputes and recommending alternatives to litigation.

Professor Sander continues to serve as Chair of the Editorial Board of the *Dispute Resolution Magazine*, the quarterly publication of the Dispute Resolution Section of the American Bar Association.

HBS Professor and DRP co-director Michael Wheeler is continuing to write a book, *Wild Negotiation: Mastering Chaos and Winning Agreement*, for HBS Press, and continues to serve as Editor of the *Negotiation Journal*.

The DRP will sponsor breakfast Dispute Resolution Forums (DRF) during the academic year where speakers discuss their negotiation and mediation experiences. These forums are open to area practitioners, faculty, and students. In conjunction with PON, the DRP will continue to publish the Dispute Resolution Directory, an annual catalog of negotiation and conflict resolution courses and internships in the Greater Boston area.

vi. Program on Negotiations in the Workplace

Program on Negotiations in the Workplace Co-Directors Simmons Professor Deborah Kolb and HBS Professor Kathleen McGinn and Lakshmi Ramarajan are working on a project looking at how programs that initially focus on women and work influence other institutions both in and outside the workplace. The project compares the Women's Initiative at Deloitte and Touche, initiated to stem the turnover of women, with SEWA, the Self Employed Women's Association, started in India to help women, especially in rural areas, to receive compensation for their handiwork. As part of that project, the research team has focused on how the Women's Initiative at Deloitte, through several iterations from its founding, has expanded its understanding of gender. From a mission to advance and retain women, the Initiative used gender as a lever to enhance talent at all levels.

Professor Kolb is also working with HBS Professor Robin Ely and Simmons College Distinguished Scholar Joyce Fletcher on a project with a major consulting company to experiment with different ways employees at the individual level and the company at the systemic level can negotiate changes that enable women to become better represented in top leadership roles. A revised version of Kolb's book, *Her Place at the Table*, (with Judith Williams and Carol Frohlinger) is due out in September, 2010.

vii. PON Research Seminar

Co-organized by PON's Vice Chair for Research, Guhan Subramanian, and MIT professor Jared Curhan, the PON Research Seminar invites leading scholars from around the country to speak about their research on negotiation and related fields to a group of PON-affiliated faculty members and doctoral students from the Greater Boston area. Two or three seminars in each of the spring and fall semesters will feature Harvard faculty and outside speakers.

b. New Scholarship

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

- Professor Daniel Shapiro will be teaching a new course at Harvard College called: Freshman Seminar 45s: Negotiation and Conflict Management: Dealing With Emotions and Identity. This highly interactive course will explore a new generation of research and practical tools aimed at addressing the emotional roots of conflict.
- HBS Professor and DRP co-director Michael Wheeler is continuing to write a book, *Wild Negotiation: Mastering Chaos and Winning Agreement*, for HBS Press
- A revised version of Deborah Kolb's book, *Her Place at the Table*, (with Judith Williams and Carol Frohlinger) is due out in September, 2010.

c. PON Graduate Research Fellows

The Program on Negotiation is hosting three graduate research fellows for the 2010-2011 academic year:

Lakshmi Balachandra, Ph.D. Candidate in Organizational Studies, Boston College

Lakshmi is a Phd Candidate at Boston College in Organization Studies. Lakshmi's research focuses on how individuals decide to trust others, in particular in decision-making and negotiation situations. Her dissertation, entitled "Heuristics of Trust: Cues for Trust in Early-Stage Decision-Making" explores the specific behaviors and qualities that develop trust in entrepreneur/investor situations by using videos of entrepreneurs presenting to a group of angel investors and using their real-time investment evaluations. She explores trust through real world decision-making scenarios like videos from the MIT 100K competition or videos from a game show where trust dictates how much each contestant will receive. She has taught negotiation at a variety of business schools, currently at Harvard's Extension School's Management Certificate Program. She teaches a leadership course on improvisation

at the MIT Sloan School of Management, where she received her MBA. She has a BA from the University of Chicago, and has been an entrepreneur, an investment banker, and a professional stand-up comedian.

Yehonatan Givati, Ph.D. Candidate, Department of Economics, Harvard University; S.J.D. Candidate, Harvard Law School

Yehonatan's research focuses on explaining why different countries employ different legal institutions to resolve legal disputes. Specifically, he argues that the varying institutions and policies across countries can be explained by exploring the underlying preferences and circumstances of different countries. For example, why is plea bargaining commonly employed in some countries, while its use is heavily restricted in others? Yehonatan argues that that higher levels of crime and a greater social emphasis on ensuring that guilty individuals are punished lead to a greater use of plea bargaining, while lower levels of crime and a greater social emphasis on ensuring that innocent individuals are not punished leads to less use of plea bargaining. Like plea bargaining many other legal institutions balance competing values, but countries may weigh values differently. Thus, one should consider how these differences filter into the design of legal institutions across countries.

Linn Normand, DPhil Candidate in International Relations at the University of Oxford

Linn completed her BA degree in Social and Political Sciences at the University of Cambridge followed by a year as a Herchel Smith Scholar at Harvard University. She obtained her MPhil degree in International Relations at the University of Oxford where she stayed on to pursue her doctorate. Her doctoral thesis investigates the phenomenon of demonization in international politics. As a PON pre-doctoral research fellow, her research will focus on the role hostile perceptions of the opponent play in constraining diplomatic attempts at conflict resolution and negotiations. Her case studies include US-Iran and Israel-Palestine.

d. Visiting Scholars & Fellows

Talia Fisher, Tel Aviv University

Talia Fisher will be in residence at PON as a Visiting Scholar for the academic year. Talia is the director of the Taubenschlag Institute of Criminal Law at Tel Aviv University, where she also teaches ADR, Negotiation Theory, and Evidence Law Theory. She was at PON finishing her dissertation from 2002-2003 and joins PON now while on sabbatical. Talia will be continuing her research on privatization of law and evidence, dispute resolution and negotiation theory.

e. The PON Great Negotiator

On September 27, PON will honor and learn from its ninth Great Negotiator, Martti Ahtisaari, Nobel Prize winner and former president of Finland. PON created the Great Negotiator Award in 2000 to recognize an individual whose lifetime achievements in the field of negotiation and dispute resolution have had a significant and lasting impact. PON has recognized a diverse cast of distinguished negotiators from their respective fields: Christo and Jeanne-Claude, the artists who created "The Gates" in Central Park (2008); Bruce Wasserstein, Chairman and CEO of

Lazard, an international financial advisory and asset management firm (2007); Sadako Ogata, former United Nations high commissioner for refugees (2005); Richard Holbrooke, former United States ambassador to the United Nations (2004); Stuart Eizenstat, former U.S. ambassador to the European Union (2003); Ambassador Lakhdar Brahimi, the United Nations' special envoy for Afghanistan (2002); Charlene Barshefsky, U.S. trade representative in the second Clinton administration (2001); and former U.S. Senator George Mitchell for his work in Northern Ireland (2000).

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 15 in the coming year. These include:

- Courses at Harvard Law School
- The Harvard Negotiation Institute at the Program on Negotiation
- Executive Education
- Teaching Materials and Curriculum Development: The PON Clearinghouse
- NP@PON: Negotiation Pedagogy at the Program on Negotiation
- The PON Seminars

4. Participation of HLS Students in Program Activities

PON plans to continue to provide support to its network of over 1100 students through the Student Interest Group. In addition to taking negotiation courses, students are always welcome at PON; many serve on committees, cosponsor events with PON, assist faculty, and work as student teaching and student research assistants. Examples of upcoming events include:

a. Negotiation and Dispute Resolution Information Session - September 2010

Professor Robert Bordone will hold an information session for HLS students interested in programs related to negotiation, mediation and alternative dispute resolution including the Harvard Negotiators, Harvard Mediation Program, the Harvard Negotiation Law Review, and the Harvard Negotiation and Mediation Clinical Program.

b. PON Open House for Students - September 2010

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

c. PON Brown Bag Lunch Series - September 2010

PON also plans on resuming the Brown Bag Lunch series this September when the students return to campus.

d. Film Series Plans

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

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 looking for new and innovative ways to contribute to the HLS community. In addition to exploring additional ways that PON can expand their role in the HLS community, we will continue to offer the opportunities listed on page 20 such as:

- Ongoing support of the Harvard Negotiation and Mediation Clinical Program's work
- Access to the PON browsing library to all students
- Providing meeting and office space to the *Harvard Negotiation Law Review*
- PON events will remain open to all students, staff, and members of the public

7. Law Reform & Advocacy

Please refer to page 21 for information on our ongoing efforts in law reform and advocacy.

8. Connections to the Profession

a. Research

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

b. The Harvard Negotiation Institute

PON will offer the Harvard Negotiation Institute mediation course this September during fly-out week and several courses next June on the HLS Campus. We hope to provide even more lawyers and working professionals the opportunity to learn about negotiation and mediation and implement these skills in their day-to-day personal and professional lives.

c. Executive Education Programs

As mentioned previously, for the fiscal year 2010-2011 PON has again contracted with The Langfords Group, a Washington DC area firm to market PON's executive education courses. This year we will also begin offering one-day author sessions with PON Faculty. These courses include:

- "The Power of a Positive No" with William Ury
- "Managerial Decision Making" with Max Bazerman and Iris Bohnet
- "Deal Making and Negotiations" with Guhan Subramanian
- "Creating a World-Class Negotiating Organization" with Lawrence Susskind
- "Bargaining with the Devil" with Robert Mnookin
- "Negotiating Better International Deals" with Jeswald Salacuse

d. PON Seminars

Once again this fall PON will offer the PON seminar: Negotiation and Dispute Resolution. In the spring, PON will again offer the Mediation and Conflict Resolution. Additional information about this program can be found on page 22.

e. PON Websites

PON continually works to advance the content and usability of its websites. Last May PON unveiled a new, search-engine optimized website. Moving forward PON hopes to continue to successfully expand the readership of its popular *Negotiation Insider* emails that now reach more than 28,000 readers. In addition, PON faculty and staff are constantly working on developing new content to include on the website that will be of value to both the academic community and the general public.

f. The Alliance for Peacebuilding

Susan Hackley served for the third year as Chair of the Board of Directors of the Alliance for Peacebuilding, a Washington, D.C.-based organization, a coalition of diverse organizations and professionals working together to build sustainable peace and security worldwide. The Program on Negotiation is a member organization.

9. Collaborations with other Schools and Departments

As an inter-university consortium PON is able to draw upon the broad range of interests and areas of expertise of our affiliated faculty throughout the year. The interdisciplinary nature of PON generates many opportunities throughout the year for collaboration with other schools and departments. We will continue to sponsor the Herbert C. Kelman Seminar on International Conflict Analysis and Resolution, in addition to other inter-university events throughout the year. We will also be celebrating our next Great Negotiator this fall at several events co-sponsored by the Kennedy School of Government and Harvard Business School. For examples of last years events please see page 11.