

**UNIVERSITY OF PENNSYLVANIA
THE WHARTON SCHOOL
DEPARTMENT OF LEGAL STUDIES & BUSINESS ETHICS
LGST 206-407
OPIM 291-407
MGMT 291-407**

**Fall 2016
Wednesdays 3:00 PM – 6:00 PM**

NEGOTIATION AND CONFLICT RESOLUTION

INSTRUCTOR: Steven G. Blum
Telephone: (215) 898-7689
Office hours: Wednesday 12:30–1:30 PM and by
appointment.
Office: JMHH – 619

ROOM: The course will meet in JMHH Room F-92
Other rooms may be employed for negotiating exercises. There will be
several mandatory Practitioner Lectures. The times and places of those
lectures will be announced.

READINGS:

- Fisher, Ury & Patton, *Getting To Yes*, Penguin, 1991 (Required)
- Shell, *Bargaining for Advantage*, 1999 (Required)
- Blum, *Negotiating Your Investments*, 2014 (Required)
- Burrough and Helyar, *Barbarians at the Gate*, 2004 (Required)
- Course Pack of readings

RECOMMENDED (but beyond the scope of our course):

- Fisher and Shapiro, *Beyond Reason: Using Emotions as You Negotiate*, 2005
- Lax and Sebenius, *The Manager as Negotiator*, 1986.
- Goleman, Daniel, *Emotional Intelligence*, 1997.
- Carnegie, Dale, *How to Win Friends and Influence People*, 1982.
- Kolb and Williams, *Everyday Negotiation*, 2003.

COURSE FORMAT

The course will include lectures, classes and case discussions. However, a series of simulated negotiation exercises is central to the course. Students will meet with other students outside class to conduct many of the negotiations. Other exercises will require students to meet in teams between classes in preparation for negotiations that will take place in class.

Students should consider carefully whether they can make a commitment to attend class. You are expected to participate in all negotiation exercises and class discussions. Unlike some classes, each student's ability to gain value from this course depends on every other student's active contribution and commitment. Moreover, in-class negotiations obviously will not work if one or more of the key parties are not there. To make sure that this course works well for everyone, absences are discouraged by making them a significant part of the course grade. If you must miss a class, advance notice to the professor is essential to ease the disruption that will be caused by your absence. In addition, a student arriving after the class has begun will be recorded as late and be charged one half of a missed class.

This section will have an optional session on Wednesday, December 14, 2016, during Reading Period.

Students are expected to complete all assignments by the date stated in this syllabus. The readings usually (although not always) correlate with a particular class. It is important that each reading be studied on time and discussed at the appropriate place in the journal.

COURSE REQUIREMENTS

1. Graded Negotiations: You will be graded relative to like-situated students on various negotiation exercises during the semester. Those exercises which are graded will account for a total of 15% of the final grade in the course.
2. Journal: Each student will keep a journal that analyzes and discusses each negotiation, explores what learning occurred in each simulation, reflects thoughtfully on the assigned readings, examines class discussions and lectures, and chronicles your learning and thinking as the course progresses. A guide labeled "Journal Guidelines" (attached) further discusses the journal requirement. Journal submissions must be turned in to the Instructor in a timely manner, as indicated in this syllabus. The journal will account for a total of 40% of the final grade in the course.
3. Quizzes: There will be two (2) quizzes in the course of the semester. They will not be announced in advance. (They will be "surprise quizzes.") Each of them will account for 5% of the final grade in the course.
4. Class Participation: The Instructor's evaluation of your class participation – evidence of thought, effort and involvement in the enterprise of learning in this course – will account for a total of 17% of the final grade in the course. Among the factors used to make that evaluation will be your involvement in all course requirements – including lectures, discussions and negotiation exercises.
5. Attendance: Actually being present at each class meeting is very important. Perfect attendance throughout the semester will be worth 18% of the final grade in the course. Each absence will reduce that by 4% of the final grade. Arriving late to class or leaving early will reduce the attendance portion by 2% of the final grade.

JOURNAL GUIDELINES

Students should use the journal to explore their thoughts and feelings about the negotiation process and note any experiences taking place outside of class that put the lessons learned in the course to use. The first entry in the journal should be a statement of why you enrolled in the course and what you hope to gain from it. This includes describing and evaluating yourself as a negotiator, and setting some goals for our work together this Semester. The final entry should be a summary of what you feel you have learned and what needs more practice or further study.

Regarding each exercise, ask yourself:

PRE-NEGOTIATION ENTRY

- What kind of situation am I facing? What are my goals and expectations for this negotiation? What uncertainties do I confront?
- What would be good preparation? Have I done it?
- What strategy should I adopt?
- What skill(s) will I try to exhibit or test?
- What would be a "good outcome" of this negotiation?

POST-NEGOTIATION ENTRY

- What did I learn about negotiation from this exercise?
- What did I learn about myself in this exercise? About others?
- What surprised me about my behavior? About the behavior of others?
- What would I do differently if I had it to do over again?
- What readings from the course apply to this exercise? Were they useful? Why? In what ways do these readings help me to understand what happened? Do the readings suggest how I might have done better in this negotiation situation.
- Which in-class presentations or discussions help me understand what occurred? Do they suggest other approaches I might have tried?
- Was the result a "good outcome?" Can I think of ways that it might have been a "better outcome?"

For each negotiation exercise and real world experience you have during the semester, record the insight gained and the application of negotiation principles you learned from the classes and the readings.

Use your journal to explore real feelings about the negotiation process and your developing sense of competence, comfort (or discomfort), and technique. Be candid about yourself and others. Ask the questions: "what were the most important things I learned about myself and about the negotiation process from each exercise? What mistakes did I make that I can avoid in the future?"

What negotiation concepts and principles applied to this exercise? Show that you understand the concepts from the readings and lectures by applying them to your discussion of exercises and experiences. (And use some basic form of citation to let your readers know where the ideas came from.) Did they offer you help in reaching a better outcome? How?

AVOID ENTRIES THAT SIMPLY RELATE THE SEQUENCE OF OFFERS AND RESPONSES AND REPORT A FINAL RESULT.

The journal is intended to be a place to explore and document all the learning that you are doing in the course. As a result, you should try to be as specific as possible in explaining your thinking. In addition, it may be valuable to include any work you do in preparation for, or during, a negotiation that helps your reader understand your thinking or actions.

Students in this section will be reading and commenting upon each other's journals. Please keep that in mind as you write. (If a particular entry in your journal seems inappropriate for sharing with other students, please see the Professor about it.)

REMEMBER: This journal is a written record of your personal learning. It should begin with goal setting, and end with a section on how you have done in reaching for those goals, what else you have learned, and what you should continue to work on.

I hope you enjoy the process of reflection and writing that this Journal asks of you. For some of your colleagues, it has become a lifelong project to improve their ability to negotiate and get "good outcomes" for themselves in life. Perhaps it can become that for you, as well.

Class 1 (8/31) Introduction and Course Overview

In Class: What is this course about?

Negotiate Case 1.

Readings: Begin reading Burrough and Helyar, Barbarians at the Gate.

Assignment: Hand out Case 2 (to be completed before next class)

Class 2 (9/7) Distributive Bargaining

In Class: Discuss Case 2 (hand in result sheets)

Readings: Barbarians at the Gate, through Chapter 2.

Class 3 (9/14) Trust

In Class: Negotiate Case 4 in class.

Readings: Getting to Yes, Beginning through Chapter 5.

Barbarians at the Gate, through Chapter 4.

Class 4 (9/21) Issues Surrounding Trust

In Class: Discussion of Case 4.

Reading: - Getting to Yes, Chapter 6 and finish the book.
- Course Pack: "The Problem of Cooperation"
- Barbarians at the Gate, through Chapter 6.

Assignment: 1. Finding "real world examples."
2. Hand out Case 3 (To be completed before next class)

Class 5 (9/28) **Introduction to Elements of Negotiation**

In Class: Introduction to Elements of Negotiation.

Discussion of Case 3

Readings: Getting to Yes, Chapter 6 and finish the book;
Barbarians at the Gate, through Chapter 8.

Assignment: Hand out Case 5 (to be completed before next class.)

Case 5 will be handed out and negotiated outside of class and recored:

You will negotiate Case 5 with your negotiating partner and make a recording of the first ½ hour of your negotiation. Negotiations need not be completed during the taping; negotiators should continue bargaining off-camera beyond the 1/2 hour until agreement is reached. The negotiation must be completed before the class discussion of Case 5. You must review your video with your partner and two other videos of classmates (can be viewed alone) and write journal entries about what you observe about your own and others' styles, techniques and methods.

Class 6 (10/5) **Elements of Any Negotiation**

In Class: Analysis of Elements of Negotiation.

Readings: -Shell, Bargaining for Advantage through Chapter 6.
-Barbarians at the Gate, through Chapter 9.

Assignment: Hand out Case 6

Class 7 (10/12) **Interests, Options and BATNA**

In Class: In class lecture on BATNA

Discussion of Case 5

Readings: Shell, Bargaining for Advantage, Finish the book;
Barbarians at the Gate, through Chapter 10.

Assignment: **First Journal Submission Due** (Among the topics you discuss should be: Opening Journal Entry; "Case 1;" "Case 2;" "Case 3;" "Case 4"; Elements of Negotiation; "Case 5"; video recordings of negotiations (including your own); Getting to Yes; Bargaining for Advantage; Barbarians, and other readings; and our class discussions.)

Journals read by Student Readers (1 and 2).

Class 8 (10/19) **Creating Value**

In Class: Presentation and discussion of theoretically optimal outcomes and real world strategies for creating joint gains. Where does value come from?

- Discussion of Case 6.
- Great American Candy Bar Exchange.

Readings: -Blum, Negotiating Your Investments, read through, Chapter 2;
-Course Pack #2: "Creating Value or Where Do Joint Gains Really Come From?" (handout);
-Barbarians at the Gate, through Chapter 11.

Assignment: 1. Gathering "real world examples."

2. Journals read by Student Readers (3 and 4).

Class 9 (10/26) **Measures of Fairness**

In Class: Finish discussion of Case 6 (hand in results sheets).

Readings: Blum, Negotiating Your Investments, Chapters 3-6; (also read Blum, Chapter 21);
Re-read Getting to Yes, Chapter 5 and Shell Chapter 3;
Barbarians at the Gate, through Chapter 12.

Assignment: 1. Hand out Case 7;
2. Prepare for "ROLE REVERSAL EXERCISE";
3. Journals returned by Readers with comments (authors now have their own Journals to study comments);
4. Hand in your ranking of the Journals you read.
5. Write a separate Journal entry entitled "Deception in Negotiation" and discuss your views on this subject (this should be written before doing any of the readings for next week).

Class 10 (11/2) **Deception, Ethical Behavior and Tools in Negotiation**

In Class: Discussion about lying and deception. (How do we balance a need to gain information from others with our own desire to withhold information?)

Debrief Case 7 and hand in Result Sheets.

Presentation of Negotiating Tools – Providing the Other Side with answers.

Explanation and assignment of "ROLE REVERSAL EXERCISE"

Readings: -Course Pack #6: "Role Reversal Exercise";-
-Blum, Negotiating Your Investments, Chpts 14-16;
-Course Pack: "Ethics in Negotiation" (several articles).
-Barbarians at the Gate, through Chapter 13.

- Assignment: 1. Write a separate Journal entry entitled "Deception in Negotiation Part II" and discuss how your views on this subject have changed (or why they have not changed).
2. Hand out Case 8 and team assignments (Note: Principals may not meet with the other side.)

Class 11 (11/9) Agents

In Class: Discuss Case 8 (Hand in result sheets)

Readings: Course Pack: "When Should We Use Agents"
Blum, Negotiating Your Investments, Chapters 7-11;
Barbarians at the Gate, through Chapter 14.

Assignment: Hand out Case 9 "General Instructions." Study them before next class.

Class 12 (11/16) Complex, Multi-Issue Bargaining

In Class: Hand out Case 9, study roles and negotiate.

Discussion of Case 9
Debrief Case 10 and hand in Result Sheets.

Readings: Blum, Negotiating Your Investments, Chapter 17;
Barbarians at the Gate, through Chapter 15.

Assignment: Hand out Case 10 (to be completed before next class)

NOVEMBER 23 – NO CLASS MEETING TODAY

Class 13 (11/30) What Is A Good Outcome?

In Class: Finish discussing Case 9
Debrief Case 10.
What is a Good Outcome?

Assignment: Please watch Randy Pausch “The Last Lecture” at http://www.youtube.com/watch?v=ji5_MqicxSo and write about it in your Journals.

Readings: Blum, Negotiating Your Investments, Chapter 12-13;
Barbarians at the Gate, Finish the Book.

Class 14 (12/7) Final Class:

In Class: What have we learned? What needs more work or further consideration? What is a Good Outcome? T-shirt exercise.

Final Remarks

Readings: Optional Readings (for the Winter Break):

- Complete Blum, Negotiating Your Investments;
- Course Pack: "Dispute Resolution Chapter 1: Disputing Procedures";
- Course Pack: "Getting Disputes Resolved, Chapter 1: Three Approaches to Resolving Disputes".

Assignment: Please listen to “This Is Water” commencement speech by David Foster Wallace at: <https://www.youtube.com/watch?v=8CrOL-ydFMI>

Final Journal Submission Due on December 12, 2016 at 3 PM. (Among the topics you discuss should be: Deception; Negotiating Tools; Role Reversal Exercise; Use of Agents; “The Last Lecture”; “Case 6”; Case 7; Case 8; Case 9; Case 10; Bargaining for Advantage; Negotiating Your Investments; Barbarians, and other course readings; our class discussions and Final Journal Entry.)

Optional Class (12/14)

This class meeting is optional and will not present any material required for the course.