

UNIVERSITY OF PENNSYLVANIA
THE WHARTON SCHOOL
DEPARTMENT OF LEGAL STUDIES & BUSINESS ETHICS

LGST 291-409
OIDD 291-409
MGMT 291-409

FALL 2021
Thursdays 3:30 PM – 6:30 PM

NEGOTIATION AND CONFLICT RESOLUTION

INSTRUCTOR: Steven G. Blum
Telephone: (215) 898-7689
Office hours: Friday 1:00–2:00 PM and by appointment.
Office: JMHH – 619

ROOM: TBA

NOTE: NO STUDENT WILL BE PERMITTED TO TAKE
THE CLASS UNLESS THEY ATTEND THE 2ND 3rd
AND 4th CLASS MEETINGS IN THEIR ENTIRETY.

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*, Harper Business Essentials, 2004 (Required)
- Course Pack of readings

RECOMMENDED BUT NOT REQUIRED:

- Fisher and Shapiro, *Beyond Reason: Using Emotions as You Negotiate*, Penguin, 2005
- Lax and Sebenius, *The Manager as Negotiator*, The Free Press, New York, 1986.

RECOMMENDED (but beyond the scope of our course):

- Goleman, Daniel, *Emotional Intelligence*, Bantam Books, New York, 1997.
- Carnegie, Dale, *How to Win Friends and Influence People*, Pocket Books, New York, 1982.
- Kolb and Williams, *Everyday Negotiation*, Jossey-Bass Penguin, 2003.

COURSE FORMAT

The course will include lectures, discussions and case debriefings. However, a series of simulated negotiation exercises is central to our work together. Students will meet each other outside class to conduct many of the negotiations. Other exercises may 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, negotiation cases 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.

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 20% of the final grade in the course.
2. Journal: Please take note: this section requires a great deal of writing. 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 handout 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 30% of the final grade in the course.
3. Quizzes: There will be at least two (2) quizzes in the course of the semester. Some of these will not be announced in advance. (They will be "surprise quizzes.") Each quiz will account for 5% of the final grade in the course.
4. Attendance: Actually being present at each class meeting is very important. You will receive 2 points for each class you fully attend. Leaving early or arriving late will result in the loss of one point. The total of these points will account for 35% of the final grade in the course.

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? Make clear 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 me 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 contact 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 which 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 **Introduction and Course Overview**

In Class: What is this course about?

Negotiate Case 1.

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

Class 2 **Distributive Bargaining**

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

Readings: Begin reading: •Barbarians at the Gate, through Chapter 2.

Class 3 **Trust**

In Class: Negotiate Case 4 in class.

Readings: •Barbarians at the Gate, through Chapter 4.

Class 4 **Issues Surrounding Trust**

In Class: Finish discussion of Case 4.

Assignment:

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

Readings: •Getting to Yes, from beginning through Chapter 2;
Course Pack: "The Problem of Cooperation";
•Barbarians at the Gate, through Chapter 5.

Class 5 **Elements of Negotiation**

In Class: Introduction to Elements of Negotiation.

Discussion of Case 3.

Readings: •Getting to Yes, through Chapter 5.

•Barbarians at the Gate, through Chapter 6.

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

Case 5 will be handed out and negotiated outside of class on video. You will negotiate Case 5 with your negotiating partner and make a video 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 **Interests and Options**

In Class: Discussion of Elements of Negotiation.

Discussion of Case 5.

Readings: •Getting to Yes, Finish the book;
•Blum, Negotiating Your Investments, Chapter 5;
•Barbarians at the Gate, through Chpt. 8.

Assignment: Handout Case 6.

Class 7 **Alternatives**

In Class: In class lecture on BATNA

Discussion of Elements of Negotiation.

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"; recordings of negotiations (including your own); Getting to Yes; and other readings; and our class discussions.)

Journals read by Student Readers (1 and 2).

Readings: •Barbarians at the Gate, through Chapter 10.

Class 8

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.

Assignment: - Gathering "real world examples."
-Journals read by Student Readers (3 and 4).

Readings: •Shell, Bargaining for Advantage, through Chapter 3;
•Barbarians at the Gate, through Chapter 15;
• "Creating Value or Where Do Joint Gains Really Come From?" (Handout) from Lax and Sebenius, The Manager as Negotiator.

Class 9

Measures of Fairness and Negotiating Tools

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

Presentation of some tools the negotiator can use.

Explanation and assignment of "ROLE REVERSAL EXERCISE"

Assignment: 1. Hand out Case 7
2. Prepare "ROLE REVERSAL EXERCISE"
3. Journals returned by Readers with comments (authors now have their own Journals to study comments)

Write a separate Journal entry entitled "Deception in Negotiation" and discuss your views on this subject.

Readings: •Shell, Bargaining for Advantage, Through Chapter 6.
•Re-read Getting to Yes, Chapter 5.
•Barbarians at the Gate, through Chapter 16

Class 10

Deception and Fairness 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.

Assignment: Write a separate Journal entry entitled "Deception in Negotiation - Part 2" and critique the Readings, the class discussion, and your previous journal entry on this topic.

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

Hand out Case 8 and team assignments.

Readings: •Course Pack: "Ethics in Negotiation" (several articles).
•Barbarians at the Gate, Finish the book.

Class 11 **What Role Does Ethics Play?**

In Class: Quiz on Barbarians at the Gate

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

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

Readings: •Blum, Negotiating Your Investments, Chapters 12-16.

Class 12 **Multi-Party Negotiations**

In Class: Debrief Case 10 (Hand in result sheets)

Assignment: Continue working on Case 8.

Readings: •Blum, Negotiating Your Investments, Beginning through Chapter 10;

Class 13 **Agents**

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

Assignment: Preparation for Final Class Meeting

Readings: •Course Pack: "When Should We Use Agents"
•Blum, Negotiating Your Investments, Chapters 11 and 17.

Class 14

What Is a Good Outcome?

In Class: What is a Good Outcome?

Contest

Final Remarks

Prepare Final Journal Entry.

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

Optional Readings (for after the semester during your vacation):

- Complete Blum, Negotiating Your Investments,
- Course Pack #8: "Dispute Resolution Chapter 1: Disputing Procedures";
- Course Pack #9: "Getting Disputes Resolved, Chapter 1: Three Approaches to Resolving Disputes".