

Understanding Others through Negotiation

A Guide for Students by Students

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Introduction

Welcome To Negotiation

Negotiation is everywhere. There are several familiar examples, usually confined to negotiations of a salary or business deal. However, the field of negotiation is not limited to the domains of finance and money; we negotiate in all aspects of our lives, from deciding who gets the last slice of pie to arguing with a sibling over who has to do the dishes. Simply put, negotiation is how we engage with other people and deal with complex relationships. We cannot live our day-to-day lives or engage with others meaningfully without some degree of negotiation—every human has their individual desires and opinions that they want to be valued and recognized. The problem is that most of us do not have the skills to properly negotiate. Contrary to what many may believe, negotiation does not have to be a frustrating, anger-provoking process. With the right foundation, negotiation can be used to build strong relationships, rather than tear them down. By engaging in the exercises contained within this book, we hope that you will be better equipped to handle any and all negotiations that you may encounter—no matter how large or small.

Why This Book?

We are a group of Harvard students who have designed, field-tested, and revised the following exercises with current undergraduates at Harvard College under the guidance of Dr. Daniel Shapiro, founder and director of the Harvard International Negotiation Program. Utilizing a series of classroom activities and case studies refined to most effectively resonate with students, we created this curriculum to help bring practical applications of negotiation theory to schools around the world. Our ultimate goal is to allow more people to conduct healthy, enjoyable, and effective negotiations.

College undergraduates and high school students are on the brink of embarking on exciting and thrilling careers where handling conflicts and being good negotiators will be essential. But despite this shared endeavor, no two individuals will have exactly the same experience negotiating; rather, everyone has their own unique set of strengths and weaknesses. Some may be wonderfully empathetic but struggle to find mutually beneficial solutions to disagreements, while others may be brilliant orators but find themselves frequently unaware of the emotions involved in the negotiation process and outcome. Aware of the varied situations you as the reader may be facing, this curriculum is designed as a series of exercises that each correspond to one of the three main components of negotiation: rational, emotional, and identity.

The presented conflict resolution skills and frameworks are best learned in the real world, where we grapple with making difficult decisions and navigating the confusing world of personal politics while face-to-face with others. In order to learn and understand the true intricacies of conflict resolution, students have to experience situations in which they face these challenges firsthand. For this

reason, we have included teacher tips, learning objectives, exercises, and discussions. The following page outlines each component's purpose and provides advice on how to successfully employ them in a classroom environment.

We hope that the frameworks, learning objectives, and case studies contained within this guide will aid future instructors in teaching students the art of negotiation and conflict resolution, leaving them better equipped to take on the future.

How To Use Each Chapter

This chart summarizes the intended function of each chapter's subheadings and provides a quick how-to guide for teachers to effectively utilize all components of the chapters.

Diagram 1: How-To Guide

Subsection	Description
1. Purpose	Provides a broad overview of the chapter's purpose, outlining a few prominent skills students will practice and the negotiation frameworks students will utilize. Useful for framing each lesson within the overall lesson plan.
2. Instructor Preparation	Includes pre-readings and a list of required materials. Pre-readings are to be completed before the lesson and provide a detailed overview for any teachers or professors unfamiliar with each framework.
3. Process	Details an in-depth, student-focused exercise that illustrates the chapter's framework in action and provides students with the opportunity to apply course content at the practical, individual level. This subsection details how to run the case study and is meant for the teacher / facilitator(s). This subsection also includes any suggested reading assignments for students to complete <i>before</i> the in-class exercise and a few suggestions for teaching the framework.
4. Debrief	Guides the teacher / facilitator(s) through a discussion of and reflection on the exercise. Includes possible questions to ask students to facilitate learning experiences, as well as additional questions or ideas to emphasize for more in-depth conversations. Where possible, we also note commonly expressed sentiments from students for preparatory purposes.
5. Conclusion	Provides potential scripts / ideas for final analyses of the exercise and how students can apply the framework to other negotiations and contexts.

6. Teacher Insights Guide - Student Worksheets	Includes critical information pertinent to students / case study participants. Note that case studies involve breaking participants into multiple groups and designating what information ought to be shared with each group. Only the case study contained within Chapter 5 has a single, universal Student Worksheet—all other chapters give group-specific information and materials.
7. Teacher Insights Guide - Teacher Worksheets	Includes helpful information and suggested scripts, stories, and other teaching materials related to each framework. Each guide includes the following items: (1) a broad overview of the framework; (2) a brief anecdote and explanation that can be used as an in-class example of the framework before starting the case study; (3) an analysis of how the specific, underlying negotiation theory and framework(s) are exemplified within the study—useful for highlighting the real-world applications of negotiation theory to students’ experiences; and (4) a summary of the exercise’s key foci and connections between the chapter’s framework and negotiations in a broader context—useful for contextualizing each chapter and teaching students about connections across chapters. Note that in addition to these components, some chapters include additional information as needed.

Chapter 1: How Can I Negotiate Beyond the Standard “Zero-Sum” Barter? The Secret Donor

How can I negotiate beyond the standard “zero-sum” barter? When most people think of “negotiation,” they envision the standard “I’ll offer \$100, they’ll counter with \$200, and we might eventually meet in the middle at \$150” scenario. These situations, where each gain becomes the other’s loss, can be resolved more intelligently. This chapter explains how to rationally approach such scenarios, moving beyond the limitations imposed by such simple back-and-forth systems in favor of those that lead to better outcomes for all parties involved.

Purpose

By the end of this exercise, students will be able to recognize the Five Critical Elements of Negotiation (Fisher et al., 1991) and will have practiced using them in a negotiation.

Instructor Preparation

1. Read Chapters 1-6 of *Getting to Yes* (Fisher et al., 1991). This is a quick read to get you up to speed on the key ideas.
2. Gather materials:
 - a. Photocopy “First-Year,” “Sophomore,” “Junior,” and “Senior” Worksheets for Students (1 copy each)
 - b. Photocopy “Background Material: The Secret Donor,” 1 worksheet for 2 students
 - c. Index cards or pieces of paper (1 per group; 4 total)

Process (Total Estimated Time: 20 minutes)

1. Assign chapters 1-6 of *Getting to Yes* (Fisher et al., 1991), at least three nights before this exercise.
2. Read Appendix B: Five Critical Elements Background Story aloud. Ask: “What are the Five Critical Elements of Negotiation?” Write each answer on the board. Use Chart 1 in Appendix A: The Five Critical Elements of Negotiation for reference.
3. Split class into groups by class year in different areas of the room, and distribute handouts (Background Documents and First-Year, Sophomore, Junior, and Senior Worksheets). *Note: Before starting the exercise, if the class does not contain students from four unique class years, randomly divide students into four groups. Say: ‘You have each been designated as a member of one group. In a moment, you will receive a briefing with more details on your specific situation.’ After assigning groups, say: ‘Remember, you are now a member of your group. Any outcomes or disparities between groups that come from the exercise will be upheld.’*

- a. Say: “An anonymous donor who never really felt like a member of their class has decided to donate \$1,000 to the school. Our esteemed donor wants to promote class pride and make each class feel like a family. Our donor has set aside \$1,000 dollars for class-specific events for the upcoming spring semester, and students will only be able to attend events planned by their respective class committees. That same donor has decided that you are the best negotiators to determine how to break down the money. I am trusting you to make the best decision to build spirit within your class.”
- b. Say: “In order to decide which class year will receive the gift, the class will be split up into four teams, based on your class year. This is a special opportunity to impact your social experience. While the donor is very generous, the allocation of the gift is not so simple...the donor is very particular about how the money will be distributed. She believes strongly in the merits of collaboration and would ideally like everyone to benefit from her generous gift. She has presented your school’s administration with a method for deciding how to split the money.”
- c. Say: “The donor is willing to allocate her money according to how each class year votes. Voting to “split” means you would like to split the money evenly amongst the four class years. Voting “take” means you would like only your class to receive the money. The payoff structure is on the background sheet you have been given.”

Round 1 (5 minutes)

1. Say: “At the end of the round, each class will submit their group’s vote to me on a piece of paper. Make sure to include your class name and your vote. You will have 5 minutes to decide amongst your class year how you are voting. You cannot communicate with other classes.”
2. Say: “These votes will be completely anonymous, so work within your group to ensure your grade gets the best deal. The timer starts now.”
3. Set a five-minute timer, announcing when half the time is gone, when there is one minute left, and when there are thirty seconds left. Ask for all classes’ votes when the time is up.

Intermission (3 minutes)

1. Read the votes **aloud** to see if any groups voted to split.
2. If each class has voted to split the money:
 - a. Say: “The donor is extremely disappointed. The donor wants to throw one incredible, once-in-a-lifetime party, and by splitting it, you all have made that much harder. Fortunately, the doner is willing to give you all a second chance. To help you recover from your lack of foresight, the donor has decided to donate another \$2,000... the stakes are higher now... do not disappoint her again.”
3. If any classes have voted to take:

- a. Say: “The donor is extremely disappointed. She thought you all valued collaboration? It seems like there is simply no trust in this group. While the donor is very excited to throw one incredible, once-in-a-lifetime party, she’s also disappointed in you all. She’s giving you a second chance, and has decided to donate another \$2,000! This time is different, though. She encourages you to talk to each other more.”

Round 2 (4 minutes + 1 minute for voting)

1. Say: “You will now have 4 minutes to negotiate with each other once again about who will receive this newly donated \$2,000. There are no rules as to how this money can be spent. If you fail to reach an agreement at the end of these 4 minutes, this \$2,000 will be randomly given to one class. Your 4 minutes to negotiate begins now.”
2. Announce when 2 minutes, 1 minute, and 30 seconds remain.
3. *Facilitator’s Note: Listen carefully for use of the Five Critical Elements during the round, either in practice or by name.*
4. At the end of four minutes, call the class to attention, and ask one representative to say what they decided.

Debrief (25 minutes)

1. Say: “This wasn’t supposed to be an easy exercise. Even though the money, sadly, isn’t real, the stakes probably felt more real. This exercise wasn’t really about the party or the money, but how you got to your decision. Did you collaborate with your team, or with other teams? Did you jump right into negotiating by staking your position and refusing to budge? Did you outline a process before you began negotiating?”
2. Ask: “How did you feel doing this exercise? How do you feel now?”
 - a. *Listen for: feeling resentful, mistrustful, excited.*
 - b. Follow up: How did your feelings change between the rounds?
3. “How did your individual negotiation strategy change between Rounds 1 and 2?”
 - a. *Listen for: use of any vocabulary from the Five Critical Elements, more usage of Five Critical Elements within Round 2 than Round 1.*
 - b. Follow up: “Why did you change your strategy?”
4. “How did you use (or not use) the Five Critical Elements?”
 - a. *Listen for: naming of the Five Critical Elements, misconceptions of the elements.*
 - b. Follow up: “Why did you choose to use that element within this exercise?”
5. “What role did standards of legitimacy play in negotiating Round 1?”
 - a. *Listen for: students not using standards of legitimacy.*
 - b. Follow up: “How did your usage of standards of legitimacy change in Round 2? Did you use them more? Less? Why?”
6. “Why did or didn’t you stop to identify other parties’ BATNA between Rounds 1 and 2?”

- a. *Listen for: students to identify other groups' BATNA.*
 - b. Follow up: "How did the BATNA of your own group or of another group change between Rounds 1 and 2? Why do you think this was?"
7. "How did the decision to split or take the money in the first round affect the second round?"
 - a. *Listen for: Feelings of frustration among groups who voted to split towards groups who voted to take; emotional expressions.*
 - b. Follow up: "Those of you who felt frustrated, why? Whom was it directed towards?"
8. "Looking at the board, which of the critical elements was the most challenging for you to implement? Write one down. (*Pause*) Why was it the most challenging?"
 - a. *Listen for: misconceptions over Critical Element definitions, difficulty using the new interest-based negotiation processes.*
 - b. Follow up: "How could you have used it more effectively?"

Conclusion: (7 minutes)

1. Follow up with a final analysis of the activity. See Appendix C: Analysis of Secret Donor Exercise for a potential script.
2. Conclude the debrief by summarizing the key points of the Five Critical Elements. See Appendix D: Putting the Five Elements of Negotiation into Context for a potential script.

Teacher Insights Guide - Student Worksheets

Instructions for Instructor: For the below background information sheet (“**Student Worksheet: Background: The Secret Donor**”), print copies for half of the students (one worksheet per two students) and distribute to the entire class.

For the class year worksheets below (“**First-Year,**” “**Sophomore,**” “**Junior,**” and “**Senior**”), print one copy of each. Once all First-Years are sitting together, give the First-Year group a copy of the “**First-Year Worksheet.**” Once all Sophomores are sitting together, give the Sophomore group a copy of the “**Sophomore Worksheet.**” Once all Juniors are sitting together, give the Junior group a copy of the “**Junior Worksheet.**” And, once all Seniors are sitting together, give the Senior group a copy of the “**Senior Worksheet.**”

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Student Worksheet: Background: The Secret Donor

Congratulations! A very special donor has approached the school with a large potential donation, allocated exclusively for student life. As an alumna, this donor vividly remembers what it was like to be a student here. While this donor was well-liked, she always felt alienated from her graduating class because she took a semester off to study the art of relaxation in the Maldives. At graduation, no one cheered for her as she crossed the stage. She wishes she had felt that bond with her class, and she wants you to have this experience. Our esteemed donor feels strongly about promoting class pride through school-sponsored events and has set aside 1,000 dollars for class-specific events for the next semester. **Students will only be able to attend events planned by their respective class committee (first-years attend first-year events, sophomores attend sophomore events, etc.).**

In order to decide which class year will receive the gift, participants will be split up into four teams, based on your class year. If you win the money for your class, you'll not only get to experience this event, you'll also get to plan it for your grateful classmates. While the donor is very generous, the allocation of the gift is not so simple—the donor is very particular about how the money will be distributed. She has presented the school with a method for deciding how to split the money.

Logistics

The donor has a \$1,000 budget and is willing to allocate her money according to the vote of each class year. Voting to **“split”** means you would like to split the money evenly among the four class years. Voting **“take”** means you would like only your class to receive the money.

- If every class votes to **split** the money, each class will receive \$250 to pursue events of their liking.
- If three groups vote to split the money and one group votes to **take**, the three that agreed to split will receive no money, and the group that votes to **take** will get \$1,000 dollars.
- If two class years agree to split and two decide to go for the money, \$500 dollars will be allocated to each of the classes who voted to **take** the money.
- If one group votes to split the money and three groups vote to **take**, the three groups that voted to take will split the money amongst themselves.
- If each group decides to **take** and go for the money, the donor will give the money in its entirety to the **senior class** (all \$1,000). The remaining classes will receive *nothing*.

Your task

You and your class year will have 5 minutes to decide how you're voting. The donor is very secretive and will likely remain absent throughout these proceedings. **Only your group will read and submit your vote to the donor through a third-party board. Think carefully about how you vote, and may the odds be ever in your favor...**

First-Year Worksheet

First-Years, this is the start of the next four years of your life, and there is \$1,000 at stake. You've worked so hard to get to where you are and undoubtedly deserve this money to further celebrate your efforts! Not to mention, how you start your journey is important and arguably sets the tone for the remainder of your time here.

As first-years, transitioning into a new environment is hard. You're trying to figure out who you are and what you want to do, all while tackling extracurriculars and classes that are time-consuming and difficult. While the upperclassmen have already adjusted, you're still in the process of finding what works best for you. On top of all this, you've just been thrown into a new environment with complete strangers, and making friends is understandably daunting. As such, this money would truly benefit your class.

Some potential activities you could spend your money on include:

- Hosting social events for your class
- Funding research/internship opportunities
- Amping up your vacations
- Spending all of the money on yourself

Sure, the first-year committee does their best to organize events for your class, but these events are sporadic and not usually in the students' best interest. The events you choose to spend this money on will surely provide your class with an abundance of opportunities to form lifelong connections.

As you discuss whether to split or take the money, as well as how you might use the funds, remember that your class is depending on you. The power is in your hands.

Sophomore Worksheet

Sophomores, you've taken the next step in your educational journey. Navigating school, be it for the first time or the five hundredth time, is still a challenge, and this year, without all the attention first-years get, you've been pushed out of your nest. As classes move beyond the introductory level, once-steady friendships change with new social dynamics, and the pressure to get summer jobs and internships mounts. Sophomore year means everything is getting a bit harder.

The sophomore slump is also coming on, with the newness of school gone and no end in sight. Mountains of assignments and papers make it much easier to stay in and do work all of the time, and the lack of organized study breaks makes it challenging to remember to actually take a break. Plus, there's the additional pressure of having to decide what topics to study, which carries effects that will follow you for the rest of your lives. Your class is counting on you to pull through for them.

With this money, you know you would be able to provide an opportunity for the sophomore class to come together. Sophomores can't quite engage with upperclassmen's social spheres yet, alienating you from your peers. So, get a win for your class!

Junior Worksheet

Juniors, you have done your two years as underclassmen and now have the honor of being upperclassmen. However, this privilege does not come without great responsibilities, and as such, you deserve this money for all the hard work you've done so far.

The junior class is arguably under the most stress of all the classes. Junior year is crunch time. You're getting ready for more school or a job, and you hardly have enough time to sleep. On top of all these efforts to make sure you're ready for your life post-graduation, you are managing everything the underclassmen are managing—classes, schoolwork, athletics, extracurriculars, social life, and sleep.

Your class is under the most pressure out of everyone, so you deserve a break the most. In comparison, the majority of the senior class already knows what they're doing for their post-graduation lives, whether that's going to school or leaving to start work. On the other hand, the underclassmen have just settled in and do not have to think about post-grad life quite yet. By winning this \$1,000, the junior class will have an excuse to RELAX for once and take a break from the constant grind. Now go and fight for what is rightfully yours.

Senior Worksheet

Seniors, the only question you should be asking yourself when reading this is “why is this even a debate?!” After all, it is your last year, and if anyone deserves the money, it’s you! You’ve seen it all, done it all, and now is your time to reap the benefits. You’ve worked incredibly hard over the last three years to get to where you are today. You’ve spent countless hours in the library, put in hours for more clubs than you can remember, and have begun to plan the rest of your life.

No matter what you’ve done in your time here, you should be proud of yourself for making it to this point, and you should think of this money as your well-deserved award. Think of all the things that you can do with it as a class! This is your last year of being so close to your peers, so you can use the money to organize class-wide events, smaller intimate gatherings with all of the random people that you used to be friends with your first year but somehow haven’t seen since, or maybe you want to put all the money towards your own senior gift as a token of self-appreciation. Whatever it is, use that money to create your senior bucket list and put an epic ending to this journey!

As you look back at your time here, think about all the things that you wish you would’ve done, and how this money can help you actually do them. The possibilities are endless, and the clock is ticking, so negotiate with vigor and claim what is rightfully yours!

Teacher Insights Guide - Teacher Worksheets

Appendix A: The Five Critical Elements of Negotiation

Instructions for Instructor: Write the Five Critical Elements of Negotiation on the board.

Critical Element	Useful Questions to Consider
Alternatives and BATNA (Best Alternative To a Negotiated Agreement)	What can you do without the other party's agreement? How can you improve your own situation without negotiating? What's the best deal you can get, away from the table?
Interests	What do you and the other party each want out of the negotiation? Can you help fulfill any of their goals? What do both parties want, outside of the context of the negotiation, that you may be able to bring to the table?
Options	What are some potential agreements you could jointly make? How can you work together to improve both of your situations?
Standards of Legitimacy	Does the agreement seem fair, and why? What is the reasoning behind each component of the agreement?
Commitment	How can both parties indicate they will follow the agreement? How can they enforce this commitment?

SOURCE: Adapted from *Getting to Yes* (Fisher et al., 1991)

Appendix B: Five Critical Elements Background Story

Instructions for Instructor: Read this aloud to students to introduce the idea of interest-based negotiation and the Five Critical Elements of Negotiation.

I grew up with an older brother. And like most kids, our parents always emphasized the values of compromise, yet our compromises never ended with both of us entirely happy. It was who got to play with the soccer ball, who got the bigger slice of cake, or who had to take out the trash. Compromise, for me, therefore became an unfortunate system where I would inevitably have to give up something I wanted to reach my final goal.

Thinking rationally about a conflict can lead to a more mutually beneficial solution. Compromise is great for teaching the value of sharing, something my brother and I certainly had to learn. But what if I didn't mind taking out the trash but hated unloading the dishwasher, and he

thought the trash was gross but didn't mind the dishes? Compromising on a 50/50 split of the chores, as our parents instructed, wouldn't be the most efficient allocation of our work. Had we been better negotiators, we might have realized that our interests were compatible, and we could have identified a more effective strategy.

There's no rulebook on negotiation, which is partially why it's so hard. You can study psychology and learn political theory, but anyone who has a sibling (or parent, coworker, teacher, etc.) knows the challenge of negotiating with someone who seems invincible to your reasoning. So, how can you step away from traditional bargaining?

The Five Critical Elements of Negotiation—**alternatives, interests, options, standards of legitimacy, and commitment**—are all tools for dismantling a conflict. Using them can enable negotiators to engage in more effective negotiation. Though the Five Critical Elements don't encompass every aspect of any conflict, as they focus on rational elements over emotional considerations, they can nonetheless be a good foundation for creating better solutions.

Take the case of chores, where my brother and I were tasked with taking out the trash and doing the dishes. Without negotiating, we could simply follow our parents' instructions and alternate the chores. This would represent our **BATNA**, or Best Alternative To a Negotiated Agreement—that is, each person's best outcome in the absence of a successful negotiation. Unless I and my brother came to an agreement, the only other outcomes would've been following our parents' instructions or being grounded. Because we would both prefer to alternate the chores over getting grounded, our best outcome was to split the chores. To successfully negotiate, we would have to come up with a better alternative, something that both of us would rather do. Otherwise, we would each fall back to our BATNA.

To figure out a better solution, it would be helpful for me to look at my **interests** and my brother's interests—that is, what we really wanted out of the negotiation. We both had a shared interest of not getting in trouble with our parents, but our chore interests were different. I had an interest in not unloading the dishwasher, while his was not taking out the trash. Though some of our interests were shared, negotiations could've nonetheless occurred. In fact, separate interests can also be helpful. He might have an interest in not waking up early (when the trash needed to be taken out), while I might have an interest in taking a walk outside in the morning. Here, these two totally separate interests could still help us come to a better agreement.

Coming up with a solution requires the development of more choices, or **options**. These differ from alternatives and a BATNA in that they involve some element of collaboration. Brainstorming options can help both sides figure out successful outcomes. Some are straightforward, such as my brother doing the dishes while I take out the trash. But our option building wouldn't have to stop there. Maybe my brother would pay me in exchange for taking out the trash for him. Maybe I would both unload the dishwasher and take out the trash in exchange for being able to read his comic books. Option building doesn't have to involve only the most basic elements of a conflict. Pulling in other interests, like my interest in money or comic books, can help create a more successful option-building process.

After creating options, the best ones can be identified by examining **standards of legitimacy**. These standards are yardsticks by which to judge whether a negotiated agreement is fair to both parties, usually based on precedent or objective measures. One option might be for my brother to take on both chores. But would that be fair? We might decide that it's reasonable for us both to do the same amount of work, thereby creating a standard of legitimacy. Doing so would allow us to figure out which options seem fair and well-balanced to both parties.

Finally, our negotiated agreement would have to be enforced by a **commitment**. Before shaking on it, we would need to make sure the negotiated agreement was better than our own BATNA. After doing so, we would need to commit in a meaningful way. In this case, informing our parents of our arrangement could serve as a binding commitment, as they would expect us both to follow through on our sides of the agreement, and we would abide by the agreement due to our shared interest in staying in their good graces.

Appendix C: Analysis of Secret Donor Exercise

Instructions for Instructor: Read this aloud to students as a closing of the Secret Donor exercise.

The Five Critical Elements of Negotiation: alternatives, interests, options, standards of legitimacy, and commitment, come from the desire to develop a negotiation process. Using the Five Critical Elements of Negotiation, be it to negotiate who does what chores or how a donor's money is spent, can help empower negotiators to effectively and efficiently come to an agreement.

In the Secret Donor simulation, you used the Five Critical Elements of Negotiation to reach a desirable outcome. You drew upon your knowledge of other groups' interests (that each group was primarily interested in getting funds for themselves but would also rather receive some amount of money than none at all) in order to identify the goal of the negotiation: to figure out a way to effectively split the money. In the first round, your interests were aligned with your fellow group members' interests because every group member would benefit from their class getting more money. Conversely, the second round forced you to engage in option generation to effectively meet as many groups' interests as possible. This could have manifested in a number of ways: using part of the funds to even inequities realized in Round 1 or agreeing to invest the funds in something usable by all parties (financial aid programs, centrally-located campus amenities, etc.), to name a couple of possibilities.

In your groups, you also had the chance to develop standards of legitimacy and may have decided on an uneven payoff structure to mitigate the effects of the first round. If, for example, three groups voted to take in Round 1 and one chose to split, the group who chose to split could receive the lost difference as an added bonus from the second round so that all groups had the same net outcome by the end of the exercise.

The transparency of the Senior class's BATNA in the first round likely also encouraged other groups to vote to take the money, as their BATNA was worse. The Senior class was given little

incentive to act selflessly, so the other classes had equally little expected payoffs by choosing to split the money.

Using the Five Critical Elements of Negotiation changes the direction of the problem. Suddenly, stakeholders are no longer in opposition with one another. Instead, they are trying to confront a common conflict and come up with the best solution, something better than a compromise that leaves everyone dissatisfied. In this respect, the Five Critical Elements of Negotiation are a shift away from traditional, “positional” negotiating tactics.

Let’s revisit the earlier negotiation between siblings over who does the dishes and who takes out the trash. Typical negotiating strategies would say that each person would tell the other to do all of the work. The two negotiators would be positionally bargaining, starting from two extreme positions. But this process leads, at best, to a compromise, a point somewhere between the two initial stakes, and leaves both parties unhappy and resentful. By instead utilizing the Five Critical Elements of Negotiation, we can negotiate to produce an outcome that better meets everyone’s interests and goals.

Appendix D: Putting the Five Critical Elements of Negotiation into Context

Instructions for Instructor: Read this aloud to students as a closing of the Secret Donor, after reading Appendix C.

Just as using the Five Critical Elements of Negotiation within this exercise can enable students to quickly identify sources of joint interest, using them in real-life scenarios can lead to better outcomes. Identifying one’s BATNA before negotiating means you’ll never be worse off than when you began. Asking a potential employer what they’re looking for in an ideal employee can give you an idea of their interests. Coming up with creative options for a dinner party can make sure everyone helps out (maybe the friend who can’t cook is in charge of the dishes, while the brilliant chef cooks an entrée, and the beginner can make a salad). Setting standards of legitimacy, like school honor codes, ensures everyone is on the same page. Commitments are the contracts of life, and they show that you’ll fulfill your part of the agreement. These can manifest in any number of ways, from a handshake amongst friends to a written, notarized document between companies.

This exercise was meant to make using the Five Critical Elements of Negotiation challenging. First, because of the payout structure, each group has a different BATNA. In round one, seniors have no incentive to collaborate. All of the money will go to them if everybody votes to take, so they should always vote to take. This means that the best every other group can do is to also vote to take and hope that one altruistic group chooses to share. The senior’s BATNA (and the fact that everybody knows the senior’s BATNA) steers the negotiation towards that BATNA. Plus, as no discussion between groups is allowed, each grade must vote without having the opportunity to negotiate with the others.

The negotiation *process* is also affected. The short time limit makes creating any sort of negotiation plan more difficult. There’s not a lot of time to do thoughtful option-building, nor fully consider all parties’ interests. Each student has to reevaluate the process as it shifts between Round 1

and 2, from small to large group negotiations, and the class must collectively decide how to proceed. It's easy to see how negotiating with fewer parties at the table can sometimes be more efficient.

Adding to the difficulty of the simulation, facilitators are actively trying to break down the trust between the grades. Revealing how each group voted can create scapegoats, which makes it harder to negotiate in Round 2. Furthermore, uneven payoffs (it's likely that unequal amounts of money were distributed to groups in Round 1) make it harder to set up standards of legitimacy. Which is fairer: everybody getting paid the same amount in Round 2, or everybody ending up with the same amount at the end of the overall simulation? Finally, the exercise is designed to highlight the impact of groups' natural self-interests, which makes it harder to trust or negotiate outside of the group.

Chapter Acknowledgements

The exercises in this chapter are the product of what was, at its heart, a collaborative effort among the authors of this book and other students at Harvard College. Without students' assistance in brainstorming and field-testing early versions of this exercise, this work would not have been possible. In particular, we would like to thank the following co-contributors of this chapter (listed in alphabetical order)...

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Chapter 2: What if Someone Is Still Unhappy? The Affilia Dilemma

While the Five Critical Elements of Negotiation allow you to maximize the amount gained by each party, *how* you go about designing the negotiation process and conducting yourself throughout can be just as important in a negotiation's success and the parties' resulting satisfaction. What if someone is still unhappy, despite the rational approach used during negotiations? This chapter explains how to structure and act during negotiations to account for all parties' emotions and leave participants with not only a fair and mutually beneficial outcome but an experience that they will look back upon positively.

Purpose

By the end of this exercise, students will be able to identify the Five Core Concerns (Fisher & Shapiro, 2005) when interacting with others and use them to be better negotiators. Specific objectives include:

1. Students can state the Five Core Concerns and identify how they play into conflicts in their own lives.
2. Students will learn how to account for and satisfy the Five Core Concerns of those with whom they are negotiating.

Instructor Preparation

1. Read Chapters 3-7 of *Beyond Reason* (Fisher & Shapiro, 2005), as well as appendices A, B, C, and D on the Five Core Concerns.
2. Gather materials:
 - a. Have a whiteboard/blackboard accessible
 - b. Print:
 - i. "PureLife Drug Manufacturer" Worksheet for Students (1 copy per group)
 - ii. "HealthSafe" Worksheet for Students (1 copy per group)
 - iii. "Doctor A" Worksheet for Students (1 copy per group)
 - iv. "Doctor B" Worksheet for Students (1 copy per group)
 - v. "Parent of Afflicted Child" Worksheet for Students (1 copy per group)
 - vi. "Parent of Failed Drug Trial Patient" Worksheet for Students (1 copy per group)
 - vii. "Health Insurance Representative" Worksheet for Students (1 copy per group)
 - viii. "Public Health Researcher" Worksheet for Students (1 copy per group)

3. *Optional Recommendation: If possible, use one facilitator for each group to help ensure group members are appropriately representing their roles during negotiations. Otherwise, the facilitator(s) can travel among groups as needed.*

Process (Total Estimated Time: 30 minutes)

1. Assign the reading of chapters 3-7 of *Beyond Reason* (Fisher & Shapiro, 2005) at least three nights before this exercise is planned. Assign Appendix B for reading at least one night before this exercise is planned.
2. To begin the class:
 - a. Write down the Five Core Concerns on the whiteboard/blackboard. Use the chart in Appendix A for reference.
 - b. Read through the Five Core Concerns and their descriptions (Appendices A and C)
 - c. Ask students, "Have you experienced situations in which one of the Five Core Concerns played a role?"
 - d. Write down students' contributions on whiteboard/blackboard
3. Divide the class evenly among the eight listed roles and form groups with one person per role. A facilitator with the materials for the simulation should join each group, if possible. *Note: the number of people in each role does not need to be exactly equal. Consider removing a role, or having multiple people in a role -- the purpose is to ensure that there is an approximately equal distribution of roles.* The main facilitator will remain at the front of the room and read aloud this scenario brief:
 - a. Say: "There is a new epidemic of a rare pediatric disease, Tribalitis, with a high mortality rate that afflicts young children. PureLife, a pharmaceuticals firm, has entered the late stages of developing the treatment: Affilia. PureLife has run a trial, and their drug works in about 65% of cases. However, it also causes nausea, migraines, bodily pain, and is very expensive. Another drug company, HealthSafe, is in the early stages of developing its own separate treatment, for which initial tests show a much higher success rate and fewer adverse side effects. Although there is not enough data to draw significant conclusions yet, it looks very promising and, if successful, is expected to enter the market 4-5 years from now. However, the disease develops rapidly over the span of a few months, and time is of the essence when it comes to saving human lives.

Following procedure, the FDA is convening a board to determine - by majority vote - if the Affilia drug should be approved for limited use. It is up to the board to decide whether to approve Affilia immediately or wait for the possibility of a better option. You are a powerful actor in this conversation and have been invited to participate in the negotiations."

4. Randomly assign roles and give students the corresponding briefs. Allow them 2 minutes to read their worksheets.
5. Say: “Now that you are all familiar with your roles, it is time to determine whether or not Affilia should be approved. However, in order to make the conversation more productive and time-efficient, the FDA only has five spots available on the board. Your first task will be to decide which five individuals from your group will be present during this discussion.

You have 10 minutes to come to a consensus on the roles to be represented. If you do not decide in time, the FDA has a predetermined board composition that will be used. To avoid biasing the selection process, this list is kept secret until after the round.”

As this may be a shocking announcement, it will be critical for the facilitator(s) to maintain order and keep the negotiation on a strict timeline when this is announced. Immediately proceed to Round 1.

Round 1 (10 minutes)

1. Set a timer for 10 minutes and start Round 1. During this negotiation, each stakeholder should be advocating for themselves, speaking as if they were representing their role in the first person. This should not be a general, third-person discussion about which five stakeholders are most deserving to be on the board. Facilitators should enforce this approach when necessary, with interjections and hints that students who are not selected won't get to participate in the final discussion.

Note: you can adjust the number of stakeholders allowed on the board according to your class's needs. The key idea is that it will be sufficiently smaller than the size of the group itself.

Intermission Round (2 minutes)

1. After the 10 minutes for Round 1 of negotiation are up, ask groups that have not reached a consensus to raise their hands. The facilitator(s) will then inform them which actors have been elected to the negotiating board based on the following methodology:

If **only one** group does not reach consensus, assign **Group Composition 1**. If **two or more groups** do not reach a consensus, **alternate** between assigning **Group Composition 1 and Group Composition 2**. For example, if four groups fail to reach a consensus, the first and third groups will be assigned Group Composition 1, and the second and fourth groups will be assigned Group Composition 2.

Note: The group compositions have been constructed to showcase the importance of the information provided to the Public Health Researcher* as well as the importance of the balance, or imbalance, of rational and emotional positions and interests.

Group Composition 1 (rational): Public Health Researcher, Health Insurance Representative, Doctor A, PureLife, HealthSafe

Group Composition 2 (emotional): Health Insurance Representative, PureLife, Parent of Afflicted Child, Parent of Failed Drug Trial Patient, HealthSafe

*The Public Health Researcher is important in this setting. If the Public Health Researcher is a part of a group's final board composition, the individual in that role will be made privy to extra information that other roles will be unable to access.

Round 2 (5 minutes +2 minutes for voting)

1. After the first negotiation, read the following scenario brief:

“You have now selected the 5 board members who will participate in the FDA negotiation. If you have not been selected for a board seat, please observe the negotiation, but do not speak or otherwise communicate during it. Take keen note of the dynamics—you all will be our primary commentators during the debrief. If you have been selected for the next round of negotiation, please take a seat with the other members of the board. Observers can pull their desks back slightly, and board members can move their desks slightly forward.”

2. Pass out the “Confidential Information for Second Round” brief to Public Health Researchers that have been selected for the board. Concurrently, announce that:

“A research team from the National Institutes of Health has preliminary results concerning their research into Tribalitis. These results are fresh and only disseminated to members of the research team, which includes the Public Health Researcher.”

3. Say: “Your task is to negotiate the approval or disapproval of the drug Affilia, and then vote by simple majority on its approval. Be conscious of your interests, be true to your position, and be aware of who is both at the table and away from it. You will have 5 minutes to discuss before the FDA asks for a simple majority vote. Good luck.”
4. After 5 minutes, announce that time is up. No further discussion is permitted at this time. The group facilitators will ask each board member for their vote, either approval or rejection of the drug. A simple majority will decide each group's outcome.

Debrief (25 minutes)

1. Once the negotiation is complete and the final vote is finished, begin the debrief. On a whiteboard, create a table where each of the groups can report (1) their drug approval results, (2) which stakeholders were eliminated before the second round of negotiation, and (3) whether the additional information was presented to the group.
2. Start a conversation about the recently completed simulation. First, ask for comments from those who were not selected for the board:
 - “Did you feel heard?”
 - “Are you happy with the outcome of the vote? Would it have changed if you got a chance to speak?”
 - “Which of the Five Core Concerns did you feel went unaddressed?”
3. Some relevant guiding questions to examine the differences between Round 1 and Round 2 may include:
 - “Did anyone feel like they diminished their own power during Round 2 negotiations because of how they affiliated, or disaffiliated, with others during Round 1?”
 - Follow up: Explore how initial affiliation or disaffiliation can impact a negotiation. The design of the negotiation process can significantly influence how people feel, beyond their satisfaction or dissatisfaction with the material outcome. Students who didn’t participate in the final round probably feel different than students who held the deciding votes.
 - “How was your status affected by which people were brought to the table?”
 - Follow up: Examine how status can be relative to parties involved in the negotiation. Some students probably got more of a say than others in each round of negotiation.
 - “You were all assigned roles for this negotiation, but did you take on slightly different roles during Round 1? What about Round 2?”
 - Follow up: Illustrate how context can influence the temporary roles that negotiating parties have to adopt. Students likely adjusted to the situation depending on how others were treating them, and how much of a say they were getting throughout the negotiation.
 - “If you were excluded, what were your emotions? In retrospect, did you feel like they were justified?”
 - Follow up: Demonstrate how infringing upon one’s autonomy causes feelings of animosity and resentment towards the other parties. People who didn’t get a say have less autonomy than those who did and thus likely felt worse.

- “What were the consequences of your decision? In what ways did your decision about who to bring to the table affect your eventual outcomes? What if you had brought a different subset of roles to the table?”
 - Follow up: Examine how participants’ rationality and emotionality, as well as the information brought to the table, impacted both the process and final outcome of the negotiation.
- “In what ways did the contextual information about your role from the briefing impact your negotiation strategy?”
 - Follow up: Explore how participants’ backgrounds and past experiences affect the mindset each person uses to frame the discussion.
- “Did you feel your group was guided more by emotional or rational discussions / feelings?”
 - Follow up: Illustrate that the rational and emotional makeup of each individual influences the process employed during negotiations.

Conclusion: (9 minutes)

1. Follow up with a final analysis of the activity. See Appendix D for a potential script.
2. Conclude the debrief by summarizing the key points of the Five Core Concerns. See Appendix E for a potential script.

Teacher Insights Guide - Student Worksheets

Instructions for Instructor: Print these worksheets and pass them out to students at the beginning of the case study. Each student gets a General Worksheet and one of the role worksheets.

Note: you can adjust the number of roles available, and the number of students per role. The main idea is that the distribution of roles is roughly even within each group to ensure a greater diversity of opinions and interests in the resulting discussions.

This exercise is the work of the authors of *Understanding Others through Negotiation: A Guide for Students by Students*, as well as the students listed in the “Chapter Acknowledgements” section below. Copies can be downloaded from www.inp.harvard.edu. All materials and worksheets in *Understanding Others through Negotiation: A Guide for Students by Students* may not be reproduced, edited, or otherwise transmitted or distributed in any form without the express written permission of the copyright holders. Copyright © 2022 by Ilona Demler, Sarah Lightbody, Uriel Martinez, Clara Nevins, Indumathi Prakash, and Lucas Woodley. All rights reserved. Publication by the Harvard International Negotiation Program.

Background: General Worksheet for Students

SCENARIO:

There is a new epidemic of a rare pediatric disease, Tribalitis, with a high mortality rate that afflicts young children. PureLife, a pharmaceuticals firm, has entered the late stages of developing the treatment Affilia. They've run a trial, and the drug works in about 65% of cases. However, it also causes nausea, migraines, bodily pain, and is very expensive. Another drug company, HealthSafe, is in the early stages of developing its own separate treatment, for which initial tests show a much higher success rate and fewer adverse side effects. Although there is not enough data to draw significant conclusions yet, it looks very promising and, if successful, is expected to enter the market in 4-5 years. However, the disease develops rapidly over the span of a few months, and time is of the essence when it comes to saving human lives.

Following procedure, the FDA is convening a board to determine if the Affilia drug should be approved for limited usage. It is up to the board to decide whether to approve Affilia immediately or wait for the possibility of a better option. You are a powerful actor in this conversation and have been invited to participate in the negotiations.

The complete list of stakeholders in the scenario is as follows:

- PureLife (Drug Manufacturer)
- HealthSafe (Competing Drug Manufacturer)
- Doctor A
- Doctor B
- Parent of Afflicted Child
- Parent of Failed Drug Trial Patient
- Health Insurance Representative
- Public Health Researcher

Role 1 Worksheet: PureLife (Drug Manufacturer)

YOUR ROLE: Your company is one of the leading pharmaceutical companies in the country. Massive investments have been made throughout the past few years to try to find a cure for the epidemic of Tribalitis, and losing this investment is not an option. The drug your company has developed, Affilia, is in its last stages before release. The last trial achieved 65% effectiveness, but included certain severe side effects such as nausea, migraines, and pain; the drug is also quite expensive. You face one major competitor who is still 4 or 5 years away from developing a similar drug; however, they promise a more effective cure with little to no side effects. If they are to persuade stakeholders that it is more beneficial to disapprove Affilia and wait for their drug, your company will suffer significant losses. There may be opportunities to improve Affilia and reduce its side effects, but still at a significant cost to your company. Even if improvements are made, your competitor may still cut into future profits. You are about to enter the negotiations that will determine the future of your company.

Role 2 Worksheet: HealthSafe (Competing Drug Manufacturer)

YOUR ROLE: Your company, HealthSafe, has been investing great amounts of time and money into developing a treatment for Tribalitis. This drug offers huge profits and great press for your company. The drug you are developing shows promise in offering a cheaper, more effective, and safer treatment than your competitor's, Affilia. However, you will need to finish drug development and clinical trials before the drug can enter licensing and reach the market—this process will likely take 4-5 years. If your competitor's drug enters the market first, this would offer them the time to establish a monopoly in the market and seriously cut your projected profits on your new drug. You have already invested large sums of money to get this far. Financially, it is in your best interest to keep your competitor's drug off the market.

Role 3 Worksheet: Doctor A

YOUR ROLE: You are a practicing and experienced pediatrician who has, over the years, seen a significant number of cases of Tribalitis affect young patients. These children have mostly all passed away painfully, leaving behind teary-eyed parents who have, as a result, lost faith in the medical system. On an emotional level, you see any potential cure to this horrific disease as a unique opportunity—the news of this new drug has excited both you and the national network of pediatricians who have too often seen the toll of Tribalitis. Yet, at the same time, your experience has made you very wary of accelerating drugs through the approval process in the name of corporate profit, and you wonder whether the treatment has undergone sufficient and comprehensive clinical trials—especially given that it is to be used on children. For the welfare of your young patients and their families, you are interested in further research into both the proposed drug and the disease, as well as competitive alternatives.

Role 4 Worksheet: Doctor B

YOUR ROLE: You are a new pediatrician, fresh out of medical school who has not yet gotten used to the demands of the role. During your residencies, you have seen children pass away painfully from Tribalitis, leaving behind teary-eyed parents who have, as a result, lost faith in the medical system. On an emotional level, you see any potential cure to this horrific disease as a unique opportunity—the news of this potential new drug has excited both you and the national network of pediatricians who have too often seen the toll of Tribalitis. You, in particular, want any opportunity to not have to be the person to tell parents that their children have passed away from the disease. You realize that for the welfare of your young patients and their families, further research into both the proposed drug and the disease, as well as competitive alternatives, are good ideas—but at the same time, you recognize the urgency of the situation.

Role 5 Worksheet: Parent of Afflicted Child

YOUR ROLE: You are the parent of a child who has this rare disease. Your child was not selected for Affilia’s preliminary trial, and you are getting more and more desperate for anything that will help cure the disease. Tribalitis has an extremely high mortality rate, and you are sure that without this drug, your child will die. You feel that if this drug is approved for limited usage, there will be at least some chance for your child to survive. You understand that the competing drug manufacturer may have a safer version of this drug, but you are not willing to wait the 4-5 years it will take for their drug to reach the market. You also believe that if Affilia is approved now, the competing drug manufacturer will have more motivation to speed up their timetable, which could also be beneficial for everyone.

Role 6 Worksheet: Parent of Failed Drug Trial Patient

YOUR ROLE: Your daughter was suffering from an advanced stage of Tribalitis when she had the opportunity to take part in Affilia’s preliminary trials. Before diagnosis, your daughter did well in school and had high hopes to become a doctor. She experienced serious depression and anxiety after her diagnosis, which significantly affected her social life. She then began the drug trial. During the first few weeks, her condition marginally improved. However, after the third week of treatment, she suddenly deteriorated, and all the late symptoms of the disease developed a lot sooner than initially expected, leading to her early death. Even though the cause of death was attributed to Tribalitis, you believe that the treatment accelerated the negative effects of the disease. Therefore, you think that additional tests should be carried out before releasing Affilia on the market. You believe that waiting a few more years for a safer drug would be in the interest of those affected.

Role 7 Worksheet: Health Insurance Representative

YOUR ROLE: You are an internal consultant on Shap Insurance Company's pricing team with a strong background in the private sector—you won awards at every company you worked for. You advise the company on which drugs to cover. If Affilia is manufactured, then Shap Insurance will have to cover the drug for their customers because they want to stay ahead of their competitors. You feel like this new drug will be extremely costly to cover for your patients, but you also know that Shap Insurance Company has the ability to raise premiums. It is likely that Shap Insurance will experience an increase in the number of customers, but it is unclear as to whether these new customers will be disproportionately affected by the disease. Therefore, it is difficult to determine the final effect Affilia's approval would have on your bottom line.

Role 8 Worksheet: Public Health Researcher

YOUR ROLE: You've worked in public health your entire career, with a focus on health insurance. You were in and out of hospitals a lot as a child, so you're particularly interested in pediatric diseases. Even though Affilia is not your specialty, your unique background has led to your candidacy to serve on this board. You have seen drugs released too early many times in your career. Oftentimes, these drugs have dangerous negative side effects and fail to cure patients. The emotional toll inflicted by the drug comes at a massive cost to the mental health of the family. On the other hand, you know Affilia has the potential to save lives. As an academic, you have the legitimacy and background to be an influential player in the negotiations of the release of Affilia. You have not yet decided if the benefits of this drug are worth the risks.

Confidential Information for Second Round

To be shown to the Public Health Researcher:

New research suggests that Tribalitis can be prevented in 90% of all cases by a simple procedural adjustment in hospitals for neonatal care. The team expects that all hospitals will have preventative measures in place within 1 month. Due to these changes, future newborns will have a 90% lower chance of contracting Tribalitis; however, all currently afflicted children will still be affected.

Teacher Insights Guide - Teacher Worksheets

Appendix A: The Five Core Concerns

Instructions for Instructor: Review the following table before class, and copy down the Five Core Concerns (Fisher & Shapiro, 2005) on the blackboard/whiteboard. Before starting the exercise, verbally go over each of the Five Core Concerns, and write down students' personal experiences/anecdotes.

Core Concern	Definition
Appreciation	Understanding and expressing recognition of the merit in a person's thoughts, feelings, or actions
Affiliation	One's sense of connectedness with another person or group; connections can be structural or personal. Structural affiliation is a shared connection with another person or group based on belonging to a larger entity, such as an employer or school. Personal affiliation is a shared connection based on the mutual revelation of personal thoughts, feelings, experiences, and beliefs
Autonomy	The freedom to make decisions without imposition from others
Status	One's standing in relation to others—this can either be social status or particular status. Social status is one's general standing in a social hierarchy, and particular status is one's standing within a narrowly defined substantive field, such as expertise in health economics
Role	A job label and a corresponding set of activities expected of a person in a specific situation—this can be either conventional or temporary. Conventional roles are the more traditional roles individuals adopt as members of a given organization and include more stable aspects of one's life, such as being a parent or doctor. Temporary roles, on the other hand, are the roles people adopt situationally and offer more flexibility; they are centered around the many responsibilities we must regularly juggle, such as being a problem solver, arbiter, or mentor

SOURCE: From *Beyond Reason* (Fisher & Shapiro, 2005)

Appendix B: The Five Core Concerns - Background Story

Instructions for Instructor: Read the following appendix and assign it as reading for the students before class.

Suppose your connecting flight to go back home to your family in California has just been canceled. It's been a long semester of school, and the last thing you want to be doing is standing for two sweaty hours in a line of similarly grumpy people, all of whom are trying to figure out a way to make it home. After yet another painful hour, you are finally in front of the airline receptionist. "Can I get on the next connecting flight to California?" you broach, handing her your now-useless boarding pass and passport. "We are sorry, but we are completely booked until tomorrow evening," is the curt response.

What do you do? It feels natural to start protesting this—it's not *your* fault that your first flight came in late and that you've now been standing in line for who knows how long. The airline attendant is being rude and inconsiderate of your situation, and it just doesn't feel fair!

But before you start yelling, let's hit pause. Why do you feel so upset? You aren't *really* angry just because the airline receptionist gave you a snappy response; you are angry because of everything that led up to this point, from the bumpy and uncomfortable flight to the fact that you miss your family and won't be able to see them tonight. But, before you start yelling and the situation blows up into a heated conflict, let's examine what led to this situation and what underlying processes are pushing it forward, using the Five Core Concerns framework.

Whether we like it or not, every one of our interactions is guided by emotions. We cannot help but get angry that the conversation isn't going our way: when we aren't getting the promotion that we spent all year working towards, when it feels like our opinion on how to carry out a difficult task isn't being considered, or when we cannot get our significant other to listen to what we have to say. When we are constantly navigating the difficult terrain of personal affronts and misdemeanors, it can feel like there is no winning—that we are destined to run into trouble no matter what we try to do.

We cannot turn off our feelings, and we cannot help responding the way we do to certain situations or unexpected changes. But, by identifying the emotions we experience and realizing the processes by which they came about, we can take control of them. Instead of feeling helpless and letting these emotions overwhelm us, let's examine the underlying processes that are causing them in the first place. We can better understand these emotions through the framework of the Five Core Concerns: **appreciation, affiliation, autonomy, status, and role**. These are the elements that guide our everyday interactions and are at the core of every conflict and relationship that we build. We often overlook them because they aren't as tangible, but they hold just as much weight—if not more—than commonly-held interests like the amount we get paid or our vacation benefits.

Let's return to the travel situation from the beginning of this chapter. You're still standing there in front of the receptionist, and she has just told you that there are no flights available until tomorrow evening. Now, let's zero in on each of the Five Core Concerns factoring into this situation,

understanding what the concern represents, discussing how it drives the situation and examining what we can do to address it going forward.

Appreciation

You feel like you aren't being appreciated and that the airline company is taking advantage of you. You haven't seen your family in months and have been standing in line for hours, only to get turned away and told to try again tomorrow. You're irritated. But what about the flight attendant? Maybe she's been working since 7 am, dealing with angry customers who keep yelling at her, no matter how much she tries to meet their needs. Maybe she just heard bad news and is simply trying to get through the day. Realistically speaking, she has no control over how quickly flights get booked nor which flights get canceled. She is simply trying to do her job to support her family, and the last thing she wants to be dealing with is another customer telling her she's incompetent at her own job.

The receptionist cannot physically place you on another flight today, but maybe there is some way to leverage the situation for yourself by showing her that you understand her side of things, too. "Okay, I understand that there are no flights until tomorrow evening and that you have been trying to accommodate everyone who was supposed to be on the flight today. I can only imagine how chaotic things are from your end, and I don't want to make this any more difficult for you. I am happy to wait for the next possible flight, and in the meantime, are there any options for where I could stay until then?" You have suddenly shifted the entire tone of the conversation—it's no longer a counterattack on the airline receptionist—which in turn makes her more willing to listen to your situation and accommodate your needs. By identifying that you don't feel appreciated because you feel like your time and money are being wasted, you are also able to recognize that the other person could be going through the same thing. By finding merit in the receptionist's work and appreciating her time, you have made her more willing to help you in return and have produced the best possible outcome for a situation that started out very differently.

Affiliation

It feels like you and the receptionist are on opposite sides of the chessboard. Everything she does, to you, represents the cruel airline company that is preventing you from getting home and seeing your family. You feel like you are a cog in the machine, forced to sit through long lines in an inattentive so-called "help" center. But to the receptionist, you are yet another customer who is failing to appreciate her work. It comes, then, as no surprise that the two of you are on the brink of an argument: it feels like you have nothing in common, so the situation feels purely adversarial.

But do not fret, because all is not yet lost! Even the smallest shared commonality can build a bridge of connection. Maybe you have a friend or family member who has worked at an airline. Maybe you've worked in customer service as well and know what it's like to be on the other side of this interaction. Maybe you simply empathize, realizing that the receptionist's job can't be very pleasant at all. So, let's first use this as a chance to start building affiliation before proceeding with the negotiation.

“Okay, I understand that you cannot put me on anything earlier than a flight tomorrow. My sister works as an airline receptionist back home in California, and from what I hear, this stuff happens all the time and must be extremely frustrating.” All of a sudden, you and the receptionist now have something in common, a shared perspective of what this situation must be like from her end. You are both fighting for a common cause: resolving this issue as quickly and efficiently as possible. By finding these shared connections, we are able to build relationships that aren’t purely transactional by nature.

If you can capitalize on this shared commonality and frame the conversation as the two of you fighting against the problem rather than each other, then you might end up having a much more productive conversation. And it is never too mundane to call attention to this fact outright, with something as blatant as “As I see things, we are both trying to resolve this problem as quickly and painlessly as possible. I just want to get home to my family as soon as I can, and I don’t want to cause you unnecessary trouble. How about we look at options for tomorrow, as well as a place I can stay tonight?” It’s hard to disagree with this logic—nobody can argue against wanting to resolve a conflict quickly and efficiently. Even though it might seem silly to say in the moment, sometimes stating the obvious can do much more for us than we think.

Autonomy

Autonomy is the freedom we have to make decisions without imposition from others. We all want to have the appropriate amount of autonomy that we feel we deserve, and when this is taken away from us, we feel unjustly wronged. In negotiations, we sometimes unduly limit our own autonomy without realizing it and end up feeling powerless about decisions that concern our futures. In the case of the airline incident, this comes in the form of you feeling like you have no control over how and when you can get home.

There are several ways in which you can target autonomy while standing in front of the airline attendant. The first is to expand your own autonomy—even though you’re not the one in front of the screen booking your flight home, your opinion and input carry weight in the situation. By inventing creative options that could benefit everyone involved, you can harness this potential and regain some control over your fate. This joint brainstorming, with you offering the flight attendant possible alternatives such as being booked to stay in a nearby hotel an extra day or getting airline lounge access while you wait for the next flight, could generate a productive discussion that ends up resolving the problem instead of the unproductive back-and-forth argument that has been brewing up until this point.

Which flight you end up rescheduling to is ultimately up to the airline attendant, but it will feel more satisfying and reassuring to know that you did everything in your power to ensure you get home as quickly as possible. You know yourself best, and you know exactly what will be the most comfortable and stress-free solution.

In other situations, you might be the party that inadvertently ends up impinging on the other side’s autonomy. It is natural for the wronged party to start protesting this and to be disagreeable to any

action you try to take, even if it's in their own best interest. Once again, we all know how irrational we can be when we feel wronged, but recognizing this allows us to plan accordingly.

When you find yourself in this position, the first step to tackling the problem is making sure that the other party regains some of the autonomy they feel like they've lost. This can be as simple as asking them for their input and what their priorities are. This strategy is called "ACBD" (Always Consult Before Deciding). Even in the most mundane matters like buying groceries or setting up furniture, people want to feel like they have control. Once they feel like you recognize their needs and are working to address them, they will be in stronger agreement with any action you take because they realize it's also in their best interest.

Status

How likely are you to talk back to the TSA officer checking your passport? What about the airline assistant who just gave you that curt no? You probably gave a different answer to these questions because of the effect status has on every one of our interactions.

Social status is the extent to which we are regarded by others as someone important or famous. In terms of the bigger picture, the net sum of these relative social standings dictates the way in which we organize ourselves as a society. Generally speaking, the ones at the top are the ones to whom we give the most respect. We are more likely to talk back to people who we perceive to hold a lower social standing than ours, unconsciously attributing more weight to our own opinions and interests.

Particular status is one's standing in terms of expertise and experience in a specific field. Regardless of your social standing, your own skills and abilities carry a worth that is separate from your ability to engage with your community. This could be the title you hold in your company, the leadership positions you have in an after-school club, or your job as a math tutor at a local academy.

Being able to tune into other people's social and particular status is an important skill that can help in the long run. Pay attention to the details people give about themselves while you're talking to them: a work schedule filled with meetings and travel can indicate that they are pretty high up in management for their firm, a taxing project whose deadline they are trying to meet might indicate that they are a skilled programmer, and a complaint about not being able to get a dinner reservation for Friday night might mean they just scored a date with someone they've been admiring for a while. Once you are aware of someone's status, you are better able to gauge how they view themselves and can treat them with the respect and understanding they feel they deserve.

Returning to the airline attendant once again, she has both a social status and particular status that we can gauge for ourselves. As we've already discussed, the airline receptionist had no control over the fact that your connecting flight was canceled. This is a consequence of her particular status as an airline receptionist, and not someone higher up in the line of command, who likely made that decision. Therefore, it feels unfair to her if you start questioning her inability to do anything about it. On the other hand, she is the one in front of the computer screen who can book your substitute flight. Her social status, though, might show that she is a respected member of her community, and thus does not tolerate being treated with disrespect. This could also mean that she feels a responsibility for those

under her wing. In this case, treating her politely can make her more willing to investigate potential solutions for your situation and go through extra steps to improve your life down the line.

Role

Role is your job label and the corresponding set of responsibilities specific to this position. The specific roles we are in are constantly changing, and we find some more satisfying and engaging than others. When you wake up in the morning, you might be playing the temporary role of a caretaker, making breakfast for the rest of your family and making sure everyone has a packed lunch. When you get to work, you take on the role of an executive, holding meetings and setting big picture plans for your company. When you sit in traffic on the way back, you are just another disgruntled driver suffering the consequences of hitting rush hour. And, when you are meeting people for the first time, you might be shy and quiet, or loud and bubbly, depending on the role you feel you're in and are trying to set for yourself.

When people feel fixed in a conventional role they resent, such as that of a powerless airline receptionist who consistently gets talked over by angry customers, this discontentment can fester and result in conflicts down the line. In cases like this, when we fall into conventional roles without thinking twice, we risk turning minor inconveniences into big issues for “no apparent reason.” If we instead become self-aware of these roles, we can distinguish between the actions that we must do because they fit our role and the actions we can take that can change our role.

When chosen correctly, a fulfilling role can bring about a certain satisfaction and contentment. We can sense the roles that others seek to fill and act in ways that help them fill their duties. For the airline receptionist, we might sense that she finds an inherent satisfaction in smoothing out challenging situations and providing good customer service. If we start acting differently towards her to show that we want her to succeed in this role, she will be more eager to help you as you try to figure out your way home.

To conclude, once you have diagnosed a problem using the Core Concerns Framework, you can now act on it. In doing so, you can come to a solution that is both beneficial to you and speeds up the process for the receptionist on the other side. At a fundamental level, people want to feel that their emotional needs are being met. When they perceive this isn't the case, they are less willing to be agreeable or accommodating to your needs and perspective. Here, subtlety is key. Although the Five Core Concerns cannot be quantified in substantive terms, they can exert more influence and significance on our everyday interactions than more obvious things like the exact numbers on a paycheck or time at which a flight leaves the airport. When we feel like our emotional needs are met and understood, other bumps and grievances along the way suddenly become a little less daunting.

Appendix C: Implementing the Five Core Concerns

Instructions for Instructor: Read through this table at the start of class.

Core Concerns	The Concern is ignored when...	The Concern is met when...
Appreciation	Your thoughts, feelings, or actions are devalued	Your thoughts, feelings, and actions are acknowledged as having merit
Affiliation	You are treated as an adversary and kept at a distance	You are treated as a colleague and brought into the conversation
Autonomy	Your freedom to make decisions is impinged upon	Others respect your freedom to decide important matters
Status	Your relative standing is treated as inferior to that of others	Your standing is given full recognition where deserved
Role	Your current role and its activities are not personally fulfilling or meaningful	You define your role and its activities such that you find them fulfilling and personally meaningful

SOURCE: From *Beyond Reason* (Fisher & Shapiro, 2005)

Appendix D: How the Five Core Concerns Frame this Exercise

Instructions for Instructor: Read this aloud to students as a closing of the Affilia Dilemma.

The Affilia Dilemma highlights how the Five Core Concerns may manifest throughout negotiations. Expressing appreciation for members with whom you negotiated in Round 1 can make Round 2's negotiations easier, as individuals are likely to consider your arguments more thoroughly if they feel you have a genuine understanding of their perspective. Also, in the case of the two parents, whose interests are very emotionally-driven, expressing an appreciation for their positions may cause them to support you in favor of themselves, as they might feel you are well-equipped to act in their interests.

On one hand, affiliation can be used to bond with other participants, illustrated through the likely collaboration between different members who supported either approving or rejecting Affilia (since those in each group had a shared intragroup interest). On the other hand, affiliation can be used to pit yourself against another individual, such as the combative dynamic that likely emerged between PureLife and HealthSafe drug manufacturers.

Autonomy is best demonstrated in the post-simulation reflections from participants not included in the second round of negotiation. Those left out will often express a significant level of

dissatisfaction with their exclusion from the conversation, especially if other members of the group failed to address the rest of their Five Core Concerns during the first round.

Role had the potential to influence how participants acted during negotiations and the interests with which they approached the situation. Parents were likely fueled by visceral emotions and had their interests heavily dictated by the current situation of their respective children; the two competing drug manufacturers were heavily motivated by their company affiliation and were thus encouraged to act in their companies' best interests; and the two doctors were both driven by their professional roles as pediatricians who would have to take care of young patients. Yet, the exercise also required all parties to take on the temporary role of decision-maker—this shows how temporary and conventional role often influence one another, as well as the negotiation.

Differences in status likely stemmed predominantly from the different roles assumed during this negotiation. Participants acting as the Public Health Researcher, for example, learned information in the second round that had the potential to drastically shift the outcome of negotiations. This difference in informational access can cause those with greater access to have a higher status than those who lack such information.

Appendix E: How the Five Core Concerns Relate to this Exercise

Instructions for Instructor: Read this aloud to students as a closing of the Affilia Dilemma, after reading Appendix D.

The main focus of this case study is to illustrate how the Five Core Concerns are used to map out and keep track of negotiations from an emotional perspective. The emotional side of negotiation works best in tandem with the rational parts as outlined by the Five Critical Elements. One useful way to think about applying these two frameworks simultaneously is to allow the Five Critical Elements to govern the **what** behind a negotiation, focusing on the contents of the agreement itself (who gets what, is the outcome fair, how will we enforce it, etc.), while the Five Core Concerns dictate the **how** of negotiation, enabling you to determine the best *process* to employ in order to come to an agreement.

For example, recall the case of the aforementioned receptionist: the Five Critical Elements might allow you both to agree on a particular outcome, such as moving your flight to tomorrow morning and you staying in the lounge during the interim. This agreement would be based on an outcome that best serves each of your interests and is based on a standard of legitimacy. However, there are two very different ways in which this final solution may be agreed upon: with and without consideration of the Five Core Concerns. If you fail to consider the emotional elements of negotiation, you may come to the same outcome, yes, but the process of getting there may be fraught with insults, animosity, and a mutual disrespect for the other person. Alternatively, engaging in a negotiation process that accounts for the emotional side of human beings can allow both you and the receptionist to conduct yourselves in a more collaborative way, expressing mutual respect for each other and an understanding of the difficult situation to be navigated by all involved. Though you might still end up with the same result, using the Five Core Concerns to establish a process can allow you both to walk

away from the negotiation feeling positive, rather than as if you've just engaged in a heated battle with each other. This positive outcome obviously offers benefits to both parties' senses of well-being, as the whole experience is emotionally easier on the individuals. Additionally, it can produce tangibly better outcomes as the receptionist may be more willing to accommodate your specific needs if she feels valued.

Chapter Acknowledgements

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Chapter 3: Why Is Negotiation So Much Harder in Real Life? The Five Lures of the Tribal Mind

Why is negotiation so much harder in real life? In many spheres, having the necessary tools for the job does not automatically enable you to solve the problem. If you have a dead car battery, even with a pair of jumper cables handy, you must still be aware of the potential dangers. Connecting the wrong wires, or the right ones but in the wrong order, can have disastrous results for everyone. Negotiation is no different—there are a number of dangers that can derail the situation if one is caught unawares. This chapter explains what those dangers are, how to identify them, and how to prevent them from taking over and sabotaging your negotiations.

Purpose

By the end of this exercise, students will identify the Five Lures of the Tribal Mind (Shapiro, 2017) when interacting with others and use them to be better negotiators. Specific objectives include

1. Students learn and employ useful tactics for recognizing each of the Five Lures of the Tribal Mind.
2. Students recognize how the Five Lures of the Tribal Mind can affect negotiations without being noticed.

Instructor Preparation

1. Read about the Five Lures of the Tribal Mind in Chapters 4-9 of *Negotiating the Nonnegotiable* (Shapiro, 2017).
2. Gather materials:
 - Get index cards with the following dollar amounts of investment: \$5,000; \$10,000; \$25,000; \$60,000; \$100,000; \$200,000; \$300,000; \$500,000 (8 cards in total)
 - Photocopy “Fish Tank Judge” Worksheet for Students (1 copy per judge; 4 in total)
 - *Note: Teachers and teaching assistants are often the judges; however, 4 students can also serve as the judges if needed.*
 - Photocopy “Startup Competitor” Worksheet for Students (1 copy per startup competitor)
 - A timer (or phone / watch to keep time)

Process (Total Estimated Time: 35 minutes)

Teaching the Five Lures of the Tribal Mind (7 minutes)

1. Assign Chapters 4-9 of *Negotiating the Nonnegotiable* (Shapiro, 2017) to be read at least two nights before this exercise. This will help students gain an early understanding of how the Five Lures of the Tribal Mind might derail negotiations if ignored.
2. Explain the Five Lures of the Tribal Mind. Use the diagram in Appendix A to explain the Five Lures of the Tribal Mind and the tactics of how to use them. Note that students should already be familiar with them from the assigned reading.
3. Use the sample story in Appendix B to illustrate how the Five Lures of the Tribal Mind are used in conversation. Consider either using your own story or reading the appendix as a sample script.
4. After the story, ask the students to think about how the story connected to the Five Lures of the Tribal Mind. Have them share their answers out loud with the class. Then, use the explanation in Appendix B to summarize the discussion thus far.

Introduction to the exercise (5 minutes)

1. Assign roles to the class and distribute case study sheets accordingly—typically, teachers and assistants serve as the judges, but if the professor or teacher wants to sit out of the exercise, 4 students can serve as the judges. The rest of the class should be contestants (case study sheets are found under the Student Handouts section).
2. Introduce the exercise:

Say: “Shark Tank is an American television show in which contestants attempt to convince judges to invest their personal money in the contestants’ products and innovative designs. Fish Tank, a new and completely unassociated (and, for legal reasons, fictional) spinoff, features several student groups pitching to a group of so-called Fish. The Fish have one million dollars to invest in the latest and greatest product that aims to revolutionize community life on campus for your school. The money will be given to groups based on the quality of their pitch, and the group with the largest amount of money at the end will get a prize. However, there is a twist: each competitor has been previously informed how much money their product requires for the investment to succeed—some teams may only need a small amount of money, while others may need close to the full one million dollars.”

Note for Facilitator(s): Ultimately, the Fish decide to give the competitors the authority of choosing how to divide the money. It then becomes the group’s decision regarding how to divide the money amongst themselves, throwing students into an unexpected negotiation. Do not reveal this information until later.

3. First, choose the four Fish (professors or teachers if possible, students otherwise) and split the class into 8 groups. Give each group an index card that uniquely lists one of the following amounts: \$5,000; \$10,000; \$25,000; \$60,000; \$100,000; \$200,000; \$300,000; \$500,000. This represents the dollar amount of investment that the group's product needs to succeed, which no other group knows.

Ideation & Selecting Representatives: (5 minutes)

1. Set the timer for the 4-minute ideation period, in which each group creates a company name, logo, and product designed to improve your school's community life.
2. After this brainstorming session,

Say: "The groups have 1 minute to elect up to two people to give their pitch to the Fish in front of the rest of the class. Once selected, each pair of presenters has 1 minute to pitch to the Fish. The pitch must include your group's product name, purpose, and the amount of money they are requesting. If time allows, Fish can also ask questions about the product as they see fit."

Round 1: (8 minutes)

1. Listen to the eight pitches given.
2. Once the pitches are done,

Say: "The Fish liked all eight ideas, and are leaving it up to the groups to negotiate how to split up the \$1,000,000. Groups must quickly pick two representatives, both different from the original presenters of the pitch, to participate in the large-group negotiation. You have 10 seconds."
3. Give students 10 seconds to decide on representatives.

Round 2: (7 minutes)

1. Once groups pick representatives, give the negotiators 5 minutes to decide how to allocate the funds.
2. Seat the students in each group in a single circle and have an allocated stage area in the middle of the room for pitches and the judges.
3. After the 5 minutes,

Say: "Group representatives can announce what they agreed upon."
4. Listen to the group's decision and debrief.

Debrief: (20 minutes)

1. Ask everyone to come together as a class and sit in a circle around the room.

2. Say: “Were you able to utilize the rational, emotional, and identity-based frameworks in light of the intensity and speed of this simulation? Why or why not?”
 - a. Follow up: Have the class share their thoughts out loud. Focus on three characteristics of the tribal mindset: being adversarial, being self-righteous, and being insular. How did these characteristics arise in the negotiation?
3. Say: “What was most challenging about the process of negotiation? Why?”
 - a. Follow up: Watch out for how the Five Lures of the Tribal Mind increase difficulties experienced by participants during negotiation.
4. Say: “How did you react to the surprise announcement from the judges that the \$1 million of funding would have to be negotiated? How did your perception of the other groups change with that announcement?”
 - a. Follow up: Emphasize how built allegiances and positive experiences between parties can lead to easier and more collaborative subsequent negotiations.
5. Say: “What is something that you think you could improve on personally, and what is one thing your entire group could improve on?”
 - a. Follow up: Emphasize how the more exposure you have to the Five Lures of the Tribal Mind, the easier it is to avoid them.

Conclusion: (5 minutes)

1. Follow up with a final analysis of the activity. See Appendix C for ideas.
2. Read the analysis and conclusion in Appendix D to summarize the experience and solidify students’ understanding of the Five Lures of the Tribal Mind.

Teacher Insights Guide - Student Worksheets

Instructions for Instructor: Photocopy “Startup Competitor” Worksheet for Students (1 copy per startup competitor). For the “Fish Tank Judge” Worksheet, photocopy for Fish (1 copy per judge; 4 total). Note that while teachers and professors often opt to act as the judges for this exercise, students may also serve this role at the discretion of the facilitator(s).

This exercise is the work of the authors of *Understanding Others through Negotiation: A Guide for Students by Students*, as well as the students listed in the “Chapter Acknowledgements” section below. Copies can be downloaded from www.inp.harvard.edu. All materials and worksheets in *Understanding Others through Negotiation: A Guide for Students by Students* may not be reproduced, edited, or otherwise transmitted or distributed in any form without the express written permission of the copyright holders. Copyright © 2022 by Ilona Demler, Sarah Lightbody, Uriel Martinez, Clara Nevins, Indumathi Prakash, and Lucas Woodley. All rights reserved. Publication by the Harvard International Negotiation Program.

Role Sheet: Startup Competitor

Abstract: You are a competitor on the hit new game show, Fish Tank. You are going to have the privilege of presenting your idea to a brilliant investor and a team of analysts. You must pitch to the judges a product that will revolutionize your school's community life and secure investment money to bring your idea to life.

Actions: Your task is to come up with a product or service that will drastically transform your school's community life for the better. You will have 4 minutes to discuss and decide upon a product with your group, create a logo for your invention, and elect 2 members to give a 60-second pitch to the judges. Be prepared to answer questions from the judges about your product, especially relating to the motivations behind the product and why the judges should care about the product. Concepts that you might consider include overall accessibility, individual incentives for students, and practicality.

On a separate card, you will see a dollar amount that corresponds to the amount of investment your product needs to succeed, which no one else outside of your group knows. The judges have amassed a fortune of **1 million dollars** that they can invest in the potential products. It is up to your group to persuade the judges of the importance of your product and secure enough money so that your product can be successfully launched. However, the more money you are able to get, the more impactful and successful your product will be.

After all groups give their pitches, each group's representatives will then have to negotiate with the judges to get as much funding as possible. Keep in mind that there are 7 other competitors looking for investment money as well. The judges are looking for the best products and will take into account the potential impact and scope of each one to decide how to divide up the money. Of course, your own incentive is to make your group's product succeed and persuade the judges to invest more money in your product. But as a student yourself, you also want the best for the community.

Role Sheet: Fish Tank Judge

Abstract: You are a judge on the hit new game show: Fish Tank. Collectively, you and your fellow judges have a total of \$1,000,000 that you all want to invest in the up-and-coming startups on the school's campus. You care deeply about community spaces, so you have invited these groups to pitch you their ideas for improving community spaces on campus.

Interests, Motivations, and Concerns: As a judge, your interest is to draw out details of the pitch and play devil's advocate against each idea. Similar to the judges' roles in the real-life TV show, Shark Tank (no affiliation), we encourage you to give constructive and realistic feedback for each group's pitch. Your comments can play an important role in deciding how the money is split at the end of the simulation.

Your public and personal motivations in this conflict will be different. Your public motivation is to choose the most profitable, engaging, and unique idea since the groups believe you are investing your own money into their product. However, because you know the allocation of the funds is ultimately not your decision, your personal motivation is just to stimulate friendly debate that will be useful for the latter half of the exercise. This is when you'll inform each group that they will decide for themselves how the 1 million dollars is split up.

As a judge, you will feel affiliated with the other judges as you all take on similar roles of the interrogator and then later, negotiation facilitator. Finally, your status is the highest in the room—use this to gain the most information possible about each idea. There will be different aspects of the Five Lures of the Tribal Mind at play during the second half of the case, when it is revealed that the groups will determine the final split of the 1 million dollars.

Key Point: Each group will pitch their ideas to the judges with the notion that you all, the judges, will decide how the money is split amongst each group. In reality, the 1 million dollars will be split up amongst the groups by the groups themselves, but as a judge, DO NOT reveal this point until it is time to do so.

Teacher Insights Guide - Teacher Worksheets

Appendix A: The Five Lures of the Tribal Mind (Diagram)

Instructions for Instructor: Use this appendix to explain the Five Lures of the Tribal Mind (Shapiro, 2017). The name of each of the Five Lures of the Tribal Mind is included in the first column, the description of what it is in the second, and some helpful tactics to combat it in the third.

Five Lures of the Tribal Mind	Definition	Tactics
Vertigo	Vertigo is that feeling when you get so consumed in a conflict that you can't think of anything else. You lose track of space and time. Have you been fighting for 5 minutes? 2 hours? It can be hard to keep track when you're stuck in vertigo.	<ul style="list-style-type: none"> - Remember your purpose (“Why did we start having this conversation in the first place?”). - Jolt!
Taboos	Taboos are social prohibitions. They are actions, thoughts, and / or feelings that a community deems unacceptable.	Ask yourself: <ul style="list-style-type: none"> - What should you be talking about that you are not? - What shouldn't you be talking about that you are?
Repetition Compulsion	The compulsion to repeat an action or behavior, particularly an unhealthy one, over and over again.	<ul style="list-style-type: none"> - Stay aware of your own tendencies in the heat of a conflict: Are they helpful? How might you improve upon them? - If you notice yourself reverting to the same old dynamic, decide whether to defy it.
Assault on the Sacred	A threat or attack on one of the most meaningful aspects of your identity (loved ones, beliefs, etc.)	<ul style="list-style-type: none"> - Be aware of what the other person considers sacred and respect it. - If you find you've accidentally attacked something sacred to the other person, apologize, and make a mental note to avoid further attack.

Identity Politics	The process of creating a shared identity with a group to advance a political purpose.	- Create a positive group identity, not a negative one (use this ability to <i>enhance</i> affiliation rather than inflame tensions).
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SOURCE: From *Negotiating the Nonnegotiable* (Shapiro, 2017)

Appendix B: Sample Story of Lures and explanation

Instructions for Instructor: Use this Appendix to help contextualize the Five Lures of the Tribal Mind (Shapiro, 2017) and give students an example of how they might relate to those experienced in their own lives.

It's 11 pm on a Wednesday night. You have a midterm tomorrow at 9 am, and you want as much sleep as possible. You close your textbook and get ready for bed. As you get under the covers, you hear your roommate come into the living room with a stampede of people (which is directly next to your bedroom, and the walls are very thin!). You get up, open the door, and motion your roommate into your room. You explain to her that you have a midterm tomorrow and ask her to move the gathering somewhere else. She promises to be quiet and that she'll get everyone out in half an hour. You reluctantly agree, but a few people linger, and you can't fall asleep until everyone leaves at 4 am. The next day, you can't help but get angry at your roommate over last night's events, particularly because she ignored your numerous pleas to quiet down. She refuses to apologize and cites other times when you have brought people over the night before her exams. The conflict escalates, and suddenly it feels like you have both been yelling for hours. You can't believe how unreasonable she's being!

Summary and Explanation

The tribes effect is an adversarial mindset that divides two parties in the midst of conflict, encouraging people to serve the interests of their own group to the detriment of intergroup problem-solving. It can be easy to fall prey to this mindset, but if you know the characteristics to watch out for, you can prevent yourself from succumbing to it. There are three characteristics of the tribal mindset to be mindful of: being adversarial, being self-righteous, and being insular.

Thinking adversarially means that you believe that the issue at hand is part of a "me versus you" conflict. This is rarely a helpful state of mind because it implies any resulting negotiation is a zero-sum game. It also prevents cooperation—after all, why would you want to cooperate when their gains are your losses? Self-righteousness refers to the belief that your perspective is legitimate, while the other party's perspective is absurd. This, too, makes it difficult to effectively negotiate with the other party, since it's easy to think, "why must I negotiate when the other side is so clearly wrong?" In the same vein, being insular means that you only care about your own point of view, paying little attention to the other party's perspective. This makes communication difficult, as neither side is truly listening to what the other has to say, and it means joint problem-solving is nearly impossible. The three

characteristics of the tribal mindset all prevent effective negotiation by dividing groups along rational, emotional, and identity-based lines.

So why do we fall prey to this mindset? There are certain emotional forces, called the Five Lures of the Tribal Mind, that pull us towards this sense of divisiveness. These are vertigo, taboos, repetition compulsion, assault on the sacred, and identity politics. If you can recognize the Five Lures of the Tribal Mind, you can catch harmful dynamics early in a conflict and counteract them before they ruin the entire problem-solving process. The following case study will explore these dynamics, provoking a tribal mindset from participants to provide firsthand experience in how they manifest and their associated dangers.

While negative thoughts and emotions can quickly lead to unproductive and combative negotiations, maintaining a keen awareness of your current emotional and mental state is an important first step in avoiding their dangers. The difficulty of resolving emotionally-charged conflicts is the Five Lures of the Tribal Mind, which can be challenging to overcome. Identifying the Five Lures of the Tribal Mind can allow you to consciously combat them, which is crucial in negotiation and conflict resolution.

Looking back at the earlier roommate situation, “vertigo” is clearly taking over in this instance. This is when the perception of your roommate’s unreasonable behavior clouds your thoughts, rendering you unable to think clearly or acknowledge the surrounding situation. Ultimately, vertigo causes a bigger divide between you and your roommate and leaves both parties unable to remember what went wrong to begin with. We have all felt, at one time or another, a fight suddenly taking over all of our thoughts. We’re consumed by those thoughts, preventing us from engaging in productive discussion. One possible step towards solving such conflicts is to pause for a moment, remind yourself of the underlying purpose of the conflict, and “jolt” yourself out of vertigo. A “jolt” is an unexpected response, such as making a joke, that diminishes the tension between the two parties and pulls you both out of an argumentative mindset.

Now, to explore each of the Five Lures of the Tribal Mind in more detail, we can define each one and the tactics used to avoid them. It’s important to note that submitting to even a single of the Five Lures of the Tribal Mind can make negotiation almost impossible. The strategies detailed above (see Appendix A) enable you to stop yourself when any of the Five Lures of the Tribal Mind begin to affect negotiations.

Appendix C: Analysis of the Lures Framework

Instructions for Instructor: Use this appendix to help guide your debrief at the end of the exercise.

The Five Lures of the Tribal Mind are natural challenges that can arise when people engage in discussion with one another and are therefore quite common, though they may be difficult to identify. One step to addressing this issue is to be aware of situations in which they might arise. In the Fish Tank case study, vertigo, taboos, and identity politics were likely the three most prominent of the Five Lures

of the Tribal Mind that participants were forced to grapple with. Students likely struggled against the strict time restrictions, and the fast-paced environment was designed to induce a certain level of panic as representatives from each group tried to negotiate in such a constrained context. The created taboo was likely the amount of funding required for each group's project to succeed—though students would have been made better off by collaborating and being honest about the required funds, this information likely became a closely guarded secret within each group (though the instructions never told participants they weren't allowed to share this information with other groups!). Identity politics, specifically divisive ones, was also likely present here, as the process of brainstorming and presenting a product alongside their own groups encourages a level of kinship among members. This, in turn, frequently causes students to pursue their group's goals more aggressively, as they begin to internalize the group's identity into their own.

Though the last two of the Five Lures of the Tribal Mind, repetition compulsion and assault on the sacred, likely did not appear as prominently within this chapter's simulation, there are nonetheless numerous situations in which they may appear. Repetition compulsion can be seen in scenarios ranging from that oh-so-needed cup of morning coffee, without which the individual is grumpy and antisocial, to more insidious issues, such as a tendency towards selecting unhealthy romantic partners. Similarly, assault on the sacred can come up in a plethora of situations but are more dependent on the individuals in question. For example, someone who has had a deeply traumatic experience with bullying may be especially sensitive to what others may view as polite teasing, but such actions are perceived as deeply harmful to the person because of their past experiences. While it can be difficult to fully know the contents of another person's identity (the next chapter discusses ways to map out and estimate key aspects of someone's identity), what ultimately matters most is that if you find yourself having accidentally attacked something sacred to the other person, it's best to apologize and be sensitive about the issue going forward if you hope to avoid future conflict.

Appendix D: Reflection of the Five Lures of the Tribal Mind post-exercise

Instructions for Instructor: Use this appendix to guide the reflection part of your debrief with the class.

This case study is designed to expose you to the Five Lures of the Tribal Mind, which can be frustrating, uncomfortable, and anxiety-provoking. In combating these challenges, it's important to be aware of how you can identify and combat each component. Vertigo can be identified by an inability to notice the passage of time or focus on anything other than the current argument. When you feel stuck in vertigo, remind yourself why you began the original conversation and what you had hoped to achieve in talking to the other party. Remember the "jolt" strategy, wherein you say or do something silly or unexpected, such as offering a compliment or making a joke or silly face, in order to break parties out of vertigo. Taboos can be identified as topics that are socially unacceptable to discuss (think: "Would my mother get offended or uncomfortable if she overheard this conversation?"). When you

feel yourself struggling to avoid a taboo, first consider if it's critical enough to the conversation so as to be unavoidable, such as discussing your sex life during a medical examination. In many cases, however, you would be better off simply avoiding the taboo. During instances in which discussing the taboo is unavoidable, or negotiations would suffer significantly unless it was addressed, proceed with caution and consider how you might broach the topic in the least offensive way possible.

The key trait that defines repetition compulsion is the continuous replication of behavior past the point of functionality or usefulness, and when you feel yourself repeatedly engaged in this type of behavior, make a conscious commitment to change the behavior and break the cycle of repetition. For example, beginning multiple sentences in a chapter with "[This Lure] can be identified ..." might be counteracted by starting a new paragraph and adjusting your diction and voicing.

An assault on the sacred is an insult or threat towards something the other party views as non-negotiable, usually a core aspect of their identity or a close relationship with a loved one. The easiest way to combat such dangers is to simply avoid putting yourself in opposition to something the other party considers sacred. If you do find you've accidentally violated something the other party holds sacred, it is often best to sincerely apologize for the offense and do what is in your power to ensure that you do not regravitate the issue in the future. Identity politics, in negotiation, are defined as the process by which a subset of a group, be it an individual or a small faction of a larger population, seeks to emphasize a shared sense of identity within a group. This is the last of the Five Lures of the Tribal Mind, and it's worth noting that using identity politics is not inherently destructive to negotiations. Rather, it is important to use it as an effective tool to build affiliation rather than destroy it, if you choose to engage with identity politics at the negotiation table.

Succumbing to the Five Lures of the Tribal Mind can spell disaster for a negotiation, and nobody is immune from their effects if caught unawares. Even the most rational actors can suffer from repetition compulsion or turn irrational in the face of violated taboos, while individuals who are normally incredibly conscientious and aware of others' emotions can get caught up in vertigo or divisive identity politics. Unless you are well aware of how the Five Lures of the Tribal Mind manifest and what you can do to combat them when they arise, even your most cogent arguments may devolve into shouting matches where neither side is listening to the other, and the most innocuous statements can quickly become aggressive insults slung back and forth between parties.

Chapter Acknowledgements

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Chapter 4: What if the Issue Is Bigger Than Just Us? Being BRAVE HELPS

What if the issue is bigger than just us? Not all conflicts are as simple as dividing up chores or coming to a mutually agreeable group decision—some involve deeply personal matters or have long-standing grievances motivating them. In instances where the issue at hand is merely a symptom of a larger, more fundamental problem, it can be difficult to effectively discuss and resolve conflicts without offending another party. This chapter explains how to navigate issues that have traumatic histories, identity-based roots, or imbalanced power structures.

Purpose

The larger purpose of this exercise is to help students understand the connection among identity, context, and interest-based negotiation. By the end of this exercise, students will be able to

1. Articulate their own identity using the BRAVE framework (Shapiro, 2017).
2. Describe the surrounding context of a negotiation using the HELPS framework (Shapiro, 2021).
3. State how aspects of the BRAVE and HELPS frameworks affect the implementation of the previous chapters' concepts (e.g. past experiences can affect what topics one considers taboo).

Instructor Preparation

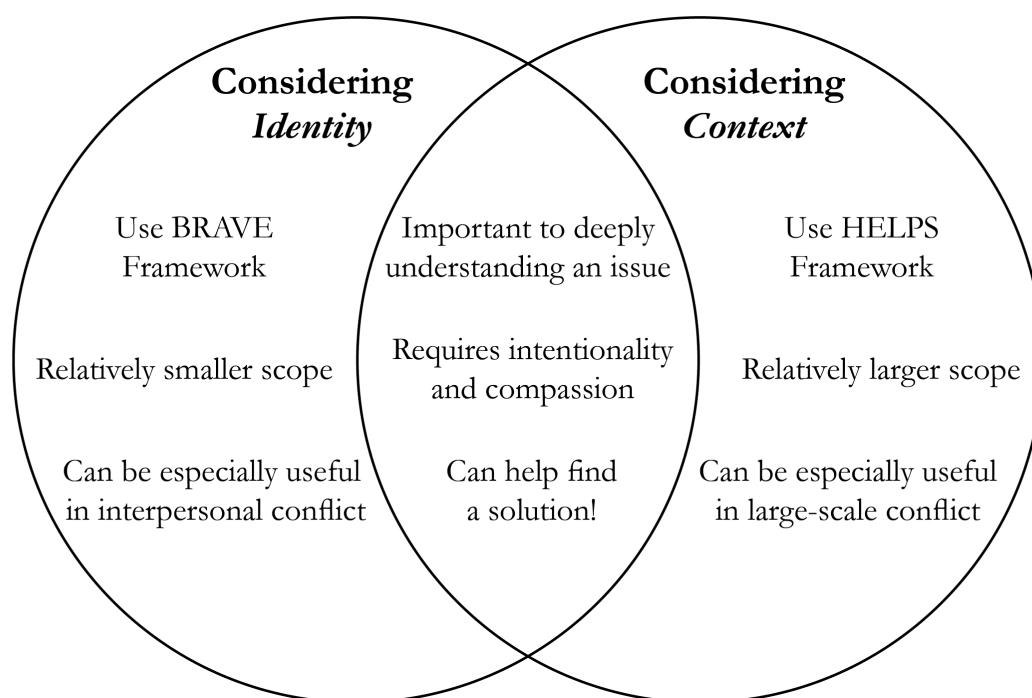
1. Familiarize yourself with the BRAVE and HELPS frameworks. Read Appendix A in the Teacher Insights Guide at the end of this chapter. This is a guide to explain the key ideas of each framework—if you're already familiar with them, feel free to skip that section.
 - a. *Note: To gain an in-depth understanding of these concepts prior to teaching them, read Appendix A as well as Chapters 1-3 and 10-11 of Negotiating the Nonnegotiable (Shapiro, 2017).*
2. Gather materials:
 - a. Print “Taylor” worksheets (1 copy per 2 students + 1 for teacher use)
 - b. Print “Alex” worksheets (1 copy per 2 students + 1 for teacher use)
 - c. Find and set up a countdown clock to display to the class. Make sure the clock is visible from all locations.
 - i. If this is not feasible, either verbally call out each minute as it passes or write the starting and ending times on a blackboard or whiteboard at the front of the class (similar to how time is kept for standardized exams).
 - d. *Optional: gather a black robe and any other available judge-like attire.*

- i. *If there is only one available facilitator, keep the attire nearby but out of view of students. Put on the attire for the “Supreme Court announcement.”*
- ii. *If there is more than one available facilitator, instruct them to put on the attire and wait outside the room during the exercise until called in.*

Process (Total Estimated Time: 45 minutes)

Teaching the BRAVE & HELPS Frameworks (20 minutes)

1. Explain the BRAVE and HELPS frameworks. The diagram below outlines when and why to use the BRAVE and HELPS frameworks and to which situations each applies.
 - a. See Appendix A and Chapter 2 of *Negotiating the Nonnegotiable* for an explanation of what the BRAVE framework is and how it applies to negotiation.
 - b. See Appendix A for an explanation of what the HELPS framework is and how it applies to negotiation.



SOURCE: From *Negotiating the Nonnegotiable* (Shapiro, 2017) and developed by Daniel Shapiro (2021)

2. Offer a personal story about how you connected with the BRAVE and HELPS frameworks. We have a sample story and explanation in Appendix B—you may instead opt to read this aloud.

Introduction (5 minutes)

1. Give all students a brief introduction to the case study to familiarize them with the admissions process and the two main roles: Taylor and Alex.
 - a. Say: “Taylor Smith and Alex Miller are admissions officers for Harvard College. Both officers are Harvard College graduates themselves, Taylor is Class of ‘05 and Alex is Class of ‘08. Taylor and Alex have worked with each other for two admissions cycles now, as Taylor has been working for the Harvard Admissions Office for 6 years, and Alex was hired 2 years ago.”
 - b. “Taylor and Alex are on a team of six admissions officers who deliberate on applicants in the Early Decision application pool. This team was chosen on the basis of making the admissions team as diverse as possible in order to increase the fairness of admissions, following the guidelines set in the most recent District Court ruling of *SFFA v. Harvard*. Because there are so many applicants, however, each admissions officer is assigned to a group of students for whom they are tasked to either admit or reject. Each officer reviews their assigned applicants’ recommendation letters and applications in depth before presenting them to the rest of the admissions team. All six officers must come to a consensus on each and every applicant they review—it is only with a unanimous vote that any applicant may be accepted into this year’s incoming class.”
 - c. “There is one spot left in the pool of 600 students who are accepted in the late fall during the Early Decision process. After taking notes and thoroughly analyzing the applicants, Taylor has decided that they want the last spot to go to Student A, while Alex wants the last spot to go to Student B.”
2. Split the class into two equal-sized groups. Students in one group will assume the role of Taylor, and students in the other group will assume the role of Alex.
 - a. *Note: This step may require moving each group to separate rooms, or you can use two different areas of the classroom if space allows. The goal is to discuss each group’s roles without the other side hearing.*
3. Brief each group separately using the role-specific information. Highlight key information for each role:
 - a. Give students a copy of their role’s worksheet (“Taylor” Worksheet and “Alex” Worksheet, respectively) to use as reference.
 - b. Say to both groups: “After I am done briefing you all, please take a moment to read through your sheets. These contain a complete copy of all role-specific information, which you may reference during negotiations. However, **do not share your copy with anyone from the other group.**”
 - i. Say to the **Taylor** group: “You spent all of high school working hard to earn the highest grades, test scores, and extracurricular accomplishments. You sacrificed

- a lot to accomplish all of these things. Based on your own experiences, you believe hard work can overcome any challenge. With that in mind, you judge applicants based on their academic and extracurricular accomplishments.”
- ii. “You often butt heads with Alex. He prioritizes applicants’ “stories” over more objective measures like grades and standardized tests. This is absolutely ridiculous! If someone isn’t smart enough or driven enough to earn the accomplishments, they shouldn’t be considered! You’ve always wanted the chance to undermine Alex, but haven’t gotten the chance, yet.”
 - iii. Say to the **Alex** group: “You grew up in a challenging environment. While attending one of the lowest-performing high schools in the country, your grades sometimes suffered when you had to work in order to help take care of your family. You never saw college as a realistic goal, let alone a school like Harvard. To you, this place is a gift.
 - iv. Your high school lacked extracurriculars, but you still found a way to beat the odds. You developed a curriculum to better prepare students for college. You helped bring food to some of the poorest areas of the city. Needless to say that even though your path to Harvard was unorthodox, you found creative ways to demonstrate your passions. As such, you recognize the importance of an applicant’s background and judge them accordingly. You’ve seen firsthand how hard it can be to achieve in the traditional ways when your school simply lacks the same resources. To you, intellectual curiosity wins over academic perfection.”
 - v. “You often butt heads with Taylor. She only cares about an applicant’s test scores, not realizing that financial situations and resources can play such a big role in what one can accomplish. This is absolutely ridiculous! You can’t always “lift yourself up by your bootstraps,” and Taylor needs to accept this fact.”
- c. *Note: After briefing both groups, remember to give students a few minutes for them to read their private case information.*

Round 1 (5 minutes)

1. Bring the class back into a single room and say: “You will now pair off into groups of two. Make sure each group has one Taylor and one Alex. You may spread out a bit, but everyone *must* remain in this room. You have ten minutes to come to a joint decision on which one student should gain admission to Harvard. Failure to come to an agreement will result in both students being rejected.”
 - d. *Facilitator’s note: Students must remain in the same room so that they are all present for the “surprise” Supreme Court announcement later.*

2. Once students are in pairs, announce: “Your ten minutes will begin now.” Start the countdown clock from ten minutes.

Intermission (1 minute)

1. After five minutes, put on the judge’s attire (or call in the other facilitator dressed as a judge) and pause the countdown clock.
 - a. The “judge” should say: “The US Supreme Court has just ruled on affirmative action case SFFA v. Harvard. The court has ruled in favor of SFFA—Harvard’s admissions process has been deemed discriminatory. From this point forward, Harvard should admit students primarily based on their academic merit, as demonstrated by test scores and other objective measures. Admissions officers should discount personal background-related details. This ruling is effective *immediately*.”
2. Remove the judge’s attire if there is only one facilitator. Say: “There are still five minutes remaining in all negotiations. Officers should take into account the information that they just received while making a joint decision. Remember that failure to decide on one student by the end of the five minutes will result in both students being rejected.”

Round 2 (5 minutes)

1. Resume the countdown clock, which should now correctly display five minutes remaining.
2. After five minutes, announce to the class: “All negotiations must now be complete. Anyone who has failed to come to an agreement has officially had both students rejected. The case study is now finished.”
3. It is now time to debrief. Bring students back together into a single large group.

Debrief (24 minutes)

1. Say: “The purpose of this exercise is to exemplify the connection among identity, context, and interest-based negotiation.”
 - a. *Key Insight:* In short, each admissions officer’s personal background influences the information they deem relevant or critical, and the shifting power dynamics make it difficult to agree on accurate standards of legitimacy.
 - b. *To explain this connection further, see Appendix C. This illustrates how the BRAVE and HELPS frameworks are exemplified within the case study.*
2. The following is a list of questions to help guide the debrief. We’ve also included common student responses and key insights for reference.
 - a. (show of hands) How many pairs came to an agreement? How many pairs chose Student A? How many pairs chose Student B? *Ask a few pairs from each category to explain how and why they chose Student A, B, or failed to agree.*

- i. *Watch for:* Differences in standards of legitimacy
 - ii. *Student Response:* Pairs who chose Student A likely acquiesced to the standards imposed by the Supreme Court ruling (a mutually-recognized authority figure). Pairs who chose Student B likely let their personal ethics & morals become their highest standards and were willing to disobey the mandate given by the Supreme Court.
- b. How did your views of each candidate differ? What role did your respective backgrounds play in influencing this view? (*Optional: Did your own past experiences affect which candidate you preferred? If so, how?*)
 - i. *Watch for:* The impact of differing beliefs, allegiances, values, and emotionally meaningful experiences on each officer's view of the current situation.
 - ii. *Student Response:* Taylors likely viewed Student A in higher regard due to his academic talent and demonstrated achievement—both values Taylor finds greatly important based on her own background. By contrast, Alex probably prefers Student B because he resonates with her intellectual curiosity and likely feels empathy towards another person struggling to overcome a lack of opportunity.
- c. How did the difference in perspective affect negotiations? Was it easier to come to an agreement? Harder? Why? (*Optional: Were you able to agree on a single standard of legitimacy? Why or why not?*)
 - i. *Watch for:* It's harder to agree on an "objective" standard when beliefs and values differ.
 - ii. *Student Response:* It was harder to come to an agreement at first because we couldn't decide how to decide. In some ways, having a third-party mandate can actually be helpful because it creates an "objective" standard. But, some may still push back against this if it disagrees with what they view as right and wrong, or "fair."
- d. How did your views of each other affect negotiations? (*Optional: Did you feel especially motivated or unmotivated to work together? Why or why not? Did past grievances play a role in this decision?*)
 - i. *Watch for:* Unaired frustrations & past grievances make collaboration harder. The best way to handle these is often to address the issue head on.
 - ii. *Student Response:* I didn't want to negotiate with them because I didn't think I'd get anywhere. We've only ever gotten into fights, so I had no reason to believe this time would be any different.
- e. How did you feel when the admissions decision came out in the midst of the negotiation? Why? (*Optional: Did you feel powerless or empowered? Hopeful or dejected? Why?*)

- i. *Watch for:* The process and outcome of your negotiation are largely affected by the associated rules and power dynamics, and there can be a real cost to disobeying these rules. (*This is “Law and Order” in the HELPS framework*)
- ii. *Student Response:* Many pairs may say the decision made negotiations easier because it set the rules firmly in place. Alex will likely report feeling powerless, helpless, or disengaged because of a lack of agency over the final outcome. Taylors may report feeling vindicated, pleased, or excited due to an increased level of power.

Conclusion: (5 minutes)

1. Conclude the debrief by summarizing the points discussed and explaining to students how to apply the BRAVE and HELPS frameworks to negotiations more broadly. See Appendix C for a summary of the case study’s key foci and an explanation of how the frameworks fit into the broader context of how to negotiate.

Teacher Insights Guide - Student Worksheets

Instructions for Instructor: The following two worksheets contain background information on each admissions officer. Print copies of each worksheet and give them to students at the start of class. Students in the role of Taylor should each receive only a copy of the Taylor worksheet, and students in the role of Alex should each receive only a copy of the Alex worksheet.

This exercise is the work of the authors of *Understanding Others through Negotiation: A Guide for Students by Students*, as well as the students listed in the “Chapter Acknowledgements” section below. Copies can be downloaded from www.inp.harvard.edu. All materials and worksheets in *Understanding Others through Negotiation: A Guide for Students by Students* may not be reproduced, edited, or otherwise transmitted or distributed in any form without the express written permission of the copyright holders. Copyright © 2022 by Ilona Demler, Sarah Lightbody, Uriel Martinez, Clara Nevins, Indumathi Prakash, and Lucas Woodley. All rights reserved. Publication by the Harvard International Negotiation Program.

“Taylor: Admissions Officer” Worksheet

Backstory:

Throughout high school, Taylor worked exceptionally hard to ensure that she would have the best grades, ace her standardized tests, and excel in all her extracurricular activities. To do so, Taylor spent countless sleepless nights studying as hard as she could. Taylor adamantly believes that intelligence is a factor of nurture over nature: if you work hard enough, you can solve any problem.

Taylor has carried this philosophy through to her admissions job. Her academic expectations are rigorous. She pays particular attention to students who compete in and win national or international academic, research-based, or extracurricular competitions because she believes this better standardizes students across the increasingly subjective academic programs found within high schools. Taylor also prioritizes grades and test scores above all else. According to Taylor, this judgment criteria is fairest since there is less subjectivity involved in comparing numbers.

Taylor, however, often butts heads with Alex since he prioritizes an applicant’s “story” above the applicant’s grades or standardized test scores. Taylor finds this to be ridiculous. According to Taylor, if you do not have the scores, why should you even be considered? Taylor has always wanted to undermine Alex for his mindset but has never had the opportunity.

Taylor’s notes on Student A:

Student A’s grades are straight-A’s; he is the valedictorian of his class.

Student A pursues highly rigorous academic extracurriculars. He does research with a professor at UC Berkeley and is interested in studying how machine learning could be better integrated into economics. In his personal essay, he described how machine learning techniques emphasize causality less than econometrics does, and, consequently, there exists the potential to better forecast economic policy effects.

He won the internationally-renowned Magna Carta essay writing competition, writing about how economic policy could be transformed to further promote the economic freedom and liberties of low-income people in the United States.

Student A is well-suited to handle the academic rigor of any institution and will likely accomplish significant academic research.

Summa Cum Laude potential

Taylor’s notes on Student B:

Student B's grades are about $\frac{1}{3}$ A-/B+ 's and $\frac{2}{3}$ A's. She received a 3 on the AP Computer Science exam and a 4 on the AP Microeconomics exam and did not take an AP Macroeconomics course. She ranked top-15 in her school academically but has no school-related extracurriculars. She also codes and develops interfaces for a large organization based in California: the Human Trafficking Initiative, and she has a keen interest in statistics and data collection.

Might choose Harvard, but Columbia University pays more attention to human rights studies, both in undergrad and at the graduate level.

Will likely need to utilize peer-tutoring programs and extra help in order to keep up with her peers academically

May prove to be a better fit at a more humanities-focused school

Explanation for preferring Student A:

A professor at a top university (UC Berkeley) is already interested in what Student A has to offer academically. His academic record is rigorous; he would likely complete a prize-winning thesis his senior year; and he could easily graduate from the Harvard Kennedy School of Government or the Graduate School of Arts and Sciences.

Student A could definitely skip past several degree-related intro classes, allowing him more time to hone his academic skills as well as contribute to research with Harvard professors during his time in college.

He could increase Harvard's research output, attracting more funding to the school and better resources for students.

Student B is academically in her school's top-15 students but has never entered any academic competitions, so it is difficult to tell how she compares to students across a broader context.

Student B may be academically unprepared and has not definitively proven an ability to succeed academically at a Harvard-caliber school.

“Alex: Admissions Officer” Worksheet

Backstory:

Alex has known his whole life how the circumstances into which one is born can affect one’s ability to study and achieve competitively. He attended one of the country’s Top 200 lowest-performing high schools. His grades were typically in the A- to A range, but he would experience the occasional dip to a B or B+ in semesters where he was forced to assist his family financially. The lack of resources in his school meant extracurriculars were not particularly rigorous, so Alex got creative. His love for education inspired him to work with a nearby university professor to help develop a learning and career-building curriculum in order to bridge the gap between community college and 4-year institutions. Additionally, Alex helped implement the Afterschool Meals Program in five of the poorest schools in his city, helping to ensure children from low-income families had sufficient access to food.

Alex never thought he would have the opportunity to attend college, let alone a school like Harvard. Between the expensive tuition and the fear of being unable to compete with students who grew up surrounded by the necessary resources to prepare for college, attending Harvard was a daunting prospect. Alex works for Harvard Admissions because, to him, this institution is a gift. The financial aid and the institutional support he experienced through resources such as subsidized peer tutoring or the Harvard First-Gen Program helped Alex both survive and thrive over his four years.

Alex is confident students with weaker academic records but a strong desire to learn can thrive at Harvard by utilizing these resources. He is fully aware that such inclusivity is not a part of everyone’s college experience, and hopes to give deserving students with challenging contexts access to the same fulfillment and education he received.

Alex often butts heads with Taylor, one of his fellow admissions officers. He believes Taylor pursues the “lift up by the bootstraps” philosophy too strongly and fails to recognize that finances and resource access make demonstrating excellence difficult. He also believes she fails to consider that intellectual curiosity, even if a student is imperfect academically, should be as important as high intellectual achievement.

Alex’s notes on Student A:

Very strong and impressive academic track record.

Letters of recommendation for Student A are mostly good with a couple of red flags. The professor he worked with describes Student A as an “independent thinker” and notes his “impressive competitive determination,” but the professor also emphasizes Student A’s “reluctance to ask for help” and

“preference to work alone.” Although I think Student A would thrive academically here at Harvard, I’m concerned he would not contribute positively to a collaborative environment.

The interview notes for Student A are consistent with Student A’s impressive academic track but also raise similar concerns about the Student’s personability. The interviewer says “Student A’s self-confidence borders cockiness” and “although he has well-developed thoughts about economics and machine learning, I found Student A’s understanding of his own story and personal drivers to be underdeveloped.”

Alex’s notes on Student B:

Student B grew up in one of the lower-income parts of Southern California. Her socioeconomic context was never dire, but her school offers no extracurriculars and only offers 3 AP courses. Her school is also massive with a high teacher-to-student ratio, meaning it is often difficult for students to receive the same attention, feedback, and assistance as those who attend more resource-rich schools.

Living in a city with no formal extracurriculars, she has dedicated her time to addressing a local problem: her city’s high rate of human trafficking. Student B started as a volunteer at the Human Trafficking Initiative and now leads its data collection initiative with the goal of centralizing accessible information so others may prosecute human traffickers and provide services to survivors. She has previously spoken at the Polaris Project and International Justice Mission, two non-profit organizations dedicated to fighting against slavery, as a part of her journey as a human rights advocate.

Student B’s second personal essay was a conscientious analysis of how All About Love by bell hooks, which helped her learn how to show appreciation for herself and those around her, despite feeling pressure from living in an increasingly competitive, resource-limited world. She quotes “the heart of justice is truth-telling” and, through this essay, she describes her keen interest in justice and law. She is interested in becoming an international human rights lawyer to help ensure that the marginalized who have been silenced have their stories told.

Explanation for preferring Student B:

Student B is invested in her own self-development and uses knowledge and education as tools to help her understand herself and the world around her.

Student B shows a high level of emotional maturity.

Student B shows a commitment to education and learning even in the face of adversity. I think in the context of having more opportunities, such as at a place like Harvard, Student B would thrive.

Student A is undoubtedly a good student, but concerns about his ability to collaborate and work within a community make me think he wouldn't be the ideal addition to our Harvard community.

Teacher Insights Guide - Teacher Worksheets

Appendix A: BRAVE and HELPS Frameworks

Instructions for Instructor: This appendix provides background information on the BRAVE and HELPS frameworks. If you are not familiar with these topics, we suggest reading through these brief summaries. Read this summary the day before running the exercise.

Using the **BRAVE Framework** (Shapiro, 2017) is a helpful way to unpack and understand identity. It covers the five major aspects of identity: **Beliefs, Rituals, Allegiances, Values, and Emotionally Meaningful Experiences**. These elements account for the two main types of identity: **core identity**, the spectrum of characteristics that define you as a person, and **relational identity**, the spectrum of characteristics that define your relations with another individual or group. Beliefs and Values tend to make up most of your core identity, Allegiances are part of your relational identity, and Rituals and Emotionally Meaningful Experiences can fall into both categories.

When you are attempting to analyze your own identity (or someone else's), here are some helpful questions to consider (Shapiro, 2017):

1. **Beliefs:** What convictions and morals are most important to you? (Ex. Belief in God)
2. **Rituals:** What customs and ceremonial acts do you hold sacred, such as holidays, family activities, etc.? (Ex. Telling a loved one “good morning” or “good night” each day.)
3. **Allegiances:** To whom do you hold your deepest loyalties? This could include specific family members, friends, a mentor, etc. (Ex. Being part of a sports team might make you feel an allegiance towards your teammates and animosity towards the opposing team.)
4. **Values:** What core principles or ideals do you hold most valuable in your life? Justice, honesty, and loyalty are all examples of these values. (Ex. If you value honesty above kindness, you might rather a friend tell you a harsh truth than lie to protect your feelings.)
5. **Emotionally Meaningful Experiences:** What specific moments in your past have been life-defining? These intense moments, which help define your identity, can be either positive or negative and may include anything from your first love to the death of a family member. (Ex. People who have been cheated on in a romantic relationship often have trust issues in future relationships. Or, more positively, winning a major award in something you are passionate about makes you more confident in your abilities.)

It is also important to acknowledge that we don't live in a bubble, and neither do the conflicts happening around us every day. Conflicts don't appear out of nowhere; rather, they are often the

product of existing tension that has built up over time. These tensions may be spurred by past transgressions, imbalanced social structures, or powerful cultural traditions. For example, past grievances, if left unresolved, can generate animosity between parties; imagine someone had approached you two days prior, struck up a friendly conversation, and then, out of nowhere, punched you in the stomach.

Now imagine you have to try to engage in mutually beneficial negotiations with that person. Most people would still be holding on to a lot of resentment and anger, and thus, negotiations would be much more difficult. Similarly, violating cultural traditions has the potential to be as painful and enraging to some as a physical attack, while imbalanced social structures can breed much resentment between members of a perceived oppressor and oppressed group. These concepts are especially true when we think about large-scale conflicts that often occur on a national or international level. At this scale, there is often a long history of perceived injustices against both sides; an imbalanced power dynamic between groups, wherein one is viewed as an oppressor; and inflamed tensions due to violated cultural traditions.

One way or another, in order to truly understand a conflict and ultimately work towards a solution, it is necessary to understand the *context*, or the circumstances that characterize a situation. One useful way to do this is to use the **HELPS framework**, developed by Daniel Shapiro (2021), which covers the five major aspects of context: **History, Economics, Law and Order, Politics**, and **Sociocultural**. Here are some useful questions to ask yourself as you analyze the structural context of a conflict:

1. **History:** What past events have led up to or otherwise influenced this current conflict? What past, shared events and unspoken grievances are affecting how parties view each other today? How do different perceptions of those events affect current relationships?
2. **Economics:** How can the economy or specific economic factors help contextualize the conflict? Who controls the most resources or possesses the greatest wealth? How does this distribution of resources affect the ability of each party to negotiate (think power dynamics)? What about the outcome of the negotiation itself?
3. **Law and Order:** Are there any laws that may relate to the conflict? Do the laws at all limit the strategies we can use to approach the conflict? What rules, formal or informal, affect negotiation? What is the reward for following those rules? What is the punishment for breaking them? What legal pressures are currently affecting negotiations?
4. **Politics:** What role do politics and political figures play in this conflict? Which parties are given a seat at the negotiation table? Which parties are excluded but still affected by the outcome? What considerations should I make to ensure present AND absent parties' interests are met? What political pressures or interests are currently at stake for each party? Should negotiations occur publicly or privately?

5. **Sociocultural:** What social or cultural factors are relevant in this conflict? What social norms, customs, or rituals apply to this negotiation? What impact will these factors have on the negotiation process and on who I should bring to the table?

Appendix B: Personal Story & Explanation

Instructions for Instructor: This appendix contains an example story and an explanation of how BRAVE and HELPS apply to it. Read this section aloud to students at the start of class if you need an anecdote to illustrate the frameworks in action.

Maryam is a senior at Blue Eagle High School in suburban Connecticut. She loves biology, politics, and international affairs. In particular, Maryam has an interest in Middle Eastern Studies. This is, in part, because Maryam took a summer course at a local college on current Middle Eastern conflicts. She also identifies as a Muslim-American, herself. Her parents immigrated from Afghanistan to the United States before she was born, and she was raised in a culturally-rich household, often visiting her local mosque. Maryam is also a firm believer in Islam and proudly wears a hijab.

Because of her strong interest in politics and international affairs, during her senior year of high school, she decided to take a class called “Contemporary World Issues.” This elective is taught by Ms. Maze, one of the only teachers of color at the school, who is the sponsor of the school’s Diversity Club and is very popular among students. Although Maryam’s high school is a predominantly white school in a homogenous, suburban area of Connecticut, the Diversity Club was quite active. In fact, Maryam joined the club her sophomore year and, during her senior year, was on its leadership team. Through the Diversity Club, Maryam worked closely with Ms. Maze on different projects, and the two got along well. As a result, Maryam was really excited to take Ms. Maze’s “Contemporary World Issues” class, where she would finally have Ms. Maze as an official teacher in an academic setting. If she did well in the class, Maryam planned on asking Ms. Maze for a letter of recommendation for her college applications.

It was the first day of school. Maryam walked into Ms. Maze’s classroom and looked around. Unsurprisingly, Maryam was one of only two non-white students in the class. Once the bell rang, Ms. Maze began by explaining the class’s pedagogy and intended topics of discussion. These topics included everything from gender and sexuality to global human trafficking to religious extremism. When Ms. Maze mentioned conflict in the Middle East as one of the topics, Maryam grew excited. Ms. Maze caught Maryam’s glance and winked at her.

Maryam was confused by the wink. She didn’t remember ever telling Ms. Maze that she was interested in the Middle East or about her summer class. Sure, Ms. Maze knew Maryam’s family was Muslim and from Afghanistan, but Afghanistan wasn’t even technically in the Middle East.

After the bell rang, Maryam approached Ms. Maze to tell her how excited she was for the class. During their conversation, Ms. Maze said, “I’m really glad you’re taking it. I think we could really use

your perspective, and I'd love for you to share your experiences during our Middle East studies unit." Before really thinking about it, Maryam nodded her head in agreement.

Later, after thinking about Ms. Maze's question further, Maryam realized that she was not at all comfortable with the idea of sharing her experiences to her class. The prospect of sharing vulnerable details to a public audience was, in fact, scary and unsettling. As someone who greatly values her privacy, this task was especially daunting. Plus, Maryam's family wasn't even from the Middle East, so she felt very confused by Ms. Maze's request. However, Maryam respected Ms. Maze and, due to their shared minority status, felt a unique level of kinship towards her. Also, Maryam felt a level of pressure to please Ms. Maze so she could do well in the class and get a strong letter of recommendation. How should Maryam approach this issue?

Maryam's situation is complicated and has a lot of moving parts. Perhaps the most critical element of this situation is the *identities* of the people involved. As we know, some of Maryam's important identities include her religious beliefs, her value of privacy, and her role as a student. We don't know much about Ms. Maze's identity, but we know that she is also a person of color and, given that she is the sponsor of the Diversity Club, likely cares deeply about diversity and adjacent issues. Could this part of Ms. Maze's identity have driven her to ask Maryam about her experiences as a Middle Easterner? Given that Ms. Maze and Maryam have worked together in the past, it is also important to consider the *context*, or surrounding circumstances, of this conflict. What kind of relationship have Ms. Maze and Maryam had in the past, and how might that affect how they view one another in this discussion? Similarly, it may be helpful to understand the broader context, like the history or culture of Blue Eagle High School. How might living in a predominantly white community impact this situation? How can this topic be framed within a national context, including shared experiences of people of color in America, or a global one?

Maryam's story is a good segue to two significant drivers of conflict and avenues for conflict resolution: identity and context.

Identity, or who we are, is an essential part of conflict and conflict resolution. It is informed by what we value, the people we associate with, our ideals, our routines, and our past experiences. Oftentimes, conflicts arise because we feel that some part of our identity has been attacked. When this occurs, it can feel like your validity or fundamental worth as a human being is being called into question, which in turn solicits a fight or flight response from the recipient. These conflicts, as a result, tend to hit closer to home and are very emotionally charged and combative, making it harder to find a resolution. An important first step in approaching an emotional, identity-based conflict is to ensure you have a good understanding of the core identities at play. This means understanding your own identity and that of the person(s) within the other party.

It is similarly important to recognize that although you can never fully understand someone else's complex identity, attempting to do so can still go a long way in allowing you to see the issue from

their point of view and better understand your own stance. Furthermore, showing the other party that you have taken the time to consider issues that may be sensitive to them can often be a strong gesture of good faith, making future negotiations easier and more collaborative. Regardless of the setting, mapping out one's identity, whether your own or someone else's, can give you a better grasp on that person's tendencies, underlying values, and biases, all of which may prove critically useful during a negotiation. Consider how the above example could have been different had Ms. Maze understood beforehand that Maryam highly valued her privacy and thus might not wish to share her personal experiences with the class. It is possible the entire conflict could have been avoided!

Appendix C: Key Insights & Application

Instructions for Instructor: This section provides a more in-depth and intensive analysis of the BRAVE and HELPS frameworks. Read this section to understand how each framework manifests within the case study, as well as in real-life situations.

Catchy acronyms aside, why are identity and context so important in a discussion about negotiation and conflict resolution? Well first, you're never just negotiating with the other party; you negotiate with yourself too, and your identity is the context of those inner negotiations. In fact, you negotiate with yourself more than anyone else (such questions as "Should I exercise or spend time with friends right now? Should I speak up to a friend or loved one about a grievance and risk upsetting them? What classes do I want to take next year?" are simply a few examples of the inner negotiations we regularly engage in). Thus, it can be helpful to outline the context within which those negotiations occur. This brings us to the relevance of context: conflicts and negotiations always occur within a given context, and this context has a material impact on the outcomes of negotiations and the effectiveness of conflict resolution. It's not uncommon for several conflicts to arise from a single past grievance or structural issue.

Analysis of HELPS & BRAVE Frameworks

In this chapter's case study, we can see the myriad of ways in which identity and context, as defined by the HELPS and BRAVE frameworks, can have real impacts on the ultimate outcome of a negotiation: each admissions officer's personal background influences the information they deem relevant or critical, and the shifting power dynamics make it difficult to agree on accurate standards of legitimacy. Taylor's high valuation of hard work and more "objective" measures of achievement, combined with her emotionally meaningful high school experiences of working hard to succeed academically, cause her to favor Student A. As a result of her values and emotionally meaningful experiences ("B" and "E" in BRAVE), we can see Taylor lauding Student A's achievements while paying little attention to the concerns raised over his personality and ability to contribute to a collaborative environment. Conversely, Alex's values of intellectual curiosity and introspection, combined with his emotionally meaningful experiences of struggling to overcome a lack of resources

and opportunity, cause him to favor Student B, citing her self-reflection and work in marginalized communities as reasons for admission while dismissing concerns about her academic capabilities. In situations where two parties' values differ from one another, it is often best to directly address this difference and search for creative options such as new standards of legitimacy or a third-party mediator to resolve such situations.

Context—including existing conflict between the two parties or evolving laws and standards of sociocultural normality—also carries strong influence over both the procedure and outcome of the case study negotiation. In the college admissions simulation, Alex and Taylor experience the effects of existing conflict on current negotiations: Taylor's desire to undermine Alex's values of personal circumstances over academic achievement cause her to negotiate more aggressively, viewing Alex's arguments as absurd. Similarly, Alex's unresolved issue with Taylor—her failure to consider how extenuating circumstances might impact one's ability to demonstrate their intellectual capability—predisposes Alex towards non-collaborative negotiation because he considers Taylor to be inconsiderate of others' struggles. These long-standing issues harken back to differences in values and allow us to see how matters of identity and context are capable of influencing one another: differences in identity can create imbalanced power structures and unresolved conflict.

The created power structures are identifiable by their laws and standards of sociocultural normality. In the case of the college admissions case study, there are well-established but evolving standards, illustrated by the decision handed down in *SFFA v. Harvard*. This decision dictates that academic excellence ought to be a primary consideration in determining admittance, setting academic criteria as the standard for admissions above a more holistic process. As many participants will likely note, this shift in the underlying power structure had noticeable impacts on both parties' ability to negotiate. Past students playing the role of Taylor frequently noted feeling powerful and vindicated during negotiations following the Supreme Court announcement, while students playing the role of Alex commented on how helpless and frustrated they felt afterward. This case study exemplifies how changing standards affect negotiations by determining which parties have power, either through legal backing or sociocultural precedent. In addressing large-scale issues, it is important to understand how context can shape the way in which negotiations play out, and resolving such systemic issues often requires re-examining the laws and standards that govern the associated power structures.

Putting It In Context

If you found navigating your own or the other party's identity difficult during the admissions case study, do not worry—you are far from alone. Many of history's world leaders have struggled with combating these very same issues. By observing both past international conflicts and recent ones abroad, we can see that disagreements in places all around the world were and still are largely fueled by differing identities and a failure to address the conflict's context.

In many historical conflicts, differing identities surfaced in the form of nationalism, an ideology that promotes the well-being of one's own nation and the exclusion of another's. An important note:

nationalism is part of one's identity, and it is an excellent illustrator of the role identity can play within conflicts. It is a form of relational identity wherein your allegiances towards a group, in this case those who share your nationality, are greatly strengthened, and you share a common set of beliefs with other members of your nationality. This identity-based sentiment was a significant cause of both World War 1 and World War 2, in addition to many modern conflicts. We will now examine past examples to illustrate the extent to which these felt allegiances and shared beliefs can inflame conflicts.

World Wars 1 & 2

In the case of WW1, persistent nationalism in Germany, Britain, and France caused each nation to aggressively view the other two as rivals to be defeated, and each nation believed themselves to be the surefire victor of any such large-scale war (Llewellyn & Thompson, 2020). This contributed to the general disregard of war's many hardships and made each nation more eager to show its own military superiority.

In WW2, Hitler's rise to power and the formation of the Nazi party also took advantage of nationalism to gain popularity (Marsico, 2015). Across many of his speeches, Hitler appealed to a collective German identity, tapping into the previously unarticulated outrage of the German people in order to unify them under his leadership. He painted Germany and her people as victims under the dictatorship of France and accused the French of wanting to wipe out all Germans. These assertions cultivated a hive mindset as the German people were given a common enemy to bond over, which strengthened their allegiances to one another. Similarly, Nazi propaganda created a perceived common threat amongst the Germans: Jewish people (Herf, 2008). The Jewish people were stereotyped as conniving and were accused of secretly controlling the Allied powers. This propaganda, mass-produced through films and newspapers, provided the German people with a target to aim their frustrations and anger, further reinforcing a collectivist mindset by creating another public enemy and cultivating an "us vs. them" mentality.

Part of what made these appeals so influential was that they were articulating sentiments already felt by much of the German public. This is where we can see another example of how context affects conflict. The Treaty of Versailles, one of the most important peace treaties which brought about the end of WW1 (*Treaty of Versailles*, 2020), designated Germany as responsible for starting the war, forced Germany to pay the equivalent of \$438 billion USD in today's money as reparations to the Allied powers, limited Germany's military forces, and required Germany to surrender a large part of its territories. All of these terms were decided *without* including Germany at the negotiation table. This resulted in the German people feeling like their economy and military were crippled, and the humiliation they faced for having to shoulder full responsibility for the war only led to further resentment.

The lack of autonomy given to Germany during these negotiations offended the German people's identity, and by taking blame for the war, the people's identity as Germans became tied to that of a perpetrator. As a result, by the time Hitler and the Nazi party arrived with promises of retribution,

a commitment to “saving” Germany from its economic ruin, and enemies to blame for the people’s current struggles, the German people, in general, were ready to support them.

Through looking at these examples, it’s clear that identity is often a major explanatory factor in why people think the way they do. Identity has a unique ability to either bring people together or divide them, depending on how it is used. Attacking someone’s identity is likely to feel like a personal attack, which is one of the quickest ways to create tension and hostility between two parties, and should be avoided if you hope to engage in collaborative negotiation. Conversely, accommodating one’s identity can go a long way in making them feel respected and important.

What makes matters of identity especially difficult to deal with is that identity is commonly ignored or severely underrated as a contributor or potential solution to conflict. When negotiating with a diverse group of people or someone with a very different identity from your own, you will likely encounter a unique set of challenges, such as cultural differences in cross-border negotiations. What can you do to more effectively address issues that arise from differing identities? Let’s see how experienced negotiators approach this problem.

The Iran Nuclear Deal

During US negotiations with Iran in the Joint Comprehensive Plan of Action (more commonly referred to as the “Iran Nuclear Deal”), one of the US’ lead negotiators, Wendy Sherman, was a woman. To many, this may seem like a relatively inconsequential point. But in the context of Iran, where Islamic law affects many Iranian customs, this was a difficult challenge. Iranian law forbids unmarried men and women from any physical interaction, so the common practice of shaking hands to signify an agreement between parties suddenly became an impossibility. Because this issue had yet to be addressed, it created tension as both parties felt unsure of how to communicate their agreement.

Without the traditional handshake as an option, Ambassador Sherman was forced to perform an awkward motion that, as she described, made her feel like she was stuck in a comedy routine (Sherman, 2018). After a while, Ambassador Sherman decided to take advantage of creative options. She had grown up in an Orthodox Jewish community, where similar customs apply. In that community, she wouldn’t extend her hand unless a man extended his first since she didn’t know who was an Orthodox Jew and who was not. This helped prevent an awkward situation for both parties since she could avoid accidentally breaking a cultural norm while ensuring her lack of a gesture would not be interpreted as rudeness. She explained all of this to the Iranians and proposed they implement the same system in their negotiations, to which they agreed. By vocalizing and directly addressing the issue with a solution that didn’t offend the Iranians’ identity, negotiations were able to continue without either party’s identity being offended.

So, what did we learn from that example? Similarities in identity can be used to your benefit as a means of building affiliation, while the impact of differences can be lessened with a bit of tact, awareness, and prior thought. Take the case of a job interview, in which the interviewer brings up the validity (or lack thereof, in this case) of climate change in response to an opening comment about the

day's weather. As the interviewee, given that the position you're interviewing for is unrelated to climate change or politics, you'd try to do your best to respond with polite indifference. You'd probably also be caught off guard, not having anticipated needing to contend with strong differences in identity, and your lack of preparation hinders your ability to respond as well as you might otherwise be able to.

Mapping out potential issues and their solutions in matters of identity and context before getting to the negotiation table can help you avoid some common pitfalls of negotiation - such as being caught off guard by a stark ideological difference - and can better equip you to keep negotiations productive. Also, it is important to realize that negotiations can sometimes feel very tense, especially if you're new and inexperienced. To avoid getting flustered in the heat of the moment and losing track of context, it can be helpful to bring a reference document with your brainstormed solutions.

Oftentimes, you won't be able or need to create an in-depth analysis of all five HELPS topics beforehand. Choosing two or three elements to focus on will usually reveal the major issues you will want to address and any sore subjects you might wish to avoid. If there is an unaddressed point of contention between the negotiating parties, whether it be a past transgression or a disparity in power or resources, such animosity can stand in the way of any attempts to negotiate. It is often worthwhile to try to resolve the underlying issue, as it can have a drastic impact on the effectiveness of the rest of the negotiations.

It is worth noting, however, that there may be situations where negotiations will go much more smoothly if you simply do not bring up the contentious subject. Looking back to the previous example, if you had decided to confront your interviewer and outline the reasons you thought her position was wrong, your conversation likely would have derailed into a divisive debate over climate change. Rather than engage in an argument over something that was ultimately irrelevant to that conversation's purpose, you can intentionally avoid the issue. This would allow the interview to continue without any further conflict or division. That being said, regardless of whether you choose to directly address the issue during the negotiation or not, the decision should be an active choice. There's a difference between accidentally stumbling upon an issue and strategically deciding to confront or avoid one.

Conclusion

When working through our most emotionally-charged and long-standing conflicts, we must recognize and accept the importance of identity and context. Whether it's a purely personal negotiation or an international one, being aware of one's own identity and the identities of the other party or parties will provide a strong foundation for resolving conflicts as painlessly as possible, and it minimizes the risk of increasing hostilities. When facing a conflict that appears especially indefatigable, remember that examining the surrounding context is often one of the best paths to creating a lasting resolution. Conflict resolution is not simply dealing with the rational, emotional, or identity-based aspects one by one, nor is it only looking at context. It's about seeing how all of these different pieces fit together and forming a clear picture of a complicated situation in order to find an effective solution.

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Chapter 5: What if Everyone Can't Win? The Safari Zone and Subjective Value

What if everyone can't win? It's always good to produce negotiated outcomes that mutually benefit all parties and leave everyone satisfied, while simultaneously addressing the surrounding conflicts and underlying issues of identity (what a mouthful, right?). Unfortunately, such ideal solutions are often not feasible. It is not uncommon to face a conflict in which it is unavoidable that at least one participant will be made worse off. In order to address this issue, the last chapter of *Understanding Others through Negotiation* explains how to optimize the outcomes of negotiations in situations where not all participants can benefit.

Purpose

The purpose of this case study is to teach students about the role of subjective and objective value in negotiation (Curhan et al., 2010). Specific objectives for students include the abilities to

1. Explain the difference between objective and subjective value.
2. Identify how changes in subjective value alter realized objective value.
3. Explain how the Five Core Concerns (see Chapter 2) can be used to create subjective value.

Instructor Preparation

1. Read *The Objective Value of Subjective Value: A Multi-Round Negotiation Study* (Curhan et al., 2010) in order to understand the interplay between subjective and objective value and how they can both influence the final outcomes of negotiations. Read the Teacher Worksheets (Appendices A - F) in the Teacher Insights Guide to further familiarize yourself with concepts and possible outcomes of the following exercise.
2. Gather materials:
 - a. Ensure every group has access to a whiteboard/blackboard
 - b. Print "The Safari Zone" worksheets (1 per student)
 - c. Print "Words for Each Round" Worksheet (1 per scorekeeper)

Process (Total Estimated Time: 30 minutes)

Teaching Subjective & Objective Value (8 minutes)

1. Assign the reading: *The Objective Value of Subjective Value: A Multi-Round Negotiation Study* (Curhan et al., 2010) the night before this exercise.

2. Use Appendix B to explain the application of subjective and objective value within negotiation at the start of class. Appendix A can be used to show students the relationship between these concepts in a visual diagram.

Introduction to the Exercise (5 minutes)

1. Split the class into groups of 4 people each. If possible, group together students who already know each other.
2. Then, choose scorekeepers (professors or teachers if possible, but students otherwise) and provide one scorekeeper per group.
3. Next, hand everyone the Student Worksheet located in the appendix below, and read the instructions on it aloud. The instructions are also paraphrased below for your convenience.

Say: “The goal of this game is to maximize one’s individual score. At the end of the game, the top three individual scorers are deemed the winners, while the bottom three are the losers. Every group must have a facilitating member who will write the words on the board and draw spaces for each letter in each round. Members within each small group will begin guessing letters, one at a time, to try to complete the word in each round. Individuals are not allowed to communicate except during designated times, as will be explained. Each team will move at its own pace. There is no assigned order for guessing letters within the teams. Whenever a correct letter is said, the facilitator fills in all the blanks that correspond to that letter.

This game has a total of 14 rounds. During Rounds 1 and 2, participants can only say letters - no other speaking is allowed. However, during Round 3, participants may freely speak to each other for the duration of the round. After Round 3 is complete, participants can only say letters for the remainder of the game - no other speaking is allowed. That is, during Rounds 4 through 14, participants can only say letters.

Points are allocated when the final letter of a word is guessed. Each person in the team will receive a positive point allocation once the word is completed, except for whoever guesses the final letter of the word (i.e. whoever completes the word). The person who guesses the word’s final letter receives only negative points. If multiple people decide to guess the final letter of the word together, they will each receive a negative point allocation. There is no penalty for guessing letters incorrectly, as points are only allocated once the word is completed. Point values increase by round. You will have 8 minutes for the activity.”

Activity (8 minutes)

Rounds 1 & 2

1. Participating students who are not scorekeepers can guess letters
2. They may only say letters

- a. No other speaking or communication is allowed

Round 3

1. Participating students who are not scorekeepers can guess letters
2. They may speak to each other as they wish until the round is complete, but not after

Rounds 4 & Onwards

1. Participating students who are not scorekeepers can guess letters
2. They may only say letters
 - a. No other speaking or communication is allowed

Determining Winners & Losers: (2 minutes)

1. Determine the three people with the highest and lowest scores in the class
2. Point out any potential relationships or connections between the highest and lowest scoring individuals while keeping Appendix F: Possible Outcomes in mind.
3. It is now time to debrief. Make sure to keep in mind possible outcomes (see Appendix F) while guiding the conversation.

Debrief: (20 minutes)

1. Keep students in their groups for the small group debrief and allow them to discuss the activity between themselves
 - a. Say: “This case study explores many ideas in negotiations, but mainly looks at how the amount of subjective value created can affect the amount of objective value created. So to unpack the exercise, let’s start easy: How did you feel while doing this exercise? How do you feel now? Talk within your groups for 5 minutes and we’ll reconvene to discuss as a class.”

Class Debrief & Facilitating Questions: (15 minutes)

Ordered by relevance in order to guide the discussion

- How did your individual sense of affiliation change towards your group as the game progressed?
 - Follow-Up Questions:
 - Did you feel closer to your group members? Did you build subjective value? Why or why not?
 - Did not being able to speak to each other make a difference?
 - Potential Responses:

- “I think my affiliation increased as I went on because I was losing points for my group. I knew we would get more points as a group if we got through more rounds. I didn’t care about my points; I just wanted my group to get ahead.”
 - “I think my affiliation went down because I was focused on getting the most points possible without losing any points.”
 - “I don’t really think my affiliation changed. I couldn’t really talk to them and weren’t really that motivated by the points.”
- As the exercise progressed, was it easier or harder to reach agreements? Why?
 - Follow Up Questions:
 - Whose interests did you keep in mind?
 - Did your affiliation (subjective value) with the group make it easier to reach agreements (objective value)? Why?
 - Did the process or lack thereof impact how easy it was to reach agreements? Why?
 - Potential Responses:
 - “It was easier to reach agreements because we kind of fell into a rhythm and we knew what to do.”
 - “It was about the same difficulty all the way through. After someone started to take the fall in the first round, it was very easy because we didn’t need to find an agreement.”
 - “It was harder because not everyone stuck through the process and it made it hard to know who should lose the points.”
 - “It was harder because after we talked, no one stuck to the plan and tried to maximize their own points.”
- How did you, as an individual, define success? Was your main interest to obtain more points for yourself, to advance to the next rounds, or to help one of your peers win?
 - Follow Up Questions:
 - What did you prioritize within the game? Points? Your group? Yourself? Just moving ahead? Objective value or subjective value?
 - How did your priorities affect how you saw your group?
 - Did prioritizing your group make you feel closer together? How did it affect the outcome for your group?
 - Likely Responses:
 - “I wanted my group to win the most points. I didn’t really care as long as my group/groupmates won: that’s why I lost all the points.”
 - “I wanted to win the most points. In the game, I tried to lose the least points and have other people lose theirs instead.”

- “I wanted to win the most points, but I wanted it to be fair so that everyone in my group lost points.”
 - “We all lost some points but it was kind of random. We each wanted to get the most points but also didn’t want to take the negative points, so somebody just kind of took them every time.”
- What did your group do? Did you enact a process? Why or why not?
 - Follow Up Questions:
 - Whose interests did you keep in mind?
 - What potential options did you think of?
 - Potential Responses:
 - “Yes, we did! After the first couple rounds, I just started to take all of the falls for the group so that we could keep winning more points for the group.”
 - “Yeah, we each took turns taking the loss because it was the fairest.”
 - “No, people just decided to lose points randomly and we didn’t really end up coming up with a process because nobody wanted to lose their points.”
- Were some voices more present than others in Round 3? Did you feel uncomfortable or unsatisfied with any of the decisions or strategies that were decided by the group? Why did or didn’t you follow the agreements that were made?
 - Follow Up Questions:
 - Did you feel like you had a role in deciding on a process during Round 3?
 - Likely Responses:
 - “Yes, one person took charge and decided on a fair process that we all agreed on. Everyone liked the idea and decided to alternate losing points”
 - “Yes, someone decided that they would lose all points for our groups and we all went along with it. We were happy with it because we could all get more points faster.”
 - “Yes, I decided to lose the points for every round and let them know. I felt good because I wanted my group to win.”
 - “Yes, we all talked and tried to think of a process but then two people decided on a process for the group. I didn’t like it, so I didn’t go along with it.”
 - “No, everyone contributed toward deciding on a fair process that we all liked.”

- “No, we didn’t really talk that much. The next rounds were kind of random and whoever ended up just losing the points. We weren’t really uncomfortable, we just didn’t plan well.”
 - “We kind of had a process, but we didn’t decide on it directly.”
- Those who took losses in the first two rounds, why did you choose to do so before you could talk to others?
 - Follow Up Questions:
 - Did you care more about the group (subjective value) or personal gain (objective value)?
 - Did you expect others to take losses in the next rounds? Why or why not?
 - Did you trust your group to be fair? Why or why not?
 - Was your strategy to take a small hit, so that others would take bigger ones later on?
 - Likely Responses:
 - “I took a loss because if no one else did, we wouldn’t be able to start other rounds.”
 - “I took a loss because I didn’t really care about my points as much and wanted my group to keep playing.”
 - “I lost points just because. I assumed other people would lose their points in other rounds.”
- Those with the most or fewest points at the end of the game, how did you feel about your counterpart (the person on the opposite extreme) and the rest of your group? Why?
 - Follow Up Questions:
 - Was the negotiation process fair?
 - How did the negotiation process affect your thoughts about the group?
 - How did group members’ actions affect your thoughts, feelings, and actions?
 - Likely Responses:
 - “It was kind of random, and I didn’t keep track of who had what points, so I don’t feel anything specific to them.”
 - “I took all the losses for my group and I feel good about it. I’m glad that my group was able to win a lot of points. I felt really good about my decision.”
 - “I didn’t really pay attention to scores, but I do really care about my group, and I enjoyed the game.”

- “One person in my group lost the points for our group. I feel really good about it, and am thankful for them. We did really well because they took the fall.”
- “I feel good that I won the most points. I was trying to minimize my points lost and win the game. I like my group and I enjoyed the game.”
- “I ended up losing most of the points for my group by chance, and I kind of felt cheated when I realized other people didn’t lose points.”

Conclusion: (5 minutes)

3. Follow up with a final analysis of the activity. See Appendix C for ideas.
4. Conclude the debrief by reiterating the importance of subjective value to solidify students’ understanding. See Appendix D for more guidance.

Teacher Insights Guide - Student Worksheet

Instructions for Instructor: Print the below worksheets and give them to students at the beginning of the case study. Each student should have a copy of the Background page and the table that follows.

This exercise is the work of the authors of *Understanding Others through Negotiation: A Guide for Students by Students*, as well as the students listed in the “Chapter Acknowledgements” section below. Copies can be downloaded from www.inp.harvard.edu. All materials and worksheets in *Understanding Others through Negotiation: A Guide for Students by Students* may not be reproduced, edited, or otherwise transmitted or distributed in any form without the express written permission of the copyright holders. Copyright © 2022 by Ilona Demler, Sarah Lightbody, Uriel Martinez, Clara Nevins, Indumathi Prakash, and Lucas Woodley. All rights reserved. Publication by the Harvard International Negotiation Program.

Background: The Safari Zone

The goal of the game is to maximize one's individual score. At the end of the game, those with the top three individual scores out of the entire class will be the winners; those with the bottom three individual scores will be the losers.

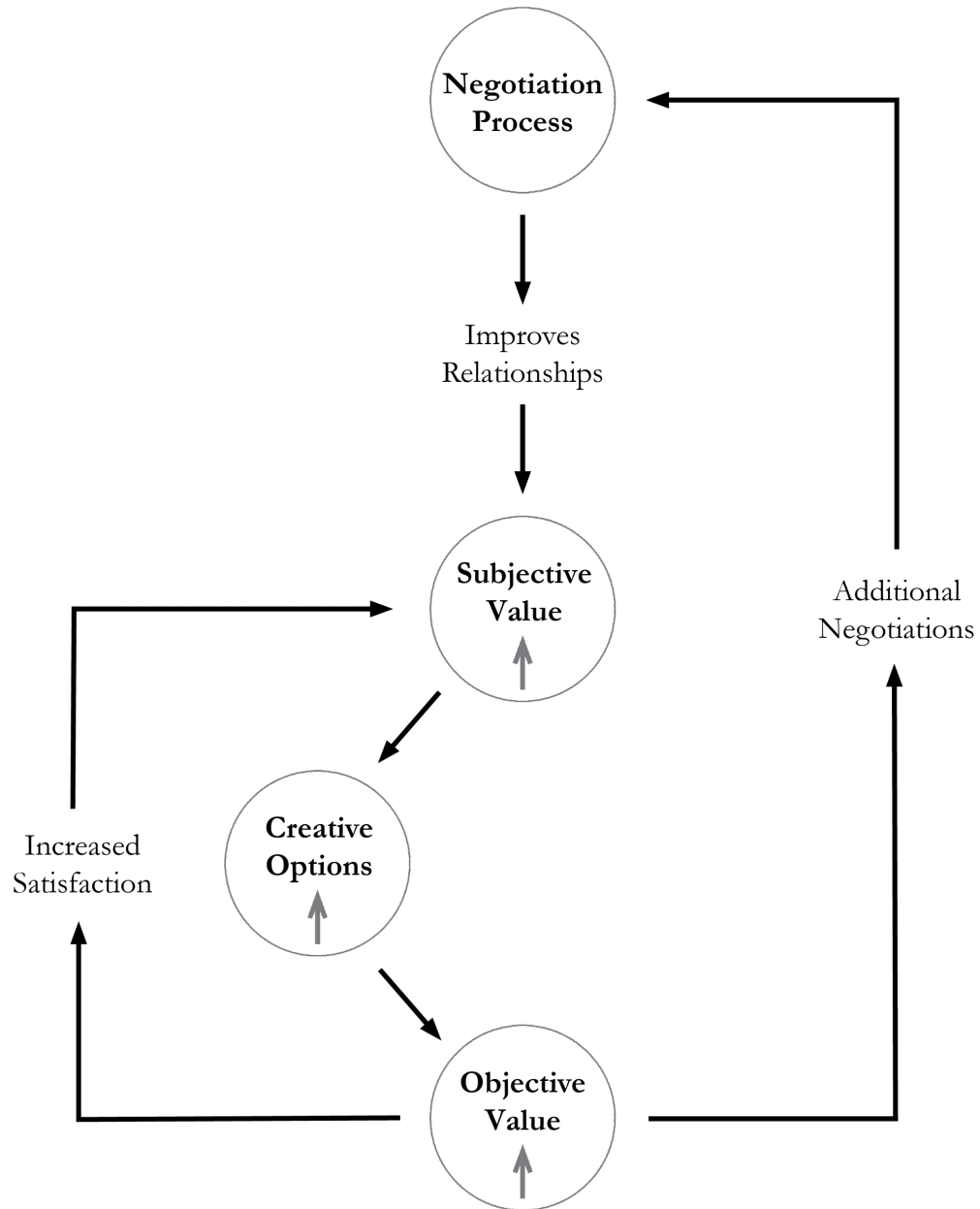
- Each group will play a game where you have to guess a word. All the words are different species of animals.
- Each individual in your team will begin guessing letters one at a time to try to complete the word.
- There is no assigned order within your group for guessing letters. Each group will move at its own pace.
- During the first two rounds, groups can only say letters. During the third round, groups can speak to each other until the round is complete. In all future rounds after Round 3 (i.e., Rounds 4 - 14), participants can once again only say letters.
- **Each person in the group will receive a positive point allocation once the word is completed, *except* for whoever guesses the final letter to complete the word.** The person or people who guess the word's final letter receive negative points and do not receive the group point allocation.
- There is no penalty for guessing letters incorrectly, as points are only allocated once the word is completed.
- Point values increase by round. Please use this sheet to keep track of your cumulative score.
- This game will last 8 minutes.

	Points for each group member (except for whoever completes the word)	Points for whoever completes the word	Your Points accumulated in the Round	Your Total Points
Round 1	+10	-20		
Round 2	+20	-50		
Round 3 (Discussion Allowed)	+50	-100		
Round 4	+100	-200		
Round 5	+200	-500		
Round 6	+500	-1,000		
Round 7	+1,000	-2,000		
Round 8	+2,000	-5,000		
Round 9	+5,000	-10,000		
Round 10	+10,000	-20,000		
Round 11	+20,000	-50,000		
Round 12	+50,000	-100,000		
Round 13	+100,000	-200,000		
Round 14	+200,000	-500,000		

Teacher Insights Guide - Teacher Worksheets

Appendix A: Subjective & Objective Value

Instructions for Instructor: Draw this diagram on the board to demonstrate the relationships between subjective and objective value to students to go over after you read the story in Appendix B.



SOURCE: Based on work by Curhan et al. (2010).

Appendix B: Subjective & Objective Value Background Story

Instructions for Instructor: Read this aloud to students to introduce the ideas of subjective and objective value

Many siblings argue, and Marco and Andres were no different. It was a sweltering summer day in the middle of July, and both brothers were jumping on their trampoline. After being in the sun and playing games for so long, they began to get thirsty and decided to head inside to cool off. To their delight, they found a box of popsicles; however, there was only one left. A heated discussion ensued in order to determine who got the popsicle. “I was outside longer,” Andres claimed. “I’m older!” retorted Marco. In the end, after debating how much each should get, Andres begrudgingly ate a quarter of the popsicle, as he was the weaker, younger brother.

Later in the day, Andres was playing on his Nintendo Switch, and Marco looked longingly over his shoulder. “Can I play? Pleeeeease!” Marco asked. Andres, remembering the injustice he faced earlier, refused. Even though he got tired of the game after an hour, he kept playing it through the rest of the day simply to spite Marco.

Summary and Explanation

Let’s look at how the two different types of value, subjective and objective, impacted this situation. **Subjective value** can be defined as the immaterial consequences of a negotiation, which can be social, perceptual, or emotional, while **objective value** can be determined by the sum of different tangible units, such as points, dollars, or popsicles (Curhan et al., 2010). Initially, both brothers went into the negotiation with similar interests, but both came out feeling like they had obtained different levels of objective value. While Andres felt unappreciated because he had lower status as a younger brother, Marco felt satisfied with the outcome because he had fulfilled his own interests. As a result, no subjective value was built during the negotiation—if anything, negative subjective value had been created. When Andres was later playing video games, Marco wanted to do so as well. After a while, even though Andres no longer wanted to keep playing, he continued in order to prevent Marco from doing so. The previously-created negative subjective value fueled Andres to accept a personally suboptimal outcome in order to spite his brother. Consequently, no objective value was built in this negotiation for Marco, and Andres may have actually lost some objective value because of the time it cost him. If the popsicle negotiation had gone differently, Marco and Andres would have obtained more of what they wanted. Andres could’ve gotten a popsicle and Marco could’ve had more time to play the video game—they both would’ve gotten more objective value.

Appendix C: Analysis

Instructions for Instructor: Read this aloud to students as a closing of the Safari Zone exercise

Often, people narrowly focus on objective value in negotiations. They get bogged down in the numbers, which is an easy, albeit limited, measure of how much value a party gains. However, the value created from negotiation can also be increased and decreased subjectively, regardless of whether it is explicitly addressed. This case study highlights the importance and role of *subjective* value, a concept developed by Curhan and colleagues (Curhan et al., 2010).

Subjective value is significant in three ways. First, positive feelings associated with a negotiation are intrinsically rewarding, such as the fun participants had in playing this game. Second, subjective value can act as an indicator of objective performance in the absence of objective markers, such as the increased closeness felt by Marco and Andres, despite the reality that keeping score of a relationship is unrealistic and probably unwise. Last but not least, subjective value can affect future negotiations by promoting a willingness to negotiate again in a fair manner. For example, groups within the case study that had well-established, preexisting relationships likely had an easier time deciding upon and abiding by their chosen strategy.

Within the assigned reading, researchers found that across multiple rounds of negotiation, negotiators who developed greater subjective value were able to achieve greater individual and joint objective negotiation outcomes (Curhan et al., 2010). Similarly, in the Safari Zone exercise, it is expected that groups who work together and generate positive subjective value develop affiliation and trust. Consequently, these strengthened relationships are likely to lead to greater success within future negotiations. Though students may have lost objective value in the activity, a gain in subjective value may still bring them satisfaction with both the process and outcome of the negotiation. By accounting for subjective value, people can improve both their present and future outcomes.

Appendix D: Reflection

Instructions for Instructor: Read this aloud to students as a closing of the Safari Zone exercise after reading Appendix C.

This case study emphasizes that the process used in negotiations can influence the degree to which subjective value is generated, which can, in turn, affect objective value. The most effective ways of building subjective value often take into account the Five Core Concerns explored in Chapter 2, particularly affiliation and appreciation. Expressing appreciation allows the other party to feel heard, increasing affiliation. As was the case in the argument between Andres and Marco, one expressing appreciation for the other would've encouraged more collaborative problem-solving. As the pair worked together to brainstorm solutions, their partnership likely would've made them feel closer and

more affiliated. Increased affiliation also increases subjective value, as people often enjoy problem-solving with well-liked collaborators, thus opening the door to a positive feedback loop that creates more objective value from the subjective value with every consecutive negotiation. If, for example, Andres had allowed Marco to play video games, Marco would've felt obligated to eventually return the favor. Marco's future act of kindness towards Andres would bring the pair closer, thereby increasing the likelihood that each individual's interests will be considered and jointly pursued in later negotiations. Furthermore, engaging in such reciprocal acts would enhance each brother's reputation as a collaborative negotiator. This would improve future negotiations as the pair builds the habit of working through their problems together.

While appreciation should always be present within negotiation, it is important to distinguish between appreciation and agreement. In negotiation, appreciation simply means that you are listening to the other party and are trying to understand their thought process. You may not necessarily agree with them, but by actively following their train of thought, you are appreciating that they have powerful reasons for why they believe in their own ideas. Genuinely attempting to understand another person's point of view allows you to create further affiliation between yourself and the other party, which can cause them to reciprocate in response. This, in turn, will make you feel closer to each other, which increases subjective value.

The Safari Zone exercise was created to emphasize the importance of the subjective value generated among participants. Those who lack preexisting subjective value and do not make an effort to create more during negotiations likely struggled to move past the early rounds and may have even developed some inter-group animosity. On the other hand, participants who had preexisting subjective value and/or tried to create more subjective value during negotiations likely progressed through many rounds harmoniously.

In real life, there are often situations in which the rules governing the situation are unfair and not all participants are able to realize material gains. By modeling these scenarios, which we all will encounter in real life, students become better equipped to create subjective value in future negotiations and optimize the outcome of an imperfect situation.

Appendix E: Scorekeeper Worksheet

Instructions for Instructor: Make this key available to the scorekeeper for each group.

WORD ANSWER KEY

Round	Word	Number of Blanks
1	Aardvark	8
2	Lion	4
3	Hamster	7
4	Chicken	7
5	Hammerhead Shark	10 - 5
6	Zebra	5
7	Canada Goose	6 - 5
8	Frog	4
9	Walrus	6
10	Elephant	8
11	Pufferfish	10
12	Whale	5
13	Manatee	7
14	Cow	3

Appendix F: Possible Outcomes Groups May Encounter

Instructions for Instructor: Reference this as a guide to in preparation for the debrief in order to better guide the conversation

1st and 2nd Rounds:

Presenters explain rules to the group. Worksheets are passed around and students are given a chance to ask any clarifying questions.

- During these couple of rounds, either one person will have to take the negative points for both rounds, or two different people will have to say the last letter in these rounds (which will also result in only one person ending with negative points).
- The group may also choose to not participate and therefore end the game in the first round. Everyone will then have zero points and no one would have to stand up. This is unlikely in the first two rounds, however, given the lack of communication and time.
- Another approach could be for all group members to say the last letter at the same time, so everyone incurs negative points. Also unlikely for the aforementioned reasons.

3rd Round Deliberation (and subsequent rounds):

During this round, group members may decide to collaborate and / or pick their own strategy, depending on communication and whether subjective or objective value is prioritized.

- 1) Group agrees on a strategy based on **equal opportunity** for everyone
 - a) **Strategy #1: Every person for themselves**
 - i) Description: People decide that the rules of the game don't allow for a fair process and therefore every person should just decide on their own strategy.
 - b) **Strategy #2: Specific Order**
 - i) Description: People decide on a specific order to say the last letter (ex: clockwise)
 - (1) This is an optimal approach if the group's objective is to go through as many rounds as possible in order to collectively gain the most points (objective value). It is not, however, the most optimal approach to maximize the points of any individual. Subjective value would be higher with this strategy since people might feel that this is the fairest process.
 - c) **Strategy #3: Random Order**
 - i) Description: People decide to say the last letter based on a random order, e.g. people alternate until every person has said the last letter based on no specific order

- (1) There exists potential betrayal in this strategy, as the last person may decide to not take the fall.
- (2) This may lead to stagnation in the game, reducing the number of rounds the group will complete.
- d) *Strategy #4: Refusal to participate*
 - i) Description: People refuse to participate in further rounds on the basis that the game isn't fair to the person who ends up with negative points
 - (1) This is not optimal if success is defined by objective value, which would be based on the number of points at the end of the simulation.
 - (2) This can be optimal if success is defined by subjective value, as people will feel that they are collaborating and develop a sense of affiliation.
- 2) Group agrees on a strategy based on **maximizing** points
 - a) *Strategy #5: One person takes on negative points*
 - i) Description: The group collectively chooses one person to say the last letter every time in order to have the highest overall group average.
 - (1) This is an optimal response if the group's definition of success is to have the highest group average and potentially the three highest-scoring participants. It is not optimal, however, if the group does not want to have one of the three lowest-scoring participants.
- 3) Group **DOES NOT** agree on a strategy
 - a) *Individual strategy #1: Avoid negative points*
 - i) People may individually avoid saying the last letter
 - (1) The justification for this is that the group didn't decide on a strategy, and therefore the person doesn't feel obligated to cooperate.
 - b) *Individual strategy #2: Take the fall*
 - i) People may decide to volunteer and say the last letter, either out of selflessness or a desire to progress the game.

Chapter Acknowledgements

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Ayush Menon

Emily Wang

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Conclusion

Putting It All Together

Consider the following exchange between a husband and wife:

“Honey, you wouldn’t believe the day I’ve had,” the wife says to her husband. “My boss came into my office today and offered me a promotion! She said my last project wowed the board and that I should be presenting at next month’s conference!”

“Congratulations...,” responds the husband, quietly.

“We should go out and celebrate! Grab your jacket, and I’ll meet you in the car.”

“I think I’d rather just stay in tonight.”

At this point, the wife began to get frustrated. She’d just spent the past week working nonstop to finish her project, had been offered a promotion for her hard work, and was now trying to take her unenthusiastic husband out to celebrate. “Why do you never want to do anything with me!? I’ve been working constantly, trying to provide for *us*, and now you can’t even be happy for me!? All I wanted was a nice evening out, and you can’t even give me *that!*!”

The husband then became angry as well. He hadn’t seen his wife all week and had spent the day planning a romantic night for their first real evening together in a while. Now, she wanted him to suddenly change plans and for them to leave again. “I never asked you to do any of that! *You’re* the one who just *decided* one day that we would be better off with you working all the time! I’ve hardly seen you, and now you just barge in to demand I drop everything so we can do whatever *you* want to do! If you want to go out so badly, you can do it without me.”

These sorts of conflicts, where the conflict at hand is merely a symptom of an outstanding issue, require addressing the context if tensions are to come to an end. In the case of the above example, both parties acknowledge a shared event: the wife spent the past week working, and there is an attempted celebration. However, their perceptions of each event are different. To the wife, the time spent working is her way of trying to provide for her family, and she sees the promotion as an opportunity to better fulfill this goal and as personal validation, therefore warranting the celebration.

Conversely, to the husband, the time spent working is time apart from one another, and he sees the promotion as a cause for her to work even more. The husband feels ignored and disregarded by the celebration because it was decided without his involvement, and he sees it as another example of his wife making a decision without inquiring about his own wants or pre-existing plans. In order to resolve not only the problem at hand, a disagreement over a celebration, but the core issues, finding a balance between work and time together and ensuring both parties have their voices heard, the couple should use their negotiation skills.

“I don’t want to go out without you,” the wife says. “The whole point was for us to celebrate *together.*”

“But why do we have to go out to do that? I’ve already cooked us a nice meal here, and I was hoping we could celebrate at home. You’re hardly around anymore, and it’s only gonna get worse now that you’re being promoted,” the husband replies.

“If you wanted to stay in, why didn’t you just say so?”

“Because you never asked. I know it’s easy for you to speak up for yourself, but sometimes it’s better for you to pay more attention to the other person. As soon as you came home, it was, ‘Hey, drop what you’re doing and let’s go!’ You never asked about my day or what I wanted to do, you just decided what would be best for us. I know you’re working hard for us, and I appreciate everything that you do. But, we’re supposed to be a team—I deserve a say too.”

“You’re right, I’m sorry. I thought it would be nice to have a night out together. We haven’t had a proper date in a while; I miss spending time with you.”

“I miss spending time with you too. Of course, I do. You’re my wife.”

At this point, the conversation has moved from an argument over a celebration to a discussion about each party’s perception of the events. As you can see, resolving these sorts of issues is complex, and it requires employing much of what you’ve already learned. The Five Critical Elements of Negotiation and the Five Core Concerns act as your toolbox for effective negotiation and provide you with several ways to address both the rational and the emotional aspects. Meanwhile, the Five Lures of the Tribal Mind help you avoid a stagnating or repetitive conversation and can prevent negotiations from turning into fights. And here, we can see that the impact of context, as well as objective and subjective value, continue to affect outcomes of negotiations. Luckily, the process for diagnosing and solving matters of context, identity, and subjective value is the same as it is for rational and emotional ones:

Diagram 8: Putting It All Together

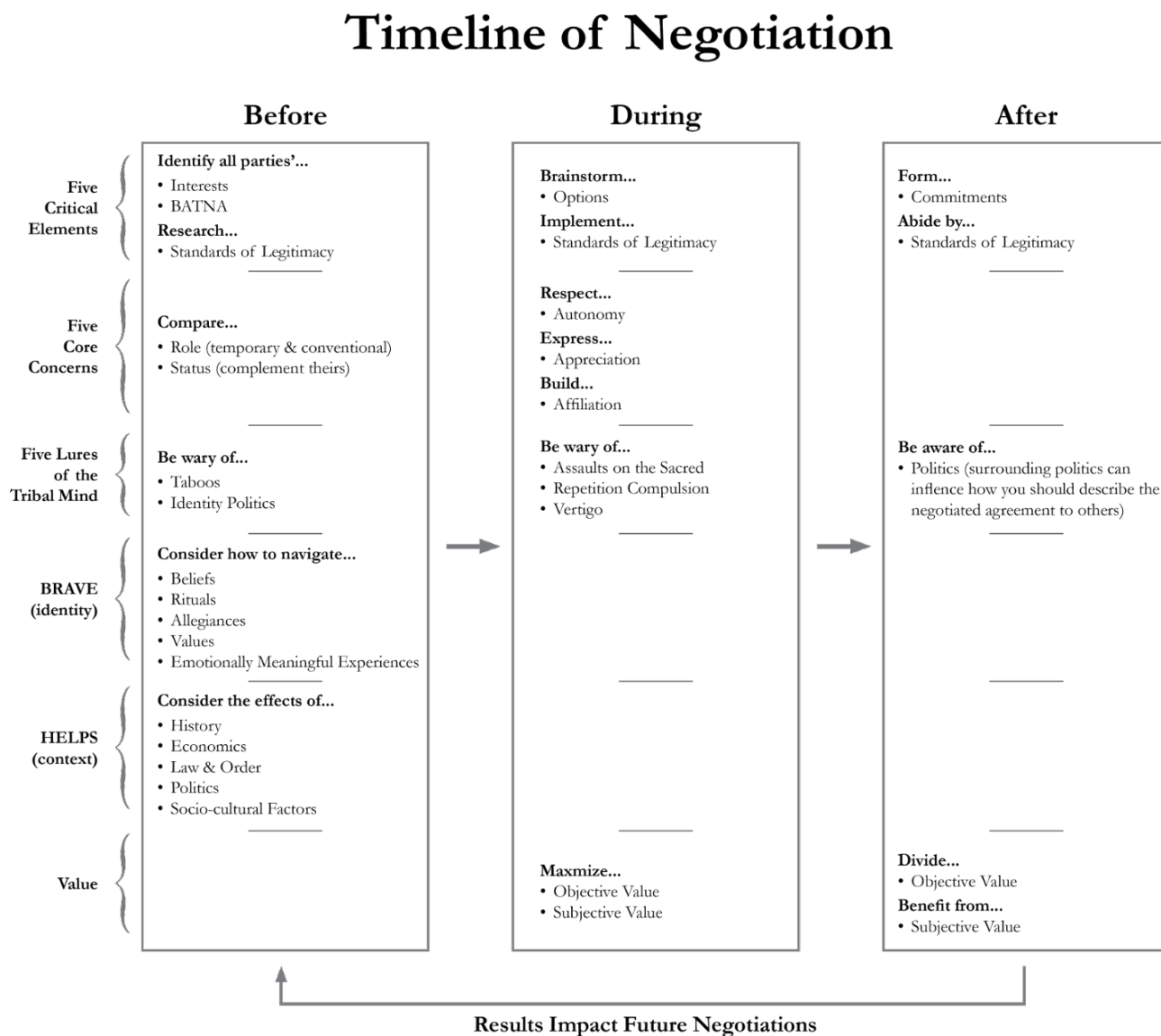
Look for shared interests	The husband and wife both care about spending time together and want to resolve the tension between them.
Consider your own alternatives and BATNA	The wife could choose to celebrate on her own or with friends, while the husband could choose to stay home and watch TV, read a book, or any number of other leisure activities.
Consult standards of legitimacy	How do other couples resolve these types of problems? This could be used as a precedent to help adjudicate the current argument. Or, the two could go to a mutual friend for advice from an unbiased third party who acts as a mediator or arbiter.
Generate creative options	They could stay in for dinner but go out for a movie afterward, they could have dinner at home tonight and make celebratory plans for next week, etc.

Form commitments	Both parties could agree to regularly ask about the other's day before moving on to other conversation topics, have weekly date nights, alternate who gets to choose how they spend their time together, etc.
Express appreciation	The husband said to the wife, "I know you're working hard for us, and I appreciate everything that you do," showing an appreciation for her work—something she views as an important part of her life and role as a wife.
Build affiliation	"You're my wife." This re-emphasizes the shared bond between the two: marriage.
Respect autonomy	"You never asked about my day or what I wanted to do." The husband is expressing his discontent over the wife's lack of attendance to his own wishes and desires, which in turn causes him to feel lacking in autonomy.
Acknowledge status	"I know it's easy for you to speak up for yourself." This acknowledges the wife's status as a highly assertive person before acknowledging the husband's own status as especially attentive to others' needs.
Choose a meaningful and fulfilling role	"We're supposed to be a team." The two each have an obligation to the other person to work on the relationship and communicate with one another.
Acknowledge influential identity-based aspects	Both likely have strong allegiances to one another as husband and wife, and the husband's desire to have a home-cooked meal and discuss their day indicates such conversations over dinner are an important part of his daily rituals.
Ask yourself, "what is the context surrounding this negotiation?"	The wife might have a higher income, and this may cause the husband to feel like he has less power, thus discouraging him from voicing his discontent. This is the "E" for Economics in the HELPS framework. Alternatively, a past history of the husband wanting to stay home rather than go out may be causing unspoken grievances to affect negotiations, evidenced by the wife's comment: "Why do you never want to do anything with me!?" It is possible this comment was simply made in the heat of the moment, but its presence is nonetheless worth acknowledging. This is the "H" for History in the HELPS framework.
Address felt inequities in subjective value	We know the wife has spent the past week working more than usual. What sacrifices might each party have made to accommodate this change, and how could that impact the perceived subjective value on either side? Has the

	<p>husband been alone in the evenings, thus making him feel devalued in the absence of his wife? And simultaneously, perhaps the wife has been forced to forgo proper meals or proper sleep due to her recent workload, giving her negative subjective value as she feels overworked. Acknowledging and addressing these issues can help generate more optimal solutions from both objective and subjective perspectives.</p>
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The following diagram illustrates when to use the numerous frameworks and elements of negotiation discussed within *Understanding Others through Negotiation*, delineating among those that should occur before, during, and after an agreement is reached.

Diagram 9: The Timeline of Negotiation



The Big Picture

The goal of *Understanding Others through Negotiation: A Guide for Students by Students* is to provide individuals with practical negotiation skills in order to better equip them for future negotiations. Throughout this book, we have explored methods of intelligently approaching negotiations from a variety of perspectives: rational via the Five Critical Elements, emotional via the Five Core Concerns, and identity-based via the BRAVE framework. Beyond these broad frameworks, other parts of negotiation theory such as the BATNA allow you to more readily identify when to walk away from the discussion, while the HELPS framework enables you to understand the context that is

affecting the negotiation even before you arrive at the table. The Five Lures of the Tribal Mind help ensure negotiations stay productive in the face of difficult obstacles, and understanding the difference between subjective and objective value, as well as the interplay that can exist between the two, cultivate more creative option generation between parties.

However, negotiation is more than a series of items on a checklist or a bunch of acronyms. It is ultimately about developing a better understanding of everyone's wants, needs, and tendencies, with the goal being to identify more ways to create mutual gains. The discussed theories, frameworks, and practical tools provide a plethora of useful ways to approach nearly any negotiation; however, negotiation nevertheless remains a fundamentally humanistic endeavor. With that in mind, remember that these methods are centered around understanding yourself and the other party or parties as human beings. Ultimately, negotiation is about listening to understand—the conflict at hand, the interests of those around you, the broader context in which the negotiation takes place, and yourself.

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Appendix: Tables & Diagrams

Diagram 1: How-To Guide

Subsection	Description
1. Purpose	Provides a broad overview of the chapter's purpose, outlining a few prominent skills students will practice and the negotiation frameworks students will utilize. Useful for framing each lesson within the overall lesson plan.
2. Instructor Preparation	Includes pre-readings and a list of required materials. Pre-readings are to be completed before the lesson and provide a detailed overview for any teachers or professors unfamiliar with each framework.
3. Process	Details an in-depth, student-focused exercise that illustrates the chapter's framework in action and provides students with the opportunity to apply course content at the practical, individual level. This subsection details how to run the case study and is meant for the teacher / facilitator(s). This subsection also includes any suggested reading assignments for students to complete <i>before</i> the in-class exercise and a few suggestions for teaching the framework.
4. Debrief	Guides the teacher / facilitator(s) through a discussion of and reflection on the exercise. Includes possible questions to ask students to facilitate learning experiences, as well as additional questions or ideas to emphasize for more in-depth conversations. Where possible, we also note commonly expressed sentiments from students for preparatory purposes.
5. Conclusion	Provides potential scripts / ideas for final analyses of the exercise and how students can apply the framework to other negotiations and contexts.
6. Teacher Insights Guide - Student Worksheets	Includes critical information pertinent to students / case study participants. Note that case studies involve breaking participants into multiple groups and designating what information ought to be shared with each group. Only the case study contained within Chapter 5 has a single, universal Student Worksheet—all other chapters give group-specific information and materials.
7. Teacher Insights Guide - Teacher Worksheets	Includes helpful information and suggested scripts, stories, and other teaching materials related to each framework. Each guide includes the following items: (1) a broad overview of the framework;

	<p>(2) a brief anecdote and explanation that can be used as an in-class example of the framework before starting the case study;</p> <p>(3) an analysis of how the specific, underlying negotiation theory and framework(s) are exemplified within the study—useful for highlighting the real-world applications of negotiation theory to students’ experiences; and</p> <p>(4) a summary of the exercise’s key foci and connections between the chapter’s framework and negotiations in a broader context—useful for contextualizing each chapter and teaching students about connections across chapters.</p> <p>Note that in addition to these components, some chapters include additional information as needed.</p>
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Diagram 2: The Five Critical Elements of Negotiation

Critical Element	Useful Questions to Consider
Alternatives and BATNA (Best Alternative To a Negotiated Agreement)	What can you do without the other party's agreement? How can you improve your own situation without negotiating? What's the best deal you can get, away from the table?
Interests	What do you and the other party each want out of the negotiation? Can you help fulfill any of their goals? What do both parties want, outside of the context of the negotiation, that you may be able to bring to the table?
Options	What are some potential agreements you could jointly make? How can you work together to improve both of your situations?
Standards of Legitimacy	Does the agreement seem fair, and why? What is the reasoning behind each component of the agreement?
Commitment	How can both parties indicate they will follow the agreement? How can they enforce this commitment?

SOURCE: Adapted from *Getting to Yes* (Fisher et al., 1991)

Diagram 3: Defining the Five Core Concerns

Core Concern	Definition
Appreciation	Understanding and expressing recognition of the merit in a person's thoughts, feelings, or actions
Affiliation	One's sense of connectedness with another person or group; connections can be structural or personal. Structural affiliation is a shared connection with another person or group based on belonging to a larger entity, such as an employer or school. Personal affiliation is a shared connection based on the mutual revelation of personal thoughts, feelings, experiences, and beliefs
Autonomy	The freedom to make decisions without imposition from others
Status	One's standing in relation to others—this can either be social status or particular status. Social status is one's general standing in a social hierarchy, and particular status is one's standing within a narrowly defined substantive field, such as expertise in health economics
Role	A job label and a corresponding set of activities expected of a person in a specific situation—this can be either conventional or temporary. Conventional roles are the more traditional roles individuals adopt as members of a given organization and include more stable aspects of one's life, such as being a parent or doctor. Temporary roles, on the other hand, are the roles people adopt situationally and offer more flexibility; they are centered around the many responsibilities we must regularly juggle, such as being a problem solver, arbiter, or mentor

SOURCE: From *Beyond Reason* (Fisher & Shapiro, 2005)

Diagram 4: Implementing the Five Core Concerns

Core Concerns	The Concern is ignored when...	The Concern is met when...
Appreciation	Your thoughts, feelings, or actions are devalued	Your thoughts, feelings, and actions are acknowledged as having merit
Affiliation	You are treated as an adversary and kept at a distance	You are treated as a colleague and brought into the conversation
Autonomy	Your freedom to make decisions is impinged upon	Others respect your freedom to decide important matters
Status	Your relative standing is treated as inferior to that of others	Your standing is given full recognition where deserved
Role	Your current role and its activities are not personally fulfilling or meaningful	You define your role and its activities such that you find them fulfilling and personally meaningful

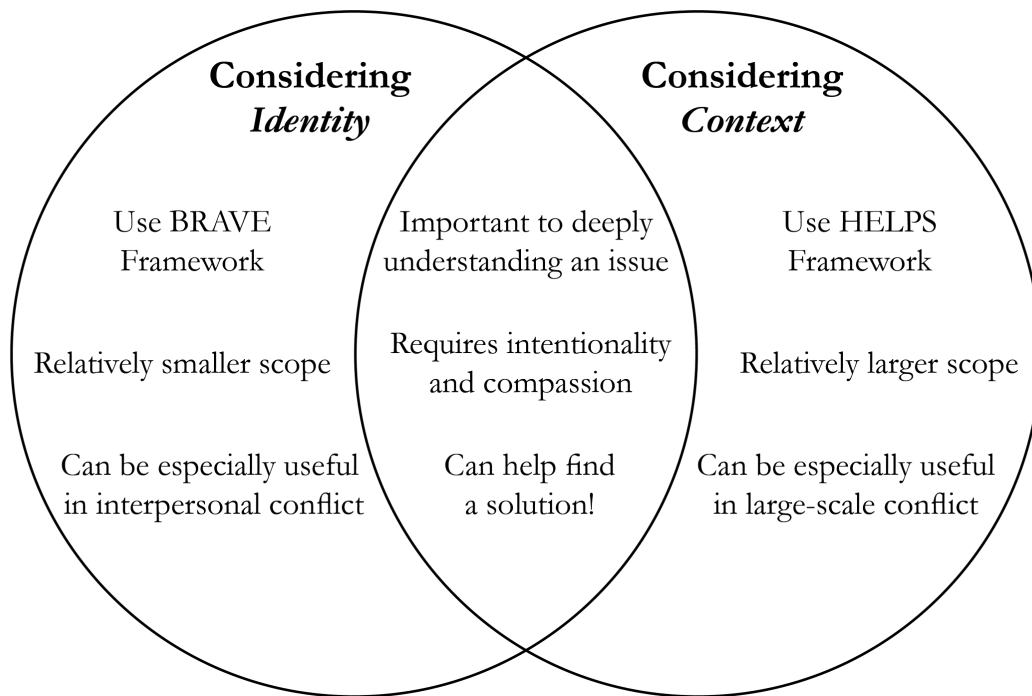
SOURCE: From *Beyond Reason* (Fisher & Shapiro, 2005)

Diagram 5: The Five Lures of the Tribal Mind

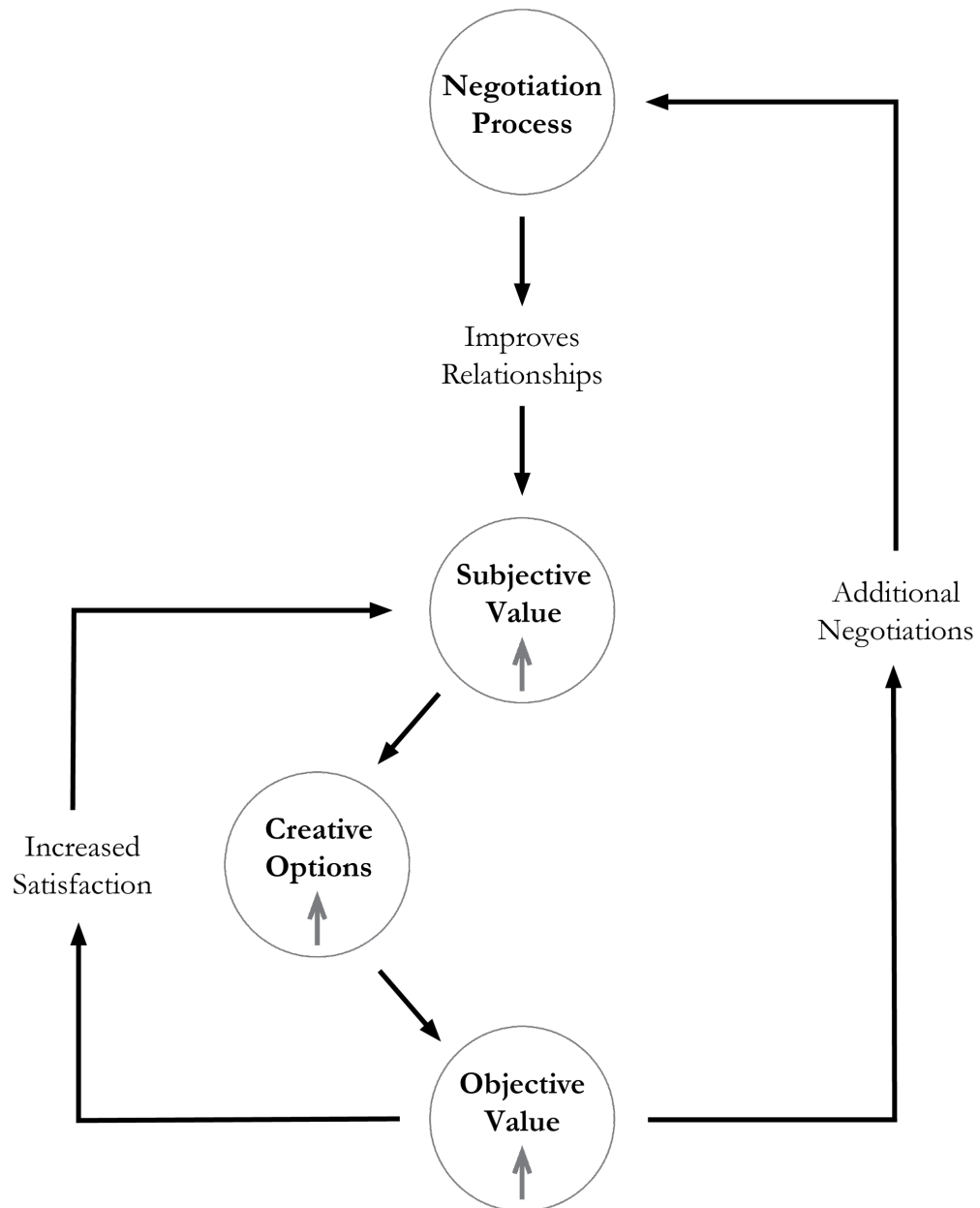
Five Lures of the Tribal Mind	Definition	Tactics
Vertigo	Vertigo is that feeling when you get so consumed in a conflict that you can't think of anything else. You lose track of space and time. Have you been fighting for 5 minutes? 2 hours? It can be hard to keep track when you're stuck in vertigo.	<ul style="list-style-type: none"> - Remember your purpose (“Why did we start having this conversation in the first place?”). - Jolt!
Taboos	Taboos are social prohibitions. They are actions, thoughts, and / or feelings that a community deems unacceptable.	Ask yourself: <ul style="list-style-type: none"> - What should you be talking about that you are not? - What shouldn't you be talking about that you are?
Repetition Compulsion	The compulsion to repeat an action or behavior, particularly an unhealthy one, over and over again.	<ul style="list-style-type: none"> - Stay aware of your own tendencies in the heat of a conflict: Are they helpful? How might you improve upon them? - If you notice yourself reverting to the same old dynamic, decide whether to defy it.
Assault on the Sacred	A threat or attack on one of the most meaningful aspects of your identity (loved ones, beliefs, etc.)	<ul style="list-style-type: none"> - Be aware of what the other person considers sacred and respect it. - If you find you've accidentally attacked something sacred to the other person, apologize, and make a mental note to avoid further attack.
Identity Politics	The process of creating a shared identity with a group to advance a political purpose.	<ul style="list-style-type: none"> - Create a positive group identity, not a negative one (use this ability to <i>enhance</i> affiliation rather than inflame tensions).

SOURCE: From *Negotiating the Nonnegotiable* (Shapiro, 2017)

Diagram 6: BRAVE vs HELPS Frameworks



SOURCE: From *Negotiating the Nonnegotiable* (Shapiro, 2017) and developed by Daniel Shapiro (2021)

Diagram 7: Subjective and Objective Value

SOURCE: Based on work by Curhan et al. (2010).

Diagram 8: Putting It All Together

Look for shared interests	The husband and wife both care about spending time together and want to resolve the tension between them.
Consider your own alternatives and BATNA	The wife could choose to celebrate on her own or with friends, while the husband could choose to stay home and watch TV, read a book, or any number of other leisure activities.
Consult standards of legitimacy	How do other couples resolve these types of problems? This could be used as a precedent to help adjudicate the current argument. Or, the two could go to a mutual friend for advice from an unbiased third party who acts as a mediator or arbiter.
Generate creative options	They could stay in for dinner but go out for a movie afterward, they could have dinner at home tonight and make celebratory plans for next week, etc.
Form commitments	Both parties could agree to regularly ask about the other's day before moving on to other conversation topics, have weekly date nights, alternate who gets to choose how they spend their time together, etc.
Express appreciation	The husband said to the wife, "I know you're working hard for us, and I appreciate everything that you do," showing an appreciation for her work—something she views as an important part of her life and role as a wife.
Build affiliation	"You're my wife." This re-emphasizes the shared bond between the two: marriage.
Respect autonomy	"You never asked about my day or what I wanted to do." The husband is expressing his discontent over the wife's lack of attendance to his own wishes and desires, which in turn causes him to feel lacking in autonomy.
Acknowledge status	"I know it's easy for you to speak up for yourself." This acknowledges the wife's status as a highly assertive person before acknowledging the husband's own status as especially attentive to others' needs.
Choose a meaningful and fulfilling role	"We're supposed to be a team." The two each have an obligation to the other person to work on the relationship and communicate with one another.
Acknowledge influential	Both likely have strong allegiances to one another as husband and wife, and the husband's desire to have a home-cooked meal and discuss their day

identity-based aspects	indicates such conversations over dinner are an important part of his daily rituals.
Ask yourself, “what is the context surrounding this negotiation?”	The wife might have a higher income, and this may cause the husband to feel like he has less power, thus discouraging him from voicing his discontent. This is the “E” for Economics in the HELPS framework. Alternatively, a past history of the husband wanting to stay home rather than go out may be causing unspoken grievances to affect negotiations, evidenced by the wife’s comment: “Why do you never want to do anything with me!?” It is possible this comment was simply made in the heat of the moment, but its presence is nonetheless worth acknowledging. This is the “H” for History in the HELPS framework.
Address felt inequities in subjective value	We know the wife has spent the past week working more than usual. What sacrifices might each party have made to accommodate this change, and how could that impact the perceived subjective value on either side? Has the husband been alone in the evenings, thus making him feel devalued in the absence of his wife? And simultaneously, perhaps the wife has been forced to forgo proper meals or proper sleep due to her recent workload, giving her negative subjective value as she feels overworked. Acknowledging and addressing these issues can help generate more optimal solutions from both objective and subjective perspectives.

Diagram 9: The Timeline of Negotiation

Timeline of Negotiation

