Mindsets and the Effectiveness of Negotiation Training

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- Chapter 1: Keine Veröffentlichung geplant
- Chapter 2: Veröffentlicht als: Ade V, Schuster C, Harinck F und Trötschel R (2018) Mindset-Oriented Negotiation Training (MONT): Teaching More Than Skills and Knowledge. *Frontiers in Psychology*. 9:907. doi: 10.3389/fpsyg.2018.00907
- Chapter 3: Eingereicht bei *European Journal of Psychological Assessment.* Autoren: Valentin Ade, Michael Dantlgraber, Carolin Schuster und Roman Trötschel. Eingereichter Titel: *Toward a better understanding of the mindsets of successful negotiators: Development and construct validation of the Scale for the Integrative Mindset (SIM)*
- Chapter 4: Eingereicht bei *International Journal of Conflict Management*. Autor: Valentin Ade. Eingereichter Titel: Political Negotiations: Characteristics and Related Performance Disincentives.
- Chapter 5: Angenommen (im Druck) bei *In-Mind Magazin*. Autoren: Valentin Ade, Marco Warsitzka und Martin Albani: Eingereichter Titel: Frieden ist Verhandlungssache: Die Rolle von Mindsets und Werten bei der Lösung gewaltsamer Konflikte

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Abbreviations

α	Cronbach's alpha
BATNA	Best Alternative To a Negotiated Agreement
CFI	comparative fit index
DRRC	Dispute Resolution Research Center
H	hypothesis
In	inclination
IR	International Relations
Mini-IPIP	Mini international personality item pool
MONT	Mindset-Oriented Negotiation Training
NCS	Need for Cognition Scale
NFC	need for cognitive closure
PON	Program on Negotiation
RMSEA	root mean square error of approximation
SD	standard deviation
SEM	structural equation modeling
SIM	Scale for the Integrative Mindset
SRMR	standardized root mean square residual
TLI	Tucker-Lewis Index
ZOPA	Zone Of Possible Agreements

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Chapter 1: Summary Essay

This cumulative dissertation includes four studies that all examine the relationship between mindsets and negotiation training effectiveness. It also includes, in the appendix, two negotiation simulations. These simulations are, at least to some extent, informed by the research conducted for this dissertation project and that are designed to prepare individuals for complex negotiations in real life.

Goal of this thesis

In this interdisciplinary dissertation project, I explore how the insights gained in negotiation and conflict management research can best be adapted to negotiation training interventions and to increase the effectiveness of these interventions. Effectiveness is defined here as successful learning transfer of the individuals participating in an intervention. Successful learning transfer is characterized by the following three criteria:

- the likelihood that training participants actually behave differently in real-life negotiations after they have taken part in a training intervention
- an increase in improved negotiation performance due to an application of what they have learned, and
- the duration over which these behavioral changes occur.

In other words, training is considered effective if it leads to relevant long-term improvements of negotiation behavior. Here, improvements can, for instance, be measured in terms of what I and my co-authors Carolin Schuster, Fieke Harinck, and Roman Trötschel (2018) (included here as Chapter 2) refer to as sustainable integrative agreements. These types of agreements have four characteristics: First, they create more value than mere compromises do. Second, they have a high likelihood of being implemented, as the negotiation parties regard them as fair and are therefore more likely to follow through on their commitments. Third, creating these agreements involves low transaction costs. Fourth, the process of reaching sustainable integrative agreements tends to improve the relationship between the parties.

Because it combines perspectives from the fields of psychology, management, and political science, this dissertation has an interdisciplinary character. Drawing on both empirical and theoretical studies, it aims to provide insights with high practical relevance for negotiation researchers, instructors, and practitioners.

Research gap

Measuring the effectiveness of negotiation training is challenging for several reason (Lewicki (2002). First, a good negotiating performance often requires a diverse set of distributive and integrative skills. These include, but are not limited to, "framing, listening, brainstorming, packaging, questioning, persuasion and argumentation" (REF p. 2). Second, training effectiveness is only relevant if it concerns behavioral changes that training participants take with them from the classroom to their real lives. Hence, measuring changes in classroom negotiation performances directly after a training intervention can be interesting, but this approach to measuring the effectiveness of negotiation interventions does not provide any information on the actual performance of participants in their professional contexts. To accurately evaluate the effectives of negotiation training interventions, it would be necessary to conduct long-term studies that examine how participants of negotiations trainings (and those of control groups) perform in their real-life negotiations before and after an intervention (or a control activity). Tracking and observing participants in these contexts would not only be challenging, but doing so might also affect the performance of individuals and the outcome of negotiations. To avoid these potential problems researchers could conduct longitudinal studies which would require participants to complete self-assessment questionnaires, take part in interviews, and/or complete negotiation exercises in a laboratory setting, which tend to be less complex than real-life negotiations. Perhaps due to the challenges of measuring long-term behavioral changes in the context of negotiation training, negotiation scholars have largely avoided this issue in their research (Coleman and Lim, 2001).

The question of training effectiveness does not only seem to be relevant in the discourse on negotiations. For example, in their analysis of the effectiveness of leadership training, Beer, Finnström, and Schrader (2016) argue that so many interventions failed to lead to behavioral changes that one could speak of systemic “training robbery” (p. 51). The effectiveness of training interventions, then, is unlikely to be resolved anytime soon, and researcher will continue to address this gap in the literature in the decades to come.

This dissertation will contribute to this general effort by providing new insights on the effectiveness of training interventions in the context of negotiations.

Research question

All of the studies included in this dissertation address, albeit to a different degree and with a different emphasis, one general research question:

How can negotiation training become more effective?

This question suggests two specific questions that have to be addressed by negotiation instructors: “Which content do I choose for the intervention that I teach?” and “How do I teach this content?”

The word “content” here stands for three kinds of learning areas[1]:

- Knowledge: This area addresses concepts and facts (such as results from laboratory

[1] The following structure of content as knowledge, skills, mindsets is similar to a classification of learning areas into the levels of knowing, doing, and being, which is, for example, used by Dyllick (2015), Datar, Garvin, and Cullen (2011) and the International Commission on Education for the Twenty-First Century and Delors (1996).

studies) that instructors present to students. For instance, students learn that exchanging concessions based on diverging priorities can create value in negotiations ("logrolling") and discuss examples of this.

- Skills: This area addresses the practical abilities that participants acquire or develop during a training intervention. For example, students complete exercises in which they successfully manage to create value by using logrolling.
- Mindsets: Mindsets can be seen as psychological orientations that affect cognitions, motivations, and feelings (Rucker & Galinsky, 2016). In training interventions, mindset development can be initiated. Regarding the example of logrolling used in the two previous bullet points, the integrative mindset, which my co-authors and I present in the MONT paper (chapter 2 of this thesis), may lead negotiators to ask more and better questions. By answering these questions they are likely to gain relevant insights into the logrolling potential of the situation they are in.

To answer the research question given above, I focus on three sub-questions:

1. Are there any mindsets that instructors could integrate into their interventions to better prepare participants for real-life negotiations?
2. If so, what are these, and which are the most relevant in the context of negotiations?
3. How can instructors help participants acquire and develop these mindsets?

It is difficult to answer these questions because little is known about the effectiveness of the negotiation training interventions available today. It is safe to assume that not all of these interventions are effective to the same degree, in part because they might, for example, be based on different theoretical frameworks. The quality of instruction may also differ considerably. Improving and increasing the effectiveness of these interventions, then, may require very different approaches. A focus on mindsets, it is argued here, is a promising way to successfully prepare participants in negotiation training interventions for real-life situations.

Relevance of the research question

As Fisher, Ury, and Patton (2012) point out, “Everyone negotiates something every day” (p. xxv). While some of these negotiations concern rather commonplace issues, for instance which restaurant we go to with friends or if we meet there at 7 or 8 p.m., others have a significant and long-term impact on our lives. For example, a couple may discuss whether they want to have children or not, company executives may negotiate with investors whether to lay off hundreds of employees, or a head of state and cabinet members may discuss how to address the threat of terrorism. In recent decades, the interdisciplinary field of negotiation research has produced a variety of empirical and theoretical findings on negotiation processes and effectiveness. As pointed out above, little is known, however, about the effectiveness of current interventions. With this study, I contribute to a better understanding of the negotiation processes and the effectiveness of negotiation training in general and the factors that lead to good negotiation results in particular.

Whereas researchers have debated skill training (e.g. Nadler, Thompson, and Boven 2003; Williams, Farmer, and Manwaring 2008; Chapman, Miles, and Maurer, 2017; van Hasselt, Romano, and Vecchi 2008; Gist, Stevens, and Bavetta, 1991; Lang 2009), mindset training has not been explicitly addressed in the literature on negotiations. Given this ostensible dearth of studies on this issue, we concluded that conducting research on mindset training would be relevant for both researchers and practitioners.

Research design

To answer the research questions posed above, I, in close collaboration with my co-authors, took the following steps. In a first step, we conceptually explored the relative importance of knowledge skills, and mindsets and developed a psychological construct that we refer to as the integrative mindset (Chapter 2 of this dissertation). In a second step, we developed and validated a 15-item scale that can be used to measure this mindset in negotiators (Chapter 3 of this thesis). In a third step, I evaluated the outcomes of the first two studies (for which I composed Chapter 4 as a sole authors and Chapter 5 with co-authors). In these two chapters, my thesis offers reasons why a mindset-training approach might be desirable in the context of political negotiations in particular. The complexity of political negotiations and a several other factors might be disincentives for people to perform to the best of their ability in political negotiations. Negotiation interventions with an emphasis on mindsets might prepare individuals for these difficult situations and thus limit the potential adverse impact of disincentives on outcomes.

Main findings

In the studies collected in this dissertation, I and, in the case of Chapters 2, 3, and 5, my co-authors argue that the effectiveness of negotiation training can be increased if instructors do not only address skills and knowledge, but also focus on mindsets. We suggest that a particular promising one is what we refer to as the integrative mindset. This mindset comprises a collaborative, a curious, and a creative inclination (Chapter 2). We argue that an emphasis on this mindset will be beneficial particularly to participants in training interventions focused on political negotiations (Chapters 4 and 5). We propose that future studies empirically test our theoretical assumptions using the scale for the integrative mindset (SIM) of negotiators (Chapter 3).[2]

To help participants develop an integrative mindset in a training intervention, my co-authors and I recommend the activities described in Chapter 2. These activities can be performed in

[2] As discussed above, such empirical studies tend to be methodologically complex and need to be based on longitudinal data in order to yield meaningful and reliable results.

and outside of the classroom. In-class activities include, but are not limited to,

- discussions of the theoretical model and related concepts as well as examples;
- negotiation role-plays, simulations, or improvisation theater exercises; and
- feedback by peers and instructors.

Regarding activities outside of the classroom, it is possible to distinguish between activities related to actual negotiations in professional contexts and those preparing for these negotiations. The latter include

- reflective writing, drawing, or conversations (here, we refer for example to Balachandra and colleagues, 2005b, Aronson, Fried, and Good, 2002, and Paunesku and colleagues, 2015);
- the development of negotiation exercises (as, for instance, discussed by Macduff, 2009, or Wheeler, 2015);
- external support from peers or coaches (as, for example, discussed by Ury, 2007, and Diamond, 2010); and
- support for other negotiators (here, we cite Aronson, Fried, and Good, 2002).

Activities during real-life applications (that is, negotiations in professional contexts), activities that contribute to the development of an integrative mindset can include

- mindset energizers,
- role model visualization (here, we cite for instance Bandura, 1977, and White et al., 2017), or
- if-then plans (here, we draw for instance on Trötschel and Gollwitzer, 2007; Kirk, Oettingen, and Gollwitzer, 2013).

Contributions of the four manuscripts

Manuscript 1: Mindset-Oriented Negotiation Training (MONT): Teaching More Than Skills and Knowledge

In the MONT paper, my co-authors and I develop many of the central ideas of this dissertation project. For instance, we conceptualize the integrative mindset. We also discuss several activities that could be used by instructors to help participants acquire and develop an integrative mindset inside and outside of the classroom. While some mindsets relevant for negotiations have been explored in laboratory studies (e.g. by Harinck and De Dreu, 2008, or Trötschel, Hüffmeier, Loschelder, Schwartz, and Gollwitzer, 2011), our paper is, to the best of our knowledge, the first to describe which mindsets should be addressed in negotiation trainings and what kinds of activities could be considered.

In 2018, this manuscript was published by *Frontiers in Psychology* with doi: 10.3389/fpsyg.2018.00907

Manuscript 2: Toward a better understanding of the mindsets of successful negotiators: Development and construct validation of the Scale for the Integrative Mindset (SIM)

This paper constitutes the empirical part of this thesis. Based on an online data collection (n=1,030), my co-authors and I developed and tested a 15-item scale for the integrative mindset (SIM) of negotiators.

Manuscript 3: Political Negotiations: Characteristics and Related Performance Disincentives

The results of political negotiations arguably shape our world to a large extent. In this study, I provide the first comprehensive characterization of the term political negotiation. Many politicians, officials, and other people in politics (such as NGO activists) do not perform to the best of their ability, I argue, because political negotiations often provide performance disincentives. Training interventions that include mindset-oriented activities may help participants to avoid these potential pitfalls.

Manuscript 4: Frieden ist Verhandlungssache: Die Rolle von Mindsets und Werten bei der Lösung gewalttätiger Konflikte

This short paper relates the concepts of the distributive and the integrative mindset (which are introduced in the MONT paper) to violent conflicts between states. It also summarizes key aspects of the studies on value conflicts by Harinck and colleagues (Harinck & Druckman, 2017; Harinck & Ellemers, 2014, Harinck & Van Kleef, 2012).

Contributions of the negotiation simulation and exercise collected in the appendix

Appendix 1: Refugees and the PPC

This simulation allows participants of MONT interventions (and other types of interventions) to learn to navigate the complexity of multilateral negotiations. It allows them to create value by using logrolling, adding issues, identifying compatible interests behind opposing positions, and using integrative contingency contracts.

In 2018, this simulation was published by the Kellogg School of Management's Dispute Resolution Research Center (DRRC).

Appendix 2: Thai Solar Park

This exercise allows participants of MONT interventions (and other types of training) to develop the skills needed to negotiate integrative contingency contracts.

In 2016, this simulation was published by the Kellogg School of Management's Dispute Resolution Research Center (DRRC).

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Chapter 2: Mindset-Oriented Negotiation Training (MONT): Teaching More Than Skills and Knowledge

HYPOTHESIS AND THEORY ARTICLE

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Abstract

In this conceptual paper, we propose that both skill set development and mindset development would be desirable dimensions of negotiation training. The second dimension has received little attention thus far, but negotiation mindsets, i.e., the psychological orientations by which people approach negotiations, are likely to have a considerable influence on the outcome of negotiations. Referring to empirical and conceptual mindset studies from outside the negotiation field, we argue that developing mindsets can leverage the effectiveness of skills and knowledge, increase learning transfer, and lead to long-term behavioral changes. We introduce an integrative negotiation mindset that comprises three inclinations which complement each other: a collaborative, a curious, and a creative one. We also discuss activities that help people to develop and enhance this mindset both in and out of the classroom. Our general claim is that by moving beyond the activities of conventional negotiation training, which focuses on skills and knowledge, mindset-oriented negotiation training can increase training effectiveness and enable participants to more often reach what we define as sustainable integrative agreements.

Introduction: Negotiation Training, Learning Transfer, and Mindsets

While negotiation training has become increasingly popular, critics claim that there is still room for systematic improvement in its effectiveness (Movius, 2008; Lewicki, 2014). At the same time, it is not quite clear at which level of effectiveness this kind of improvement would begin, as few studies have measured effectiveness in terms of long-term learning transfer from the classroom to the professional and private lives of course participants (Coleman and Lim, 2001). Rather, the focus of "[n]egotiation training evaluation tends to be short-term, aspectual, and piecemeal" (Coleman and Lim, 2001, p. 363). This target may strike one as inadequate because "[e]ven when people learn integrative negotiation skills, they have great difficulty transferring these skills to new tasks" (Moran et al., 2008, p. 100) and training "has to 'stick' over time in order to be effective" (Lewicki, 2002, p. 2).

Outside the negotiation field, researchers in different disciplines have examined the learning transfer from the classroom to the real world and shown that even skills that were acquired over an extended period of time are often not applied outside of class (Michalak, 1981; Baldwin and Ford, 1988; Cheng and Hampson, 2008). As Michie et al. (2013) argue, training interventions are often complex, and identifying which of the many interacting components of an intervention are effective is challenging. Based on similar arguments, Burke and Hutchins (2007), characterize "training transfer [as] a core issue for human resource development (HRD) researchers and practitioners focused on designing interventions that support individual, team, and organizational performance" (p. 263).

In this context, learning transfer is crucial because of the considerable costs involved. Beer et al. (2016) report that U.S.-based companies spent over $160 billion on employee learning in

2015 (In 2011, this number was, as Miller, 2012 notes, $10 billion lower). Researchers assume, however, that only 10 to 50 percent of this training resulted in behavioral changes (Burke and Hutchins, 2007). Beer et al. (2016) argue that when people learn something in a training, “[f]or the most part, the learning doesn’t lead to better organizational performance because people soon revert to their old ways of doing things.” For this reason, these authors compare the loss of resources due to ineffective training to “training robbery” (Beer et al., 2016, p. 51). Numbers and diagnoses such as these may be relevant for the negotiation field in particular. Laker and Powell (2011) report that at least anecdotal evidence suggested that the interpersonal abilities developed during soft-skills training, (which deal with interpersonal abilities such as negotiation,) were transferred to the job substantially less often than those developed in hard-skills training (which focus on technical abilities). In general, the scholars of skill training do not seem to agree on which best practices in their field could increase training effectiveness.

Although some negotiation researchers also emphasize the development of attitudes as a learning goal for training (e.g., Coleman and Lim, 2001; Zweibel et al., 2008; Cuhadar and Kampf, 2015), the implicit assumption often seems to be that the paramount learning goal is the development of a distinct skill set. Accordingly, the implicit underlying question that much of the basic and applied research of the negotiation field ultimately seems to address is how to best achieve this learning goal (e.g., Gist et al., 1991; Nadler et al., 2003; van Hasselt et al., 2008; Williams et al., 2008; Lang, 2009; Chapman et al., 2017). These studies have led to a deeper understanding of negotiation processes, contexts, and related issues. Thus, they have provided valuable insights for negotiation students and have contributed to the development of more effective negotiation training in important ways. However, it remains unclear whether the skill set approach holds untapped potential for substantial increases in negotiation training transfer.

In this paper, we approach training effectiveness by asking a different question. Instead of following the paradigm, we challenge the paramount role of the skill set by considering whether there might be other learning goals for negotiation training that deserve attention. Hence, we examine whether there are other dimensions in addition to skills and knowledge that training could or should target. Drawing on research from outside the negotiation field, we suggest that it is possible to increase the long-term learning transfer and thus the effectiveness of negotiation training by integrating mindset development into this training. Here, we focus on training in both professional and academic learning contexts.

Psychologists have examined and conceptualized mindsets since the early 20th century (Marbe, 1915). In recent years, Gollwitzer's mindset theory of action phases (Gollwitzer, 1990, 2012) and Dweck's growth mindset concept (Dweck, 2006) in particular have received manifold attention from academics and practitioners. Of those mindset studies that use interventions, most examine the immediate effects of mindset manipulations. For instance, Gollwitzer (1990, 2012) studies which mindsets people have in which phases of decision-making processes. Lately, however, an increasing number of authors claim that mindsets, due to their impact on the professional and private effectiveness of people, can – and possibly should – be trained (e.g., Aronson et al., 2002; Marshak and Grant, 2008; Kennedy et al., 2013; Paunesku et al., 2015; Okonofua et al., 2016). This suggests that mindsets can also be enduring psychological constructs shaped by learning experiences. By training certain well-chosen mindsets, they may become the default mindsets of individuals in various situations.

Also, negotiation scholars have lately started to examine mindsets and have shown that participants in laboratory studies can be primed into mindsets that affect their cognitive, emotional, and motivational processes in the following situation (e.g., Harinck and De Dreu, 2008; Trötschel et al., 2011). We argue that effective mindsets can and should be trained also for real-life negotiation contexts. To the best of our knowledge, no prior research on how this can best be done has been published.

In this conceptual work, we use Rucker and Galinsky's (2016) definition of a mindset as a "psychological orientation that affects the selection, encoding, and retrieval of information; as a result, mindsets drive evaluations, actions, and responses" (p. 161). As suggested by various authors (e.g., Bargh, 1994; Bargh and Chartrand, 2000; Gollwitzer, 2012; Rucker and Galinsky, 2016), processes related to mindsets automatically and unconsciously mediate and moderate pre-defined responses and behaviors as soon as the mindsets are cognitively activated in a specific social context. Thus, mindsets influence cognitive, motivational, and emotional processes and thereby affect the way individuals consciously and unconsciously approach and behave in specific social contexts. They make related knowledge, skills, attitudes, schemas, and associations salient.

With respect to negotiations, we assume that people approach the social context of negotiations with different cognitive mindsets (Trötschel et al., 2011). As shown by various negotiation studies, many people in Western societies hold specific cognitive beliefs, are characterized by behavioral tendencies, and display emotional responses when entering negotiations (Thompson and Hrebec, 1996). They may, for example, approach negotiations as if they were zero-sum games, overlooking even easily discernable opportunities to create value (fixed-pie bias; Thompson and Hastie, 1990; De Dreu et al., 2000) or assume that parties' interests are diametrically opposed. Also, they may assume that people tend to behave competitively (Harinck et al., 2000), or they may fear or mistrust the other party (Butler, 1999; Kramer and Carnevale, 2001). This negotiation mindset, which can be referred to as a distributive negotiation mindset, may prevent successful outcomes of negotiations even if the negotiation parties have acquired and learned various integrative negotiation skills such as adding issues or trading concessions based on diverging preferences, interests, and expectations.

The mindset that people hold influences how they perceive negotiations, feel about their counterpart, and behave in social interactions. We believe that negotiation training needs to address participants' knowledge [e.g., regarding the role of Best Alternative To a Negotiated Agreements (BATNAs), Fisher et al., 2012], their skills (e.g., to use logrolling), and their mindsets, i.e., their general psychological orientation toward negotiations. Appropriate mindsets, we argue, can leverage the benefits that people derive from their knowledge and skills. We claim that by including mindsets as a fundamental and integral part of the training, instructors can enable participants to change their psychological orientation toward negotiations at the cognitive, emotional, and motivational levels. In this way, participants are able to learn to effectively apply their acquired knowledge and learned skills in an automatic, unconscious, efficient, and effortless manner.

In addition to claiming that a mindset-orientation is likely to increase training effectiveness, we propose and conceptualize a specific negotiation mindset, the integrative mindset. Describing training activities that can be implemented both in and out of the classroom, we suppose that people completing a mindset-oriented negotiation training (MONT) are more likely to be effective in real-life negotiations and to apply their learning over a longer period of time than people who complete a training that focuses only on skills and knowledge. These suppositions are based, among others, on the aforementioned automation aspects of mindsets and the expected benefits of training activities that negotiators are encouraged to perform after having received their classroom training, which will be discussed further on.

Moving From a Distributive to an Integrative Negotiation Mindset

Due to their education, socialization, and personal experiences, many people have already developed a specific psychological orientation toward negotiations (Thompson and Hrebec, 1996; Gelfand and Christakopoulou, 1999), which could be described as a distributive mindset. At the cognitive level, they tend to have the fixed-pie bias and are likely to focus on parties' positions rather than interests (Fisher et al., 2012), claims rather than offers (Trötschel et al., 2015), and their own concerns rather than those of others (Carnevale and Pruitt, 1992). Negotiators with a distributive mindset also tend to polarize and over-simplify their perception of other parties, quickly considering everyone who is not a friend as a foe (Galinsky and Schweitzer, 2015). For instance, U.S. President George W. Bush declared, weeks after 9/11, that each country in the world now only had two options: "Either you are with us, or you are with the terrorists" (CNN.com, 2001). We assume that the distributive mindset also leads people to quickly identify how they are different from their counterparts, for instance in terms of interests, age, gender, education, ethnicity, wealth, home town, etc. At the emotional level, a distributive mindset is characterized by distrust in and envy of the other party and, if one is of lower social status and thus feels threatened, anxiety. At the behavioral level, a distributive mindset may cause people to be vigilant and consciously or unconsciously approach negotiations ready to either fight, flee, or freeze. During the negotiation process, the distributive mindset is characterized by competitive behaviors and strategies (as, e.g., described Harinck and De Dreu, 2004; Harinck and Ellemers, 2006), which lower the possibility of establishing integrative agreements. That distributive mindsets are quite common in Western cultures is, for example, suggested by many negotiation metaphors. In the English language, many of these metaphors are taken from the realms of (distributive) games, war, or fighting. As Young and Schlie (2011) put it, "[o]ur language is infused with talk of tactics, flanks, concessions, gaining ground, and winning" (p. 191).

We believe that a distributive mindset can be a limitation for negotiators. It can intensely stress negotiators and seriously harm the relationships they have with their counterparts. In addition, it may prevent them from using their knowledge and skills to the best of their ability and in the best interest of parties. In other words, the distributive mindset is likely to decrease the benefits that negotiators could gain from their knowledge and skills during integrative negotiations, as it will prevent them from applying what they have learnt.

We argue that practitioners could be more effective in their day-to-day practice if they were to approach negotiations with what we will subsequently refer to as the integrative negotiation mindset. People with this kind of mindset tend to be collaborative, curious, and creative, and these three tendencies are likely to complement each other. Drawing on the definition of the term mindset by Rucker and Galinsky (2016), we understand the integrative negotiation mindset as a psychological orientation that steers cognitive, emotional, and motivational processes in negotiations toward collaboration, curiosity, and creativity. This mindset, we suggest, can positively leverage the effectiveness of the negotiation skills and knowledge that people have and thereby help them maximize their long-term utility.

Negotiators with an integrative negotiation mindset are more likely than others to reach sustainable integrative agreements. These agreements have four characteristics. First, they create value, as they are built on opportunities to exchange issue-related concessions. These concessions can be based on diverging preferences (e.g., to logroll), interests (e.g., to identify compatible interests despite presumably opposing positions), and expectations (e.g., to use contingent contracts). Value can also be created by adding issues to the negotiation, which then also may be used for exchanging concessions. Second, based on Druckman and Wagner (2016) and Albin and Druckman (2017), we can assume that sustainable integrative agreements are more likely to be implemented, as they describe that implementation is moderated by how fair parties consider the outcomes and processes of negotiations. Third, sustainable integrative agreements involve low transaction costs (e.g., time, money, emotional energy; see Ury et al., 1988) when created and implemented. Fourth, sustainable integrative agreements are established in processes that tend to improve the relationship between parties. As, for instance, Lewicki (2002), Curhan et al. (2006), or Fisher et al. (2012) point out, many negotiations occur in the context of ongoing long-term relationships with partners in personal and professional lives, and, at the political level, with other nations. Often these relationships are much more valuable to the negotiators than the outcome of a specific negotiation.

We suggest that an integrative mindset is not only useful for obviously integrative negotiations, but also for apparently distributive ones. This is because the full integrative potential of a negotiation cannot often be directly and comprehensively identified. In these situations, being more collaborative, curious, and creative can, at times, allow negotiators to identify and exploit integrative potential that, at first, remains hidden. For example, in the peace negotiations between Israel and Egypt mentioned below, mediators helped both parties to eventually find compatible interests behind opposing positions after many years of conflict. Israel's main interest was security and Egypt's was sovereignty (Sebenius, 1992). Once these interests were identified, the parties were able to create value and finally reach an agreement by exchanging interest-based concessions. In addition, even if value has already been created (e.g., by logrolling based on diverging preferences of parties for the price and delivery date in a procurement contract for a car), this does not mean that there is no untapped integrative potential left (e.g., by logrolling based on the location of delivery and the length of warranty).

We also propose that an integrative mindset is not only beneficial during a negotiation, but can also help people identify integrative potential even if they are not yet negotiating. People with an integrative mindset tend to become aware of opportunities for deals such as in the following example: The gardens owned by Theresa and Tom are next to each other, and each of them has one fruit tree. Theresa has a cherry tree, which allows her to harvest in early summer, and Tom has an apple tree, which allows him to harvest in late summer. When both of them chat one afternoon, Theresa realizes that Tom and she do not only say that they both love cherries and apples, but also that they feel that they experience what economists, such as Kauder (2015), call a diminishing marginal utility of each type of fruit. While they greatly enjoy the first pounds of fresh fruits in a given season, the last pounds, eaten toward the end of the season, do not make them as happy as the first ones. Having adopted an integrative mindset, Theresa now initiates a negotiation by proposing that they share both the cherries and the apples. Tom happily agrees, as he, too, realizes that in this manner, they can both increase their individual utilities.

As suggested above, we propose that aim of MONT is to develop an integrative mindset that is characterized by three complementary inclinations: a collaborative, a curious, and a creative one. What all of the behaviors reflecting these inclinations have in common is that they are all oriented toward sustainable integrative agreements. However, they also differ insofar as each of them can be activated independently. In addition, each has the potential to be effective in its own right, depending on the issues, relationship, and phase of the negotiation. When the stakes are high, negotiators will ideally act based on all three inclinations. The related processes and behaviors may occur simultaneously, sequentially, or in another pattern, depending on the specific opportunities and challenges of a negotiation. In the following paragraphs, we discuss the relevance of each of these three inclinations and their meaning at the cognitive, emotional, and motivational levels. Here, we offer a tentative definition of the integrative mindset as a basis for more comprehensive theoretical and empirical studies on this construct in the future.

Collaborative Inclination (Toward Creating Synergy)

We propose that at the cognitive level, the collaborative inclination involves consciously and unconsciously perceiving all negotiation parties as partners who pursue the goal of synergistically creating value while reaching a mutually satisfying solution. As Edgren and Barnard argue in their conceptual work on integrated care workers Edgren and Barnard (2012, 2015), collaborative people tend to acknowledge others as co-producers of value, rather than merely as receivers. They do so, for example, by thinking about the strengths and weaknesses of their counterparts. By considering how synergy with others can be created, collaborative people can seek to find a solution that is better than the one that each party could develop on their own (Covey, 1989). We suggest that a collaborative inclination can help negotiators to quickly identify common ground and aspects in counterparts that are similar to their own, such as a salient shared identity in terms of interests, values, age, gender, or education. In a field study on collocated and geographically distributed teams, Hinds and Mortensen (2005) found that shared identity moderated the effect that distribution had on interpersonal conflicts. At the emotional level, we hypothesize that the collaborative inclination involves good will, empathy, and a lack of fear regarding the other parties despite possibly strong disagreements on the subject. In addition, we suppose that if negotiators have a collaborative inclination, positive emotions such as satisfaction or joy often not only result from individual gains, but also from the value created collaboratively and the very fact that a good relationship has been established or fostered. That means that we assume negotiators with a collaborative inclination experience emotions that one may associate with friendship, rather than with conflict. Also, we suppose that synergy often happens when parties enjoy each other's presence. At the motivational level, we assume that this inclination increases negotiators' willingness to invest energy in joint work, show respect, listen carefully, provide other parties with information, and exchange offers rather than claims. We suppose that a collaborative inclination is beneficial for negotiators, as they, in most cases, depend on their counterparts in order to find sustainable integrative solutions.

We will first illustrate the collaborative inclination by using the example of two fictional characters: Michelle, who has completed a MONT, and Max, who has not. Michelle and Max are friends, and when they discuss where and how to spend a vacation together, a collaborative inclination can benefit Michelle for several reasons. First, because she has the ability to create and foster a positive relationship, Michelle is more likely to be trusted by Max. Hence, she can expect to retrieve more correct and comprehensive information. Second, because she regards Max as a co-creator of value, Michelle is more likely to consider Max's original ideas, analytical skills, knowledge on possible destinations, and so on. Third, by working toward an agreement that clearly does not only benefit her but also Max, she increases the likelihood that he will appreciate the outcome and the process and fulfill his obligations. It is important for her that he does so; otherwise, she might have to travel alone or find a new partner for this trip.

Curious Inclination (Toward Retrieving and Analyzing Information)

At the cognitive level, the curious inclination of people leads them to be more interested in retrieving and deeply processing relevant information. Relevant information concerns, for example, parties' interests and priorities, the characteristics of the negotiated resources, and possible signs of cognitive biases on both sides. Examples of the characteristics of the negotiated resource are its divisibility, ownership, and expected value (Trötschel et al., 2014). Besides the fixed-pie bias discussed above, cognitive biases also include, for instance, confirmation bias (Nickerson, 1998) and anchoring bias (Tversky and Kahneman, 1975). Whereas confirmation bias leads people to selectively use information in ways that confirm their preconceptions, anchoring bias describes the tendency of people to let the first information they receive regarding an issue influence themselves to a disproportionate extent. Analyzing interests, priorities, resources, and signs of biases allows negotiators to gainfully relate characteristics of their current negotiation to general negotiation concepts and theory. This allows them to adjust their behavior in response to specific situations and in line with what they learnt in the past. At the emotional level, the experience of curiosity plays a role as an epistemic emotion that facilitates exploratory behavior (Litman, 2005; Trevors et al., 2017), especially when it comes to inconsistent, surprising pieces of information or complex problems. We hypothesize that negotiators with a curious inclination do not feel threatened by a sudden turn of events in negotiations but instead accept or even enjoy emotional responses such as surprise or amazement as integral part of the negotiation process. Therefore, we suppose negotiators with a curious inclination to be similar to people who generally enjoy traveling in that travelers often find pleasure in exploring new cultures. At the motivational level, we assume that negotiators who are eager to learn more about their counterparts are willing to pay close attention to verbal and non-verbal clues, even if it costs time and energy. As they truly want to understand their counterparties, we believe they will not only ask more questions, but also address the underlying motivations and crucial aspects of viable solutions. In order to retrieve information on interests (as opposed to positions), negotiators can, for example, ask why-questions rather than what-questions (Malhotra and Bazerman, 2008).

A curious inclination is beneficial in several ways. For instance, people who analyze the interests and positions of all parties might conclude that while parties may have opposing positions, their underlying interests are compatible with one another (as in the classical example by Follett, 1940, of two sisters' interests in the peel and juice of an orange). In addition, negotiators who analyze resources can, at times, create value by dividing some resources into sub-resources that are of different value to the parties and then make the pie bigger by using logrolling (Trötschel et al., 2014). As Podziba (2014) puts it, when they are curious, a "steady stream of new understandings moves people beyond their long-held perspectives to foster productive negotiations and build innovative solutions" (p. 244). At the same time, being and staying curious and therefore listening carefully to other people can be difficult. As Covey (1989) argues, listening requires people to open themselves to others which also makes them vulnerable. Therefore, negotiating curiously requires confidence and often courage and may become easier as the sense of trust between the negotiation parties grows stronger over time.

In the case of Michelle and Max described above, Michelle's collaborative inclination would encourage Max to be more willing to share (honest) information. Her curious inclination now helps her use this openness to retrieve valuable information. By asking questions, she is able to learn more about his interests (he loves Italy), resources (owns a brand new tent), creative ideas (proposes to try CouchSurfing for a couple of nights), and analyses (concludes from his Internet search that July is cheaper than August). Also, her curiosity leads her to analyze the information that she has collected. During this process, she realizes, for instance, that Max's preference for location (Italy) seems to be stronger than his preference for accommodation (CouchSurfing). Based on this knowledge and again lead by her curious inclination, Michelle decides to challenge her assumption and asks Max if her impression of his preferences is correct.

Creative Inclination (Toward Developing Multiple Options)

At the cognitive level, the creative inclination may allow negotiators to think "outside the box." Sassenberg and Moskowitz (2005) argue that being "creative implies, by definition, the attempt to avoid the conventional routes of thinking and, therefore, the avoidance of the activation of typical associations" (p. 507). In other words, creative negotiators are open to information and potential solutions that are beyond the scope of previously identified issues. We hypothesize that at the emotional level, people with a creative inclination are more likely to immerse themselves in the situation and to trust their problem-solving abilities. This is because creativity seems to build on people being open toward change and on their trust that they will be able to cope with new environments or ideas. Hence, we assume that they are hardly afraid of proposing solutions that might be perceived as weak. In addition, these kinds of negotiators perceive being creative as fun and rewarding. They feel pride in coming up with new ideas and feel joy when given a chance to systematically create new perspectives.

At the motivational level, we hypothesize that negotiators with a creative inclination are characterized by high intrinsic motivation with regard to the problem-solving process (as generally suggested in a study on creativity outside the negotiation field by Amabile, 1983), and they are more willing to invest more time and energy into generating unconventional solutions before choosing one. This is because we assume that creative people are more likely to enjoy developing ideas and hence would favor taking time for that purpose. A creative inclination, therefore, might be indicated by the high frequency and the long duration of playful searches for multiple integrative solutions.

The central role of creativity in negotiations has, for example, been highlighted by Kurtzberg (1998), Balachandra et al. (2005a,b), and Wheeler (2013a). Creativity is beneficial in negotiations because creating value often requires individualized solutions that are substantially more complex than splitting the differences or agreeing on other simple forms of compromise. The 1979 Egypt-Israel Peace Treaty, for instance, used interest-related concessions by establishing that the Sinai Peninsula would become a demilitarized zone of Egyptian territory. In this manner, Egypt was able to fulfill its main interest (sovereignty) and so was Israel (security; Sebenius, 1992). It has also been argued that in the ongoing Israel-Palestine conflict, the debate over a one-state or two-state solution might be reframed by the consideration of creative alternatives (Asseburg and Busse, 2016).

In the case of Michelle and Max, she would encourage him to join her in developing different options before they make a decision. While some of them might be rather conventional (e.g., rent an apartment in Nice), others could be original (e.g., visit three different locations, volunteer on an acquaintance's organic farm, participate in a local 20 k run).

How to Train a Mindset?

In addition to the goals of developing negotiation skills and knowledge, which are at the core of traditional negotiation training, we suggest supplementing training with the goals of integrative mindset development, integrative mindset transfer, and integrative mindset activation. Participating in a negotiation training is an important step in the development of an integrative mindset. However, it will, in most cases, not be sufficient for permanently establishing this mindset. The purpose of MONT interventions, then, is to begin the process of mindset development in training sessions in an effective manner and to provide participants with what they need to refine and transfer their mindset after the course and to activate and retain it during real-life negotiations when necessary.

To help participants achieve these goals, we propose several mindset-focused activities for negotiation training contexts. While participants perform many of these activities outside the classroom, especially those related to transfer and activation, they are at least partially initiated during the training sessions in the classroom. We also recommend providing follow-up supervision or coaching to facilitate learning transfer and to offer support when participants face challenges concerning activation. If this process is successful, participants are equipped with a more effective default mindset with which they approach negotiations. This mindset then automatically triggers curiosity, creativity, and collaboration if participants find themselves in the social context of a negotiation, which thereby allows them to apply the knowledge and skills that they have acquired in a negotiation training when appropriate.

Activities for Mindset Development in the Classroom

During the official negotiation training sessions, which will often happen in a classroom, participants learn why the mindset that their course addresses is helpful. Instructors can provide them with examples and general information, such as empirical findings or theoretical approaches, as suggested in a study outside the negotiation field by Aronson et al. (2002). They might, for instance, use the example of a managing director of a political education NGO, whose curious inclination helps her to learn something about her counterparts' preferences in a coordination meeting with public officials. Overcoming her initial fixed-pie assumption, she is able to identify logrolling potential. Another example deals with an investment manager of a wind energy investor with a creative inclination who finds a way to enlarge the pie by adding issues to a private equity deal. When discussing these or other examples, instructors can point out how a distributive mindset and related behaviors could prevent individuals from reaching these results. This technique of mentally contrasting the goal of implementing intended behaviors with realistic barriers has proven to be effective for those seeking to increase goal commitment and joint outcomes, especially in addition with concrete plans how to overcome these barriers (e.g., 'if-then plans'; Kirk et al., 2011, 2013). Using this approach in the classroom, instructors can not only provide theoretical information on the integrative mindset, but also increase participants' commitment to acquire and develop it. As some of methods proposed in the following, the technique of stressing the importance of the content is not limited to the content of mindsets. We propose that trainers emphasize that MONT is a holistic approach and that participants should acquire and develop a mindset rather only than specific tactics or assumptions related to this state of mind.

During classroom sessions, trainers can also contribute to this process by giving the participants opportunities to practice the new approach in negotiation role-plays (which often focus on cognitive training elements) and simple improvisation theater exercises (which include emotional, motivational, and cognitive training elements). Such repeated practice may help participants to develop their mindset if they and the instructors discuss this dimension before and after exercises. We recommend using classical negotiation exercises in which participants create and claim value, such as those published by the Kellogg School of Management's Dispute Resolution Research Center (DRRC) or the Harvard Law School's Program on Negotiation (PON). In order to train, for example, the use of integrative contingent contracts, the DRRC's exercise Thai Solar Park (Ade, 2016) may be useful. While practice is an element central to skill-directed training as well, participants in MONT interventions are encouraged to activate an integrative mindset during the practice and, in this manner, behaviors are repeatedly linked to this mindset.

Less common in negotiation training, but promising for integrative mindset development, are improvisational exercises. As Harding (2004) and Balachandra et al. (2005a,b) argue, improvisation training can improve participants' ability to intuitively recognize offers that they receive in negotiations, to be more explicit about what it is that they offer, and to use their counterparts' offers as a base for formulating their offers. These authors also report that improvisation exercises improve several key skills associated with integrative mindsets, for instance, working together and co-creating results (collaboration), listening actively and picking up verbal and non-verbal cues (curiosity), and developing ideas (creativity). Balachandra et al. (2005a) conclude that "the incorporation of improvisation techniques into the negotiation skills repertoire holds great promise for practicing negotiators and is a worthy topic of future negotiation research and teaching" (p. 416). Koppett (2013), for example, provides a collection of improvisation exercises that may be valuable for negotiation training.

Classroom sessions likewise represent opportunities for participants to receive feedback from their peers and trainers. This feedback could, for instance, deal with the interests of counterparts during training negotiations. This kind of feedback has been shown to significantly improve negotiation abilities (Thompson and DeHarpport, 1994). In the classroom sessions of MONT interventions, feedback can also address not only others' perceptions of a negotiator's knowledge, skills, or behavior, but also the supposedly underlying mindset of the negotiator. We propose that by describing how they observe their peers, participants can help each other to develop a sense of the kind of mindset they may have. They can also learn, among other aspects, whether their mindsets tend to be stable during exercises and role-play.

During such role-play and exercises, it is beneficial if instructors prepare participants for real-life negotiations with parties that hold a distributive mindset. In these encounters, creating value will be more difficult, and participants who start the negotiation with an integrative mindset may experience frustration and might be tempted to switch to a distributive mindset. Anticipating such situations, practicing awareness of the other parties' mindsets, and learning to accept failures when trying to maintain an integrative mindset can help participants to become more resilient in the face of perceived social pressure and powerful old habits such as switching to a distributive mindset.

It is important to point out here that having an integrative mindset can be fully compatible with behaviors that at first might appear to be non-collaborative, such as not trusting your counterpart or strategically withholding certain information. If a negotiator trusts an untrustworthy counterpart, this counterpart might sooner or later betray this negotiator. This may then lead to emotional and material harm and may cause the destruction of the relationship. So, effectively protecting oneself against betrayal can be necessary for protecting the relationship. Hence, having an integrative mindset might mean that negotiators, in some situations, may behave in what appears to be a resolute and confrontational rather than a soft and accommodating manner.

Activities for Mindset Development and Transfer Outside the Classroom

In order to deepen their learning and improve learning transfer outside the classroom, participants can be instructed to reflect on their skill and mindset development by writing, reading, drawing, and talking with others. Writing reflective learning journals (as, e.g., recommended by Macduff, 2009 or Wheeler, 2015) is one way for participants to reflect on skill application, goals, motivation, and mindset-related experiences during the training and in real-life negotiations. As Balachandra et al. (2005b) argue, writing a journal can help negotiation students "become much more consciously aware of their unconscious strategies" (p. 437). Outside the negotiation field, reflective writing has been used in mindset interventions by Aronson et al. (2002); Paunesku et al. (2015), and others. It has also become an active research field in, to give but one example, medical education (Ng et al., 2015). Besides reflective journals, participants can increase their learning and motivation by reflecting on negotiation theory and practice while creating their own negotiation exercises (Ebner and Druckman, 2012; Druckman and Ebner, 2013; Wheeler, 2015). Doing so may foster participants' identification with the learned skills and the related mindsets. If completed during the course, the exercises can be used and discussed in class.

Mindset transfer will be easier for participants if they receive external support. MONT instructors may want to point out why and how external support can be beneficial after the course and how it can be acquired. This kind of support may involve feedback from peers, a professional coach, or a ghost negotiator. These aides may provide negotiators with outside observations in a more comprehensive fashion than is often possible in classroom training. Ideally, these external supporters would focus on negotiators' mindsets. For instance, an executive of a fashion retailer may hire a negotiation coach to prepare for a crucial negotiation dealing with a possible joint venture with the company's main competitor. In the coaching meetings, the external perspective of the coach may help them to identify a tendency of the executive to be affected by the rivalry between the two companies and to switch to a distributive mindset. The executive and the coach can then reflect on this tendency together and role-play the negotiation, practicing maintaining the integrative mindset. Rehearsing a negotiation before it happens is, for instance, recommended by Ury (2007) and Diamond (2010). Diamond recommends that negotiators do not only to play their own role, but also gain a new perspective on a given situation by playing their counterpart.

Besides receiving external support in between and after training sessions, also providing such support for others may be beneficial for participants. Instructors may therefore want to point out that peer teaching what the participants have learned to others may help the participants in their own skill and mindset development (as suggested outside he negotiation field by Aronson et al., 2002). A form of pre-structured peer-coaching could, for instance, be a component of a MONT.

Activities for Mindset Transfer and Activation in Real-Life Negotiations

Due to the complex and chaotic nature of negotiations, people may feel psychologically challenged by this social context (Wheeler, 2013a,b). As Lewicki (2014) argues, it is not clear whether today's negotiation courses "prepare negotiators for the complex, 'unscripted' reality of negotiation experiences that usually diverge from the clear, simple, transactional, bounded role plays, and cases studied in class" (p. 500). Therefore, after having developed and strengthened their skills and mindset during various activities inside and outside the classroom, participants would be well advised to enhance their own – as well as their counterpart's – mindset during a negotiation. To do so, they can use four techniques discussed in greater detail below: mindset energizers, role model visualization, and if-then plans. We recommend introducing all of these tools in the classroom so that participants will be familiar with them before they apply them to real-life negotiations.

Mindset Energizers

Mindset energizers are meant to activate a negotiation mindset that has, at least to some extent, already been developed. They are performed by issuing statements or asking questions. In the former case, participants tell their counterparts that they intend to live up to the mindset that they have adopted. In the case of the integrative mindset, they may, for example, state that they aim to lead the negotiation in a collaborative manner, that they are curious to learn more about their counterparts' interests and preferences, or that they are eager to explore new ways and perspectives to create new solutions in the negotiation process. When using a mindset-energizing question, negotiators could ask whether their counterparts understand this negotiation as an opportunity to create value. They might also inquire about the other parties' willingness to be collaborative, curious, or creative.

By asking such questions, negotiators may, we propose, not only foster their integrative mindset, but also encourage their counterpart to consider the possibility of adopting an integrative orientation. Negotiators have been shown to imitate and reciprocate their counterparties' frames under certain conditions (De Dreu et al., 1994). As Brett et al. (1998) argue, the likelihood of contentious behaviors of counterparts, which are common for people with distributive mindsets, could be reduced when negotiators refrain from mirroring or reciprocating these behaviors and explicitly address their approach in this kind of situation.

Role Model Visualization

Negotiators can also strengthen a mindset during a negotiation by visualizing a (fictitious) role model that embodies the positive qualities of a given mindset. Discussing behavioral change, Bandura (1977) argues that observing others succeed who are similar to oneself can raise one's self-efficacy. White et al. (2017), in a study on 4- and 6-year-old children, suggest that self-distancing can improve perseverance. The researchers found that children who impersonated fictitious exemplar others, such as Batman or Dora the Explorer, showed more perseverance during a tedious task than children who did not impersonate others. Studies have shown that human role models can also provide self-enhancement and be a source of inspiration (Lockwood and Kunda, 1997; Lockwood et al., 2002). As Marx and Roman (2002) argue, role models can buffer the performance of women in math tests from certain debilitating effects. Drawing on these insights, we claim that by visualizing a role model that embodies the qualities of a mindset, negotiators can increase the motivation to act accordingly. In addition, negotiators can intuitively get a feeling for how to act without having to resort to the theory they learned and the skills they acquired. At the same time, visualizing a role model will affect their emotions (e.g., by making them feel secure and strong). A role model for negotiators developing their integrative mindset could, for example, be a public figure such as a politician who may have won the Nobel Peace Prize or secured a mutually benefiting industry pact between a labor union and employer representatives. In a challenging negotiation, people may visualize one of these public figures and ask themselves, "How would she or he act now"? Negotiators may also develop fictitious role models and visualize these simplified embodiments of the mindset. In general, role model visualizations may be initiated by cues that negotiators bring to negotiations. They may, for instance, have a drawing or a photo of their role model on their negotiation writing pad. Also, they may wear a jacket, ring, or a watch that reminds them of their role model. In a set of empirical studies on priming outside the negotiation field, Dijksterhuis and Van Knippenberg (1998) suggest that priming stereotypes or traits can bring behavior in line with these stereotypes and traits. As mentioned above, negotiation studies using priming have shown that people can be primed into certain mindsets (Harinck and De Dreu, 2008; Trötschel et al., 2011). Role model visualization is particularly relevant to the mindset approach because similar to a personality, the mindset is a construct that predicts behavior across various types of negotiations. Therefore, a mindset role model can provide guidance especially in unknown situations.

If-Then Plans

In order to increase the probability that a certain mindset is applied during real-life negotiations, lecturers can also ask participants to develop if-then plans for behaviors associated with that mindset. If-then plans, which specify a critical situation in the if-part and intended behaviors in the then-part, have been shown to be very effective when people seek to achieve goals that require overcoming habits (Gollwitzer and Sheeran, 2006). Similar results have been reported concerning integrative negotiating behaviors (Trötschel and Gollwitzer, 2007; Kirk et al., 2013). The successful application of this approach in this context is likely due to the fact that plans can automatize the initiation of intended behaviors. In order to facilitate the adoption of an integrative mindset, one could, for example, initiate alternative behaviors in situations that often trigger a distributive mindset (e.g., IF I have to make a decision with someone else, THEN I will ask them what they want to achieve and why). One could also link dimensions of the integrative mindset to internal triggers (e.g., IF I get frustrated, THEN I will focus on finding creative options). In addition, it would be possible to cue the use of energizers or role model visualization (e.g., IF my counterpart insists on his or her position, THEN I will state my wish to find an integrative agreement; IF I see an angry face, THEN I remember my role model). If-then plans are a particularly effective technique for MONT interventions because mindsets are largely meant to affect behavior automatically in various situations that have negotiation characteristics. Therefore, the if-then plan does not need to specify the specific most effective behavior, but rather behaviors that activate the mindset whenever it is useful. A similar effect as by if-then plans may also be achieved by using goal primes (as, e.g., proposed by van Koningsbruggen et al., 2011).

Discussion and Conclusion

In this paper we argue that mindset development could and should be one of the key goals of negotiation training. We introduce the concept of an integrative negotiation mindset and present a wide range of activities that could be used in training. This new approach to negotiation training is needed because several studies suggest that many of the teachings offered today are not as effective as initially assumed. Outside the negotiation field, mindset training has already shown promising results. In our own work as negotiation lecturers, trainers, and coaches, we have found anecdotal evidence suggesting that the teaching of skills and knowledge is not sufficient for ensuring that course participants use these skills when beneficial.

Innovative Nature of MONT Approach

We believe that MONT represents an innovative approach, as most studies on negotiation training primarily deal with skills and knowledge, although some authors also address attitudes (e.g., Coleman and Lim, 2001; Zweibel et al., 2008; Cuhadar and Kampf, 2015). Teaching the integrative mindset that we propose here goes beyond teaching integrative strategies and tactics, as a mindset is more than a tool. Rather, the integrative mindset is a cognitive, emotional, and motivational orientation that automatically and often unconsciously guides negotiators toward collaboration, curiosity, and creativeness. Having adopted this orientation, negotiators are more likely to use, we argue, integrative strategies and tactics, and they do so more effectively and sustainably. In other words, they are more likely to achieve long-term results. As we suggest here, the integrative mindset functions as a lever for the skills and knowledge of negotiators.

For those who aim to integrate the MONT approach in their classrooms, we not only propose several activities, but we also recommend that negotiation training be extended beyond the in-class sessions in order to not only initiate mindset development, but to also foster mindset transfer and activation in real-life negotiations. After all, mindsets are like muscles: Their performance improves whenever you train them. Moreover, most people spend more time in real-life negotiations than in negotiation training classrooms. If they use part of these negotiations outside the classroom as an opportunity to learn and to further develop their integrative mindset, they can increase their negotiation effectiveness.

Relation of Mindsets to Similar Constructs

The integrative mindset that we propose, and especially the aspect of collaborative inclination, shares some dimensions with what has been variously referred to as the cooperative mindset (Harinck and De Dreu, 2008), cooperative mental set (De Dreu and Nijstad, 2008), or cooperative motive (Deutsch, 2011). Still, our concept differs from these three in four respects. First, the integrative mindset proposed here not only contains an orientation toward a mutually beneficial outcome in a conflict, but also focuses on the co-creation of value (synergy). Second, besides focusing on finding an agreement, individuals with an integrative mindset are more likely to successfully implement an agreement, to keep transaction costs low, and to invest time and resources in relationships. Third, we propose that another benefit of the integrative mindset is not only that it psychologically prepares individuals for realizing integrative potential, but also that it may allow them to help counterparts to do the same. One way for individuals to foster an integrative mindset in a counterpart is by, asking mindset-energizing questions. Fourth, the MONT concept is based on a comprehensive definition of the term mindset, and it therefore differs from more specific concepts such as schema, belief, or attitude.

Limitations and Future Research

We see three main limitations of the MONT concept that we would like to discuss briefly. First, we developed the concept (including the three inclinations) based on best practices discussed among negotiation instructors, our analyses of real life negotiations, the attempt to group reoccurring themes in the negotiation literature under umbrellas, and our own experiences as instructors and coaches. The concept therefore has yet to be tested empirically. To address this shortcoming of the present study, we are working on a project that shall present a scale for measuring people’s integrative mindset. Also, we are considering a laboratory experiment on integrative negotiations that in which we plan on using this scale to collect behavioral data. Apart from that, we encourage studies of the long-term success that MONT participants (and control groups, one of which receives a skill and knowledge-only negotiation training) have in terms of what we earlier referred to as sustainable integrative agreements. As discussed above, the definition of success here not only comprises performance in value creation, but also the likelihood of implementation, the level of transaction costs, and the impact that a negotiation has on the relationship between parties. To examine these issues in greater detail, not only laboratory experiments but also quantitative and qualitative longitudinal field studies are likely to be useful.

Second, the relationship between the three inclinations collaboration, curiosity, and creativity is complex and likely to change from context to context. Depending on the situation, each inclination may play a very different role in reaching sustainable integrative solutions, and it might be exceedingly difficult to determine the relative importance by objective means. Due to this, analyzing negotiations based on our proposal may lead different observers to different conclusions. Therefore, we hope to encourage alternative conceptualizations of the integrative negotiation mindset and also of other mindsets, which might be even more promising for negotiators. Hence, our proposed characterization of the integrative mindset is intended to be an initial reference for a debate of the benefits and characteristics of appropriate negotiation mindsets. Moreover, we hope that the mindset training activities that we present can be a fruitful starting point for practitioners and researchers who want to develop, test, and conceptualize MONT exercises.

Third, despite the fact that no other studies on mindset training for negotiation contexts currently exist, we believe that a number of lecturers, trainers, and coaches are already supporting their course participants and coaches in developing appropriate mindsets for negotiations. While our MONT approach is new to the literature, similar concepts may already exist in practice. If this is the case, our contribution to the field may not be entirely original. That said, we believe that if negotiation mindsets are already being trained, it is even more important to start providing a theoretical and empirical base for them and to begin a discussion on best practices and related issues. Hence, we encourage not only that these insights be shared but also propose empirical studies in which researchers reach out to lecturers, trainers, and coaches to collect, aggregate, and publish their insights into MONT interventions. It is not a goal of this paper to question the legitimacy of today's negotiation training even though we cite sources that question its effectiveness. Rather, we want to raise the awareness for the role that an effective combination of knowledge, skills, and mindsets can play in negotiations.

In future empirical research on negotiation mindsets, it seems promising to study in which ways exact mindsets function as a moderator and mediator of skills and knowledge. That would mean exploring to which extent participants of trainings develop a specific mindset, which then triggers related behaviors (so an A→B→C effect) and to which extent mindsets influence the relationship between training and related behaviors (so stronger or weaker relationship between A and C depending on B). Also, it may be interesting to measure the extent to which the effect of the mindset itself is mediated and moderated by various factors, such as, the mindset of one's counterpart.

A literature review that is more comprehensive than the one that we present might provide insights by looking for evidence that the distributive mindset, as we suggest, actually is the default setting for many individuals. Here, work by behavioral economists, and also studies that compare different cultures might provide valuable insights. Future research might also address the question in which ways negotiators shall or can become aware of which mindset they are having in a given moment. Besides thoughts that might typically be related to the integrative and the distributive mindsets, emotional or physical manifestations might also give negotiators hints about their current mindsets. Such indicators might be joy, anger, relief, excitement, unrest, frustration, hope, an increase of the heart rate, or feelings of defensiveness or bonding. In addition, it may be interesting to examine the extent to which constructs such as approach-avoidance motivation (e.g., discussed by Elliot and Thrash, 2002), promotion and prevention focuses (e.g., Higgins, 1998), or a process vs. an outcome orientation can add to our understanding of relevant negotiation mindsets. Finally, we also believe that examining the relation between negotiators' curiosity and the actual depth by which they process information that concerns the integrative nature of negotiation contexts could provide relevant insights into how MONT interventions can best be structured.

Author Contributions

All authors have substantially contributed to this study. VA has had the lead in developing our ideas and in writing our manuscript. CS has contributed to the development of our ideas. Also, she has proposed formulations for the manuscript and sources. FH has contributed to the development of our ideas and has proposed sources. RT has contributed significantly to the development of our ideas. Also, he has proposed formulations for the manuscript and sources.

Conflict of Interest Statement

The authors declare that the research was conducted in the absence of any commercial or financial relationships that could be construed as a potential conflict of interest.

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Chapter 3: Toward a better understanding of the mindsets of successful negotiators: Development and construct validation of the Scale for the Integrative Mindset (SIM)

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Abstract

This article introduces and discusses the 15-item scale for the integrative mindset (SIM) of negotiators, which we developed for negotiation contexts. The scale is based on the integrative mindset, which describes one way in which people can approach negotiations. This mindset comprises three facets: a collaborative, a curious, and a creative one. We argue that the integrative mindset is a psychological construct because it refers to a covarying cluster of hypothesized causes of negotiation behavior. Using a sample of *n*=1,030 online survey participants, we show that the SIM and its facets fulfill high psychometric standards. These include high reliabilities, good fit indices, and a clear assignment of the items to the facets, as shown with an explorative factor analysis. The results of the SIM also indicate that the integrative mindset substantially differs from classical constructs such as need for cognition, need for cognitive closure, and the Big Five factors of personality. Researches could use the SIM in experimental and field research that addresses questions of negotiation effectiveness and training.

Keywords: negotiation, mindset, integrative mindset, scale, scale development, construct validation

1. Introduction

In negotiation and conflict management research, negotiations in which the parties “extend the pie,” that is, create more value than they would with a mere compromise, are commonly referred to as integrative negotiations. Why some negotiators tend to be more successful in integrative negotiations than others is little understood. One possible explanation for these different outcomes could be individual differences not related to negotiations per se. For example, in their meta-analysis, Sharma, Bottom, and Elfenbein (2013) argued that personality, cognitive ability, and emotional competences can predict, at least to some extent, negotiation outcomes. A second possible explanation why some negotiators are better at extending the pie could be their negotiation skills. Malhotra and Bazerman (2007) and also Thompson (2000) described four types of such integrative skills: trading issues based on diverging preferences (“logrolling”), identifying compatible interests despite opposing positions, adding issues to the negotiation, and developing integrative contingent contracts.

Complementing these previous studies on general individual differences and skills, we examine an additional perspective by focusing on one specific individual difference that, we argue, can explain why some negotiators succeed at creating value: their integrative mindset. This construct is located at or close to the center of what has been referred to as the trait-state continuum (e.g. by Donnellan, Kenny, Trzesniewski, Lucas, & Conger, 2012, Avey, Luthans, and Youssef, 2010, and Phillips, Gunderson, Hirschfeld, & Smith, 1990). It describes one possible way of approaching negotiations. After describing the integrative mindset in greater detail, we present and discuss what we refer to as the scale for the integrative mindset (SIM) for negotiators. This scale can be used to measure this mindset, for example in future laboratory experiments and field research on the integrative mindset.

1.1 Goal of this study

The goal of this study was to examine the question whether the integrative mindset can be represented and measured with a structured questionnaire. We also tested whether the integrative mindset is substantially different from possibly related psychological constructs, such as need for cognition, need for closure, or the Big Five factors of personality. We hope to lay the groundwork for future studies that can use the SIM to examine to which extent the integrative mindset can explain why some people are more successful at creating value in negotiations than others.

1.2 Mindsets in psychological research

Both Dweck, with her research on the growth mindset (Dweck, 2006) and Gollwitzer, with his mindset theory of action phases (Gollwitzer 1990, 2012), have championed psychological mindset research. Several studies have investigated how mindsets can be developed in training interventions (e.g. Aronson, Fried, & Good 2002; Marshak & Grant 2008; Paunesku et al. 2015; Okonofua, Paunesku, and Walton 2016), and a few have examined the role of mindsets in negotiations (e.g. Harinck and De Dreu, 2008; Trötschel, Hüffmeier, Loschelder, Schwartz, & Gollwitzer, 2011). Seeking to create a link between these discourses, Ade, Schuster, Harinck, and Trötschel (2018) proposed how negotiators can train a specific mindset, the integrative mindset, to achieve better outcomes for all parties involved.

Rucker and Galinsky (2016) used the term mindset to refer to a "psychological orientation that affects the selection, encoding, and retrieval of information; as a result, mindsets drive evaluations, actions, and responses" (p. 161). Mindsets thus also influence the way in which people approach situations. As Bargh and Chartrand (2000), Gollwitzer (2012), or Rucker and Galinsky (2016) have suggested, mindsets often operate automatically, and individuals are often not fully aware of them.

1.3 The integrative mindset

Based on the definition by Rucker and Galinsky, Ade and colleagues (2018) defined negotiations mindsets as psychological orientations of individuals approaching negotiations. They conceptualized a specific kind of negotiation mindset, the integrative mindset, which comprises a collaborative inclination, a curious, and a creative one. The following three paragraphs describe these inclinations as defined by Ade and colleagues (2018).

Individuals with a collaborative inclination is seek to develop consensual agreements that create value for both parties. To accomplish this goal, they address the goal or "the what" of negotiations (i.e., integrative agreements) and the process or "the how" (i.e., collaborative work). Negotiators with this kind of inclination may reach lasting integrative agreements for three reasons. First, negotiators often need to be able to gather correct and comprehensive information from their counterpart. To do so, they have to be able to establish close working relationships, which can be a prerequisite for negotiation success. Second, negotiators can create synergy with their counterparts if they identify and draw on their counterparts' original ideas, analytical skills, and knowledge when developing the agreement. Third, by working towards an agreement that clearly benefits both parties, they can increase the likelihood that their counterparts will appreciate the outcome and process and fulfill their obligations.

Negotiators with a curious inclination are eager to understand their counterparts and the negotiation context. Like negotiators with a collaborative or creative inclination, they are primarily concerned with the process of reaching integrative agreements. Curious negotiators tend to ask many questions, to listen attentively, to pick up on not only verbal but also nonverbal clues, and to deeply process what they learn in a negotiation. As a result, they develop a good understanding of the interests, perspectives, needs, fears, and hopes of their counterparts and also their own. In addition, they learn more about the issues under consideration and their context.

Negotiators with the creative inclination enjoy developing and exploring ideas before committing to a possible solution. Like individuals with collaborative or curious inclinations, they are interested and deeply invested in the process of reaching integrative agreements. Because these are structurally more complex than haggling over a price (e.g. Wheeler, 2013a, Balachandra and colleagues, 2005a and 2005b, Kurtzberg, 1998, or Simms, 2009), individuals with a curious inclination might find them particularly rewarding/might be drawn to them. Perhaps for this reason, they tend to invest time and energy in the creative process, and they feel happy when they propose ideas.

1.4 The integrative mindset as a psychological construct

Although the term *construct* has been widely used in psychology, researchers have used different definitions. Slaney & Garcia (2015) even suggested that psychological researchers have applied the term inconsistently and sometimes illogically. In an early text, Cronbach and Meehl (1955) argued that "A construct is some postulated attribute of people, assumed to be reflected in test performance." (p. 283). Here, we follow Binning (2016, February 22), who wrote that "a psychological construct is a label for a cluster or domain of covarying behaviours." He also remarked that "Some scientists extend that conceptualization and suggest that […] a construct is a hypothesized cause for the observed behavioral covariations." Also adopting a broad definition of the term, we assume that the integrative mindset can be seen as a psychological construct and test its covariations.

1.5. Relation to Other Psychological Constructs

In a separate step, we also test whether the integrative mindset overlaps with possibly related constructs such as need for cognition, need for cognitive closure, and the Big Five factors of personality.

According to Cacioppo and Petty (1984), "Need for cognition refers to an individual's tendency to engage in and enjoy effortful cognitive endeavors" (p. 306). This construct was compared to the integrative mindset in order to test whether and to which extent the latter construct can be understood in terms of the problem solving required in the context of negotiations.

Kruglanski and Webster (1996) argued that "need for closure is a desire for definite knowledge on some issue" (p. 263) and that the term "refers to individuals' desire for a firm answer to a question and an aversion toward ambiguity" (p. 264). Need for closure comprises tendencies of urgency (attaining closure quickly) and permanence (maintaining closure) (REF). We chose this construct as a point of comparison for the integrative mindset to test whether and how quickly people seek clear and definitive answers. By doing so, we aim to evaluate to what extent they approach negotiations in a collaborative, curious, and creative manner.

In addition to need for cognition and need for closure, we selected the Big Five factors of personality (intellect/imagination, which is also known as openness to experience, agreeableness, conscientiousness, extraversion, and neuroticism), as they have been shown to affect many areas of human behavior.

1.6 Hypotheses

Based on the arguments in the previous section, we tested the following hypotheses:

H1: Need for cognition correlates positively with the integrative mindset. This is because we assume that people who enjoy effortful cognitive endeavors might also be likely to enjoy finding solutions in negotiations.

H2: Need for closure correlates negatively with the integrative mindset because the desire for quick and permanent closure might prevent people engaging with ambiguity and complexity, two common characteristics of negotiations.

H3: Of the Big Five factors of personality, intellect/imagination correlates positively with the integrative mindset. To reach an integrative outcome, negotiators need to be open for other people and their views. This kind of openness is assumed to be related to one facet of the integrative mindset, the curious inclination.

H4: Of the Big Five, agreeableness correlates positively with the integrative mindset because the collaborative inclination presupposes a positive attitude toward counterparts.

H5: Of the Big Five, extraversion correlates positively with the integrative mindset because integrative contexts require negotiators to effectively exchange information with their counterparts and hence to be willing to communicate.

H6: Of the Big Five, neuroticism is correlated negatively with the integrative mindset. This is because emotionally unstable people react to conflicts and disagreements with stress, which might limit or even prevent an individual's ability to consider or engage in collaborative behavior.

H7: Conscientiousness (also of the Big Five) does not correlate with the integrative mindset because we do not see any reasons for a positive or negative correlation. Careful preparations prior to negotiations may have positive or negative effects on the results; success is only guaranteed if conscientious individuals are able to quickly adjust their plans to changing circumstances.

2. Method

2.1 Scale development

Based on the assumptions concerning the three inclinations of the integrative mindset (collaborative, curious, creative), we initially developed a pool of 69 items, with about a third of these for each of the inclinations. We established that the SIM would be shown to the participants on a six-point Likert scale and named the anchors 1=disagree completely and 6=agree completely. We used this set-up for both the pretests and the main test.

In a first small pretest (n_1=52), we measured the psychometric quality of these items to select the most suitable for our study. We recruited participants for this first pretest by sending emails to personal contacts and posting announcements on social networks such as LinkedIn or Facebook. Based on the results of an explorative factor analysis (promax rotation) of this first pretest, we developed some additional items and performed five additional pretests with a total of 493 participants (n_2=101; n_3=99; n_4=83; n_5=87; n_6=123), which we recruited using a specialized research service provider (www.prolific.ac). Unexpectedly, we found sequence-effects in the data of the first pretests. Therefore, we started to display the items in randomized order for each participant. During the pretest phase, we identified 15 items that could be combined into reliable scales that represent a valid construct with good fit indices. After replicating our findings in the last, that is, the sixth pretest, we started our main test.

2.2 Participants

In order to participate in the main test, participants had to be registered with the research service provider Prolific. In early 2018, more than 30,000 participants were registered with Prolific, and all of our participants were recruited from this pool. Over 80% of the people in that pool had English as their first language (Prolific, 2018). For the main test, we recruited a total of 1,071 participants. Of these participants 1,055 not only clicked on the link to the questionnaire but also started filling in the questionnaire. 1,049 responded with yes to an adaptation of the seriousness check, which has been recommended for online surveys (Aust, Diedenhofen, Ullrich, & Musch, 2013; Reips, 2002, 2009). Prospective participants were asked if they were willing to take around ten minutes and complete the entire questionnaire to the best of their ability or if they only participated to read the questions. Of those who committed to the former, 1,030 met our only selection criterion (age 25 or higher). In the final sample, 614 of the participants (59.6%) were female, 399 were male (38,7%), one participant stated *other*, and 16 (1.6%) did not indicate their gender. The average age of the participants was about 38 (M = 38.19, SD = 10.49). The participants received an average of £8.66 per hour for completing the questionnaire.

2.3 Procedure

We used the online research survey provider SoSci Survey GmbH (www.soscisurvey.de) to run our survey and to collect the data. After clicking on the survey link, participants were welcomed to the study and, on the next page, received instruction how to respond to questions. They were then asked to answer the seriousness check. On the next pages, the participants completed items related to the SIM and those to the Big Five factors of personality, need for cognitive closure, and need for cognition (see measures section). The next page addressed several questions regarding participants' demographics. On the last page of the questionnaire, participants were asked to enter the ID numbers from the service provider Prolific. The participants were able to complete the questionnaire via laptop/PC, tablet, or smartphone. On average, participants of the final sample needed 7:37 minutes (SD = 4:30 minutes) to fill the scale (when calculating these mean and SD numbers we did not take two participants into account, who needed several hours to fill the questionnaire).

2.4 Measures

In addition to the SIM, participants responded to a 20-item scale on the Big Five factors of personality (Mini-IPIP; Donnellan, Oswald, Baird, & Lucas, 2006), a 15-item scale on need for cognitive closure (NFC; Roets & Van Hiel, 2011), and an 18-item scale on need for cognition (NCS; Cacioppo & Petty, 1984; Cacioppo, Petty, Feinstein, & Jarvis, 1996). As recommend for these scales, we used a six-point Likert scale for the NFC and a five-point Likert scale for the Mini-IPIP. We did not find any recommendation regarding the NCS and opted for a six-point Likert scale to allow for a good comparison with the SIM.

2.5 Analyses

To test the SIM's statistic properties and to confirm its factor structure, we performed an exploratory factor analysis, a reliability analysis, structural equation modeling (SEM; Wright 1921; Kaplan, 2001), and a multiple regression analysis.

3. Results

We conducted an exploratory factor analysis of the final sample (n = 1,030) to the check the presumed factor structure of the SIM. Figure 1 shows that an assumption of three factors is recommended using both the scree plot and the Kaiser-Guttman criterion.

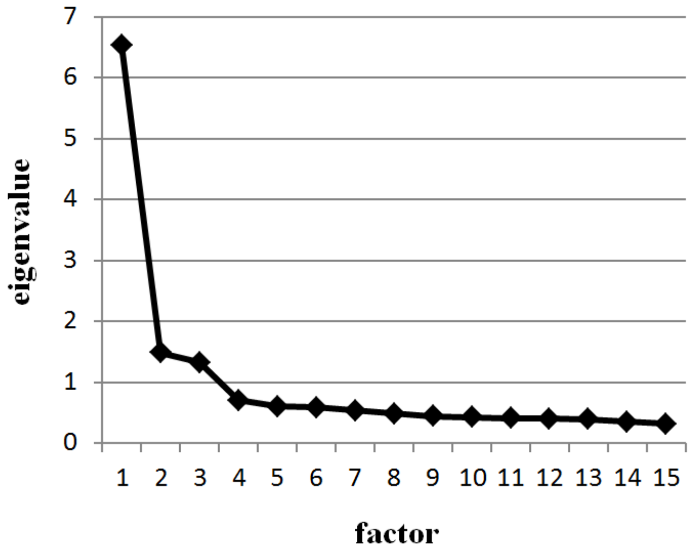

Figure 1. Eigenvalues of the exploratory factor analysis.

Table 1 shows that the factors are correlated to a similar extent (about .6) and that the items are correctly assigned to the presumed facets when using promax rotation.

Table 1

Correlations of the exploratory factor analysis of the SIM using promax rotation (n = 1,030)

	Inclination factors		
	collaborative	curious	creative
curious	64		
creative	.61	.63	
I feel better about a deal that is beneficial to both parties than about one that is beneficial only to me.	**.73**	.49	.45
I am a collaborative negotiator.	**.70**	.49	.52
I strive for a joint decision that makes both parties happy.	**.76**	.48	.45
I collaborate rather than compete.	**.68**	.42	.35
I work toward a consensual win-win agreement even if the rewards for doing so are unclear.	**.64**	.37	.40
I am interested in my counterparts` negotiation goals.	.48	**.75**	.47
When my counterparts see things differently than I do, I want to understand why this is the case.	.51	**.74**	.46
I really like listening to my counterparts.	.54	**.62**	.54
I want to understand my counterparts` motivations.	.44	**.77**	.48

When negotiating, I am curious about what my counterparts think.	.45	**.73**	.46
In negotiations, I enjoy developing new ideas.	.43	.46	**.78**
When negotiating, I play with ideas and develop several possible solutions before selecting one.	.46	.49	**.70**
When negotiating, I come up with many ideas how solutions could look like.	.43	.45	**.74**
I am motivated to search for creative solutions even if doing so requires time and energy.	.50	.52	**.77**
Proposing creative solutions makes me feel alive in negotiations.	.46	.46	**.74**

Note. SIM = Scale for the integrative mindset. The highest loading of each item is given in bold font. The item order was randomly generated for each participant.

In a next step, we calculated reliabilities and fit indices in a confirmatory factor analysis for all scales using SEM. Table 2 shows that both the correlated factor model of the SIM and the one-dimensional models of its facets reach or surpass the common cutoff values of a relatively good fit recommended by Hu and Bentler (1999; CFI, TLI close to .95, SRMR close to .08, RMSEA close to .06).

Table 2

Fit indices of the confirmatory factor analysis and reliabilities (n = 1,030)

Model	*Number of items*	α	*CFI*	*TLI*	*SRMR*	*RMSEA*
SIM[a]	15	.91	.96	.95	.03	.04
Collaborative In.	5	.83	.97	.94	.03	.06
Curious In.	5	.81	.99	.99	.01	.01
Creative In.	5	.86	.99	.99	.02	.03
Mini-IPIP[b]	20	-	.79	.74	.08	.10
Extraversion	4	.83	.96	.87	.03	.18
Agreeableness	4	.81	.85	.56	.07	.33
Conscientiousness	4	.72	.93	.78	.04	.17
Neuroticism	4	.74	.97	.90	.03	.12
Intellect/Imagination	4	.73	.74	.22	.10	.38
NFC (short)	15	.89	.71	.66	.08	.15
NCS (short)	18	.92	.77	.74	.09	.12

Note. SIM = Scale for the integrative mindset, In. = Inclination, Mini-IPIP = Mini international personality item pool, NFC = Need for cognitive closure, NCS = Need for cognition scale; α = Cronbach's alpha, CFI = Comparative Fit Index, TLI = Tucker-Lewis Index, SRMR = standardized root mean square residual, RMSEA = root mean square error of approximation.

[a] The item order was randomly generated for each participant. [b] Big Five factors were allowed to correlate (less restrictive).

Finally, we conducted a multiple regression analysis of the SIM to test its discriminant validity using the Big Five scales, NFC, and NCS as predictors. The first model included all seven scales and the 21 possible two-way interaction terms. This model was significant and explained 30.2% of the variance of the SIM ($F(28,999) = 16.89$, $p < 0.001$, adj. $R^2 = .302$). Because of a possible alpha inflation, we repeated the analysis with a second model including all terms that were significant at a .01 level in the first model. In both models, these terms were significant even at the .001 level. Table 3 shows the results of the second model, which explains 27.6% of the variance of the SIM ($F(4,1023) = 99.11$, $p < 0.001$, adj. $R^2 = .276$). Table 3 shows coefficients of centered mean variables that were not standardized, illustrating that the model predicted an average SIM score (the constant is not significant) for participants with average scores in Agreeableness, Neuroticism, Need for Cognitive Closure, and Need for Cognition. The coefficients represent the adjustment of the SIM prediction for those participants whose mean scores concerning the predictors were one Likert point above the average on the scale.

Table 3

Multiple Regression of the SIM including significant predictors (n = 1,028)

SIM	*coefficient*	t	*p-value*	*95% conf. interval*	
Constant	>-0.01	-0.04	.97	-0.04	0.03
Mini-IPIP					
Agreeableness	0.32	13.81	<.001	0.28	0.37
Neuroticism	-0.10	-4.45	<.001	-0.14	-0.05
NFC (short)	0.18	6.98	<.001	0.13	0.23
NCS (short)	0.26	10.85	<.001	0.21	0.30

Note. SIM = Scale for the integrative mindset, Mini-IPIP = Mini international personality item pool, NFC = Need for cognitive closure, NCS = Need for cognition scale. $F(4,1023) = 99.11$, $p < .001$, adj. $R^2 = .276$. The dependent variable (SIM) represents mean scores. All variables represent centered mean scores.

Focusing on the 27.6% explained variance of the SIM mean scores, we again built the model shown in Table 3 by including the predictors step by step based on their relative effect size. Our results showed that Agreeableness explained 16.6% of the variance, Need for Cognition 7.1%, Need for Cognitive Closure 2.6%, and Neuroticism 1.3%. Table 4 shows the manifest scale correlations. Note in this regard that the NFC did not show significant correlations with the SIM and its facets. This implies a suppression effect in the regression model (see Table 3).

Table 4

Manifest scale correlations (n = 1,030)

Scale	1.	2.	3.	4.	5.	6.	7.	8.	9.	10.	11.
1. Integrative Mindset[a]	-										
2. Collaborative In.[b]	-	-									
3. Curious In.[b]	-	.56	-								
4. Creative In.[b]	-	.52	.58	-							
5. Extraversion[c]	.14	(.04)	.09	.22	-						
6. Agreeableness[c]	.41	.37	.37	.29	.31	-					
7. Conscientiousness[c]	.18	.11	.16	.18	.07	.12	-				
8. Neuroticism[c]	-.11	-.08	-.12	-.08	-.11	(.05)	-.30	-			
9. Intellect/Imagination[c]	.27	.15	.21	.33	.14	.29	(.05)	-.08	-		
10. Need for cognitive closure[d]	(.01)	(.04)	(-.03)	(.01)	-.21	-.13	.09	.27	-.32	-	
11. Need for cognition[e]	.34	.18	.27	.42	.19	.20	.12	-.20	.50	-.35	-

Note. [a] Total scale for the integrative mindset (SIM). [b] Facet of the SIM. [c] Scale of the Mini international personality item pool (Mini-IPIP). [d] Short form of the need for cognitive closure scale (NFC). [e] Short form of the need for cognition scale (NCS). Correlations of scales that partly share the same items are not shown here. Correlations given in parentheses are not significant.

4. Discussion

The empirical data that we collected shows that the SIM can be used to reliably measure a covarying cluster of causes of negotiation behavior. Hence, the integrative mindset, as represented by the SIM, can be seen as a psychological construct as defined by Binning (2016, February 22). Both explorative and confirmatory analyses of the covariations show that the SIM comprises three well-balanced facets, i.e., the collaborative, curious, and creative inclination.

4.1 Convergent and discriminant validity of the SIM

The multiple regression analysis conducted here showed that three other scales, that is, the agreeableness part of the Mini-IPIP, NFC, and NCS, predicted 28% of the SIM in total. Therefore, we can conclude that there is a connection, albeit a rather weak one, between these scales and that the development of the SIM is a relevant contribution to the literatures on individual differences and negotiations.

As mentioned above, we started this study with several hypotheses. Except for H2, all hypotheses were confirmed. In H2, were expected a negative correlation between need for closure and the integrative mindset, but as Table 4 shows, there was no significant correlation. Table 3 even shows a positive effect in the regression analysis due to some kind of suppression.

4.2 Fit indices of the SIM

The explorative analysis shows that the items are correctly associated with the facets, and the confirmatory analysis suggests/confirms that the SIM has good fit indices, surpassing the indices of the other scales. There are four reasons, two of them structural or methodological and two process-related, for this result: First, we intended to investigate the SIM in optimal conditions and therefore placed it before the other scales in the questionnaire. As a result, possible decreases in the levels of the participants' concentration may have adversely affected the results concerning the fit indices of the other scales. (It is important to note here that a comparison of fit indices was not a primary goal of this study.) Second, the sample used to validate the SIM was structurally similar to the ones used for most of the pretests. Also this may have led to comparative advantages for the SIM. Third, we randomized the order of the SIM items in the last two pretests and also in the main test to avoid a potential bias due to sequencing effects during item selection. The extent to which other authors considered sequencing effects is unclear because studies often do not provide information on this aspect. Fourth, we replicated our good results before starting the main test. This approach might explain the difference between our results and those of, for example, Roets and van Hiel (2011), who never formally validated the short form of their NFC scale for which they report good fit indices (CFI = .98, SRMR = .038, RMSEA = .058). In our study, we were unable to replicate these fit indices (CFI = .71, SRMR = .083, RMSEA = .145). Another reason for the difference in these numbers might be that Roets and van Hiel (2011) used a sample that included all 41 items of the original NFC scale by Webster and Kruglanski (1994; revised by Roets & Van Hiel, 2007) and selected the best 15 items without testing this new scale with a second sample. Because there are 41C15, or 63.4 billions, possible combinations of such 15-item scales, this procedure might lead to an overfit.

The development processes of the NCS and the Mini-IPIP did not consider fit indices, and therefore, finding good fit indices for these scales was unlikely. Regarding the Mini-IPIP, good fit indices were not expected, as they represent inseparable short forms of the Big Five, which are often differentiated in facets. For this reason, the low fit indices of the one-dimensional models of the Big Five do not question the validity of the Mini-IPIP; instead, they merely show that the exact content of these scales is somewhat unclear (i.e., the items show additional similarities that are not represented by the factor).

It is not clear to which extent the fit indices of the SIM reported here can be replicated in different contexts. That said, we started the validation process after we were able to replicate the good fit indices in the pretests. Seen in this light, the results of the main test represent the second replication of our findings (although these, of course, are still based on Prolific samples).

4.3 Limitations and opportunities for further research

Although the SIM and its three-factor structure was validated here, it is possible that other suitable scales could be developed to represent the integrative mindset by Ade and colleagues (2018) or that there might be other constructs or facets that may also be relevant in the context integrative negotiations. One might, for example, examine whether other-affirmation (as studied in negotiation contexts by Harinck & Druckman, 2015) could be added to the integrative mindset.

The SIM lays the groundwork for future studies, especially those that generate behavioral criteria data, that is, data that shows how people with high or low SIM scores perform in integrative negotiations. Such studies would allow researchers to understand to which extent the SIM can predict negotiation performance.

Future studies might also address the question whether evaluations of participants' integrative mindsets based on self-reported data can be replicated by other forms of measurement such as peer reports or expert observation. Self-reports are widely used in psychological research because they have, for example, predictive power provided that participants are not given incentives to give incorrect answers. As the SIM is the first scale that uses self-reported data to measures mindsets, there is, however, no evidence yet that similar findings concerning other types of constructs can be transferred to our field of study.

4.4 Conclusion

In this study, we introduced a scale that fulfills high psychometric standards and that can be used to reliably measure the integrative mindset and its three facets. This scale and the related construct can be used to conduct further research on negotiation mindsets in general and the integrative mindset in particular. For example, studies could examine how negotiators with strong/weak integrative mindsets (as measured by the SIM) perform in different types of negotiations. Findings of these kinds of studies could help to explain why individuals differ in terms of negotiation behavior and performance, although they have acquired the same negotiation skills. In addition, future studies might investigate to which extent the integrative mindset could function as a moderator variable in experimental studies that, e.g., measure how negotiators respond to distributive tactics or act, for instance in contexts of political polarization.

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Appendix: Items and item order information of the SIM

Collaborative Inclination

1. I feel better about a deal that is beneficial to both parties than about one that is beneficial only to me.

2. I am a collaborative negotiator.

3. I strive for a joint decision that makes both parties happy.

4. I collaborate rather than compete.

5. I work toward a consensual win-win agreement even if the rewards for doing so are unclear.

Curious Inclination

6. I am interested in my counterparts' negotiation goals.

7. When my counterparts see things differently than I do, I want to understand why this is the case.

8. I really like listening to my counterparts.

9. I want to understand my counterparts' motivations.

10. When negotiating, I am curious about what my counterparts think.

Creative Inclination

11. In negotiations, I enjoy developing new ideas.

12. When negotiating, I play with ideas and develop several possible solutions before selecting one.

13. When negotiating, I come up with many ideas how solutions could look like.

14. I am motivated to search for creative solutions even if doing so requires time and energy.

15. Proposing creative solutions makes me feel alive in negotiations.

Item order: In our pre-tests we have used several fixed orders for the items. Here, we observed sequence-effects. Therefore, we have conducted the main test with an order of the items that was randomized for each participant. If you plan on using the SIM, we hence recommend randomizing the items too.

Chapter 4: Political Negotiations: Characteristics and Related Performance Disincentives

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Abstract

The media, private citizens, and other stakeholders regularly appraise political negotiations, but the character of these negotiations and the reasons for outcomes are little understood. In this conceptual paper, I argue that political negotiations have several specific characteristics that distinguish them from other kinds of negotiations. For instance, political negotiations tend to address often rather fuzzy public interests, involve value conflicts, or are simultaneously performed "on stage" and "behind the scenes." These characteristics can provide structural disincentives to negotiators, who might be tempted to focus on selling outcomes rather than on improving them. Hence, political negotiators and their stakeholders face the challenge that political contexts may foster weak negotiation performances. Identifying several implications for researchers and practitioners, I propose an approach to political negotiations trainings that takes these findings into consideration.

Keywords: politics, negotiation, disincentives, negotiation mindsets

Introduction

Most major decisions in politics are the result of negotiations: A mayor may debate subsidies for a kindergarten with her deputy, members of a national parliament might draft new tax legislation, or two heads of state may discuss a possible cease-fire. As these examples show, political negotiations can have a tremendous impact on lives and living conditions at local and global levels. As Warren and Mansbridge (2013) argue, the relevance of these negotiations is based not only on this impact, but also on the nature of negotiation as an inherently democratic tool, which allows people to arrive at collective political decisions. This may in particular be true for integrative negotiations, i.e., negotiations in which parties create value by reaching agreements that are better than mere compromises. To Martin (2013), "the success of integrative negotiations may also bring citizens to believe more in the legitimacy of their governments and the efficacy of public policies" (p. 15). Effective negotiators, then, contribute to functioning democracies.

Despite their relevance, political negotiations at the local, national, and international level have received little attention in the literature and negotiation trainings. As, e.g., Zartman (2010) observes when discussing the special realm of international political agreements,

> Oddly enough, negotiation is not most frequently taught in International Relations (IR) courses; it is much more common in business and law curricula. […] IR theory and IR texts bypass negotiation, focusing on explanations for war, overlooking the fact that negotiation in its many forms takes up most of the time and effort of inter-state relations, diplomacy, and foreign policy (p. 229-230*)*.

What we can see in the academic context can also be observed in the media. For instance, when the German coalition negotiations between the conservative, liberal, and green party in 2017 failed, many commentators focused their analyses on the policy differences between these parties. Few analyzed in greater depth how these differences were dealt with from a negotiation point of view and how the parties could have created and distributed negotiated value in more effective ways. Adopting this perspective might have allowed commentators, politicians, voters, and other stakeholders to identify integrative potential that the parties at the negotiation table might have overlooked. A discussion of this kind of potential could, e.g., have revealed that some negotiators aimed to foster value creation whereas others acted as if the negotiation was a zero-sum game. Analyzing the negotiations in this manner, then, could have also shed light on the performance of single negotiators and their influence on the outome.

Martin (2013) defines negotiations in the realm of politics as "a practice in which individuals, usually acting in institutions on behalf of others, make and respond to claims, arguments, and proposals with the aim of reaching mutually acceptable binding agreements" (p. 1). While several researchers such as Martin have offered brief definitions of political negotiations, there is, to the best of my knowledge, no comprehensive discussion of the nature of political negotiations and their implications. It is, e.g., not clear whether political negotiations are similar to or different from other types of negotiations. If they are different, it is necessary to identify their distinct characteristics and to consider their implications for a wide range of stakeholders.

Addressing this gap in the literature, this study conceptualizes political negotiations and identifies three categories of key characteristics. These include the negotiation issues and the context, the role of the negotiators, and the negotiation process. This paper argues that it is important to understand and consider these characteristics because their interplay might represent incentives for political negotiators to perform poorly. In order to illustrate the implications of the nature of political negotiations more deeply, I briefly discuss several ideas for how effective political negotiation trainings could look like.

Political Negotiations and Related Issues in the Literature

Political negotiations and their implications have been discussed from a wide range of disciplinary and interdisciplinary perspectives, for instance in the field of international relations or public administration. For example, Mansbridge and Martin (2013) or Spector, Sjöstedt, and Zartman (1994) have edited collections of articles that explicitly discuss selected aspects of political negotiations. They address, among others, agreements in contexts of political polarization (Barber and McCarty 2013), deal-making in the U.S. Congress (Binder and Lee 2013), or challenges and opportunities of intergovernmental coordination (Schally 1994). Another study by Druckman and Wallensteen (2016) examines the role of political summits between the United States and the Soviet Union/Russia. Complementing these theoretical contributions, for instance, Wheeler (2006) discusses how to best use games and simulations when teaching international comparative politics in university courses.

While this kind of research has provided many valuable insights, other studies that do not primarily or explicitly deal with politics are also relevant for understanding political negotiations. For instance, scholars have used the term wicked problems (and related terms such as intractable conflicts or adaptive problems) to refer to particularly challenging subjects of negotiations (e.g. Honeyman and Coben 2010, Coleman 2011; Lewicki et al. 2003; Head and Alford 2015; Cohen-

Chen, Crisp, and Halperin 2015). Bordone and Viscomi (2015) understand wicked problems as "problems in which the definition of the problem and the related context must themselves be negotiated" (p. 68). Offering a more comprehensive definition, Lewicki (2014) argues that these problems have several or all of these characteristics: The problem is not or cannot be defined clearly; there are no simple solutions; the final solution is likely to have strengths and weaknesses; each problem appears to be unique; the problem is often connected to other wicked problems or related issues. We might add to this list that wicked problems often have a long life cycle. As Kaufman, Lewicki, and Coben (2014) put it, they may outlive us. For instance, Kaufman, Lewicki, and Coben (2014) or Lewicki (2014) remark that public policy often addresses wicked problems.

Besides the contributions on wicked problems, studies on negotiation complexity and chaos also offer relevant insights concerning the nature of political negotiations. Wheeler (2013), for instance, uses the term "fog of negotiations" to describe the chaos that negotiators experience in complex contexts. He recommends that negotiators best accept and embrace this chaos by, e.g., always assuming that there are things they do not know yet and by being willing to improvise. Similar recommendations for dealing with chaos are likewise given outside the negotiation field in decision science studies on the VUCA conditions. This term, which is, e.g., used by Stiehm and Townsend (2002) or Tint, McWaters, and van Driel (2015), refers to situations that are volatile, uncertain, complex, and ambiguous. As suggested below, these kinds of conditions can also be observed in political negotiations.

Characteristics of Political Negotiations

In the following, I propose a characterization of negotiations in national and international politics by discussing distinctive aspects of the issues and contexts of these negotiations, the special role that political negotiators perform, and the process of political negotiations. While the aspects that I describe are characteristic for political negotiations, most of them are not unique to politics. Many political negotiations have several, but not all of the characteristics discussed below. Political negotiations are special because they, in contrast to negotiations in other contexts, are defined by a particularly high number of these characteristics. It is possible to group these characteristics into three distinct categories: the negotiation issues and the context, the role of the negotiators, and the negotiation process.

Negotiation issues and context

The negotiation issues and context in politics differ from those in other fields. These seven characteristics are crucial in this respect: fuzzy public interests, complexity, interdependence, symbolism, value conflicts, legitimacy, and rule of law.

Fuzzy public interests: As Fisher and Ury (1987) argue, interests are central to every negotiation: “Interests motivate people; they are the silent movers behind the hubbub of positions. Your position is something you have decided upon. Your interests are what caused you to so decide” (p. 43). While negotiations outside the political world are usually motivated by the individual interests of a person or company, one can assume that the actions of elected officials should (at least to some extent) be motivated by what has been called public interests. Following Mahoney, McGahan, and Pitelis (2009), one can understand “public interests as a complex amalgam of interdependent individual and private interests” (p. 1035). Public interests may include, among other aspects, the volume of a nation's health subsidies, the structure of public education systems, environmental policy, the crime rate in a city neighborhood, or the question of whether or not to establish sanctions on another country.

If it is already difficult for individuals themselves and others to identify their interests, determining public interests is even more challenging. This is, among others, due to two reasons. First, as, e.g., Raiffa, Richardson, and Metcalfe (2002) or Walton and McKersie (1965) have pointed out, the public is not a monolithic group. Some members of the community may often even have interests that directly oppose those of others. For instance, an increase in taxes used to expand the social safety net may reduce the income of wealthy individuals but benefit those for whom the social programs have been designed.

Second, political issues may be complex to an extent that for individuals to understand their interests, they would first have conduct research on an issue before they can begin to evaluate it in light of their situation and plans for the future. This might, however, take considerable time and effort, especially if understanding a certain policy requires substantial background knowledge in fields such as economics, statistics, or medicine. To get a better sense of public interests, one would need to invest the time understand, among other aspects, the interests of individual members. Politicians and other officials usually have, however, very little time and the issues they work on may intersect with numerous and often divergent public interests. It is highly unlikely that research on public interests can bring them in a position to get an unbiased view of these interests. One might argue that opinion polls and other tools can help politicians and others to understand public interests. Following Fisher and Ury (1987), one can, however, assume that these polls only provide information on positions while leaving the interests behind them covered.

Given these conditions, it seems likely that many political negotiators often do not perform in-depth research on public interests. Rather, they might often access or anticipate opinions of easily accessible special interest groups, advisors, or the media (while the media, in turn, may be influenced by special interest groups and vice versa). Special interest groups such as lobbyists or donors may, however, primarily foreground their specific interests, and advisors and the media do not necessarily fully understand the public either. In short, public interests ultimately cannot be objectively known; instead, they are constantly being constructed by political negotiators, their staff members, journalists, and others. Hence, they may be strongly influenced by the perspectives, interests, biases, and social relations of individuals.

Once political negotiators have identified what they believe to be objective public interests, they often find that different public interests might be at odds with one another. For instance, a political leader may conclude that today's (and in particular tomorrow's) population has an economical, ethical, or aesthetic interest in preserving the environment. At the same time, the political leader may perceive a public interest in business friendly (and hence weak) environmental regulation. In this case, she has to strike a proper balance between these two interests. This may be particularly challenging if she does not only want to take into account the costs and benefits that possible legislation has not only in the short, but also in the long run. Even when negotiators are eager to understand public interests and consider a wide range of perspectives to the best of their ability, they may hence come to very different conclusions about what these interests stand for and how important they are in relation to others. Although they therefore often remain fuzzy, public interests seem to play an important role in political negotiations. It is not clear, however, why, how, and to what effect negotiators evoke public interests.

A general aspect regarding interests that often seems to be overlooked in negotiation contexts is that interests are rarely static. Rather, they tend to change over time. They may evolve, for instance in the cases of the public perceptions of social issues (e.g. regarding women's rights) or scientific progress (e.g. regarding the health risks associated with consuming sugar). Public interests may, however, also change dramatically, e.g., in response to terrorist attacks, natural catastrophes, or sudden geo-political developments. For instance, less than two months after 9/11, U.S. president George W. Bush signed the PATRIOT ACT into law, which reflected and changed how public interests concerning security and privacy were weighed against each other. In an election that took place 16 days after the 2011 Fukushima Daiichi nuclear disaster, the citizens of Germany's state of Baden-Württemberg ended a 58-year governing streak of the pro-nuclear energy conservatives and elected a new regional government that would eventually be led by the anti-nuclear energy Green party. Voting can be understood as stating as position rather than an interest, and it is not clear to what extent this election and similar events indicate a shift in public interests. While private interests are also likely to change over time, the fuzziness of public interests may make their change particularly hard to grasp. Therefore, changes in public interests might be more easily overlooked than individual ones.

Complexity: The fuzziness of public interests contributes to another central characteristic of political negotiations, their particular complexity. While a typical negotiation in business may be over the sale of a movie script from one production company to another, a typical negotiation in politics may be about whether or not to impose sanctions on another state. In both cases, negotiators need to be prepared and may conduct sophisticated analyses. For instance, the film companies would want to study different regional and technological markets to better understand the potential of the script. For this reason, they might look at data of past productions, interview experts, hold focus groups, or run an online experiment by producing a trailer of the movie and promoting it on social media. Similarly, the negotiators discussing political sanctions might want to look at data of past and current conflicts in which sanctions were used, talk to experts, and raise the possibility of sanctions with relevant stakeholders to evaluate potential buy-in and the feasibility of effectively implementing the sanctions.

In contrast to business negotiations, political negotiations and the related preparations not only focus on economic issues but also require a consideration of several other dimensions. They may also involve issues such as human rights or security. In the case of the example given above, the short-term economic effect of sanctions, e.g. decreases in exports to the concerned states, may have a systemic long-term impact on the businesses in the home country of the negotiators: Some of these businesses might shrink, others might grow, and this may affect the structure of the national economy for a long time after the sanctions end. In addition, the representatives of the state may want to take into account that their behavior in this conflict may set a precedent for the next conflict or even prevent similar conflicts in the future. While negotiating a movie deal hence may require an economic analysis, negotiating public sanctions may require interdisciplinary analyses of complex issues, conditions, or systems. It is therefore likely, that the political negotiations are more likely to involve intractable conflicts and wicked problems than business negotiations.

Interdependence (low number of alternative deal partners): In addition to public interest and complexity, political negotiations are also often characterized by an interdependence of negotiation parties. While relationships are important in many, if not most negotiations, they tend to play an even more central role in political negotiations. As Ury (2017) argues, political negotiations are often less transactional than business negotiations and commonly influence and happen in the context of a long-term relationship between parties: “Political negotiation is […]

more like marriage. And in marriage if you keep on asking who's winning this marriage, your marriage is in serious difficulty" (minute 1). As Ury (2017) also points out, political actors often are particularly interdependent with their negotiations partners. For example, the U.S. cannot simply walk away from negotiations with countries such as Russia or China and replace them with more or less identical partners, as a company buying commodities could do with a supplier. Due to this kind of interdependency, states face the challenge of weak BATNAs (Best Alternative To A Negotiated Agreement) in negotiations and hence need to be more open for concessions or more willing and able to develop integrative agreements.

Symbolism: Whereas business negotiations often aim for a clear agreement with actionable steps, political ones can, at times, simply be symbolic, i.e., their primary purpose might be for parties to show respect, goodwill, or shared concern. Analyzing summits between the U.S. and the Soviet Union/Russia, Druckman and Wallensteen (2017) argue that not only the relationship itself, but also its symbolic display can be of value to negotiators. A personal meeting of country leaders may have the function to simply show that they are, e.g., not about to start a war. In these cases in particular and in political negotiations in general, the location, timing, protocol, and related aspects are also of great symbolic value. A meeting on a national holiday or at an historic site may set a frame to that meeting, e.g., by characterizing it as a meeting of friendship, respect, successful economic cooperation, or shared worldview or values. One of the intended outcomes of symbolic negotiations, then, may not necessarily be a specific outcome, but rather to emphasize common ground and to evoke abstract feelings of, e.g., hope or good-will among observers such as citizens or even other actors not involved in these negotiations.

Value conflicts: Value conflicts characterize many political negotiations. As Harinck and Druckman (2015) point out, "Resource conflicts—in which scarce resources are at stake—have been shown to be easier to solve than value conflicts—in which people's norms, beliefs, and identities are emphasized" (p. 30). In political negotiations, identifying, weighing, and balancing public interests also often requires a consideration of norms, beliefs, and identities. Indeed, it is often difficult to distinguish between values and interests in political negotiations. For instance, when political leaders negotiate the volume of their nation's health subsidies, their arguments will heavily depend not only on how they construct public interests and their economic and managerial thinking but also on their very personal and their political values. Similarly, when delegations of countries meet to negotiate a multilateral climate agenda, they are likely to base their positions both on the costs and benefits of different proposals (i.e., their interests) and their cultural or religious norms concerning the preservation of the environment and the lives of future generations (i.e., their values). As these examples illustrate, most public interests are intertwined with values, but the dynamics and related implications are little understood.

Another unresolved question is whether negotiators who claim to represent a specific set of values are actually primarily motivated by them. Negotiators could, e.g., promote short-term economic or power interests based on a set of values, perhaps assuming that their constituents and third parties are more likely to be convinced by moral arguments than economic ones. In this case, negotiators may not necessarily be motivated by these values, but rather evoke them as a means to an end.

Legitimacy: The question of the legitimacy of negotiation parties can be crucial before and during political agreement processes. For example, Holbrooke (1998) describes the delay of a time-sensitive negotiation from his time in the U.S. state department as follows: "During the 1968 peace talks with the North Vietnamese in Paris, we […] wasted more than two months arguing over the shape of the negotiation table, while the war continued" (p. 137/138). As he then clarifies, the reason for this delay was Hanoi‘s insistence to give the Vietcong a seat at custom-made table on which the negotiation was going to take place. With this kind of table, it is possible for one more party to sit, literally and metaphorically, at the table. It can be a means to grant legitimacy and political power to the new party.

As in the example give above, the question of legitimacy may, e.g., arise when public actors consider negotiating with non-state armed groups that the main negotiation counterpart of the actors (e.g. another government) does not recognize. The legitimacy of a party or a negotiation may be in question if a state wants to negotiate with parties that are under sanctions. Any public records of contacts with such a party with limited legitimacy can easily be exploited or misconstrued, thus damaging related political processes. As Zartman (2003) points out, negotiators face the risk of a public backlash if they negotiate with terrorists, and yet negotiations with terrorists do take place.

In a business or family context, a party can join a negotiation if all of the other parties agree on this aspect. In this case, legitimacy is predicated on the decision of the other parties. Due to public or third-party pressure, uninvited parties may successfully claim a seat at the table even if no other party wants it to take part in the political negotiations.

Rule of law: Another key characteristic of political negotiations is the issue of enforcement. More specifically, the outcomes of these negotiations may be exceedingly difficult to implement, and the failure of parties to live up to their commitments are often difficult to prove and sanction. In international politics in particular, the lack of strong institutions that can enforce the implementation of agreements represents a major challenge for negotiators. In recent decades, an international institutional order including several international courts has emerged, but law enforcement at the international level and hence the rule of international law is still weaker than the rule of most national laws. Besides courts such as the International Court of Justice in The Hague or the European Court of Human Rights in Strasbourg, the United Nations (UN) and especially its Security Council plays a role in enforcing international agreements. The Security Council often threatens sanctions and other punitive measures (such as naming and shaming of non-compliant parties) to states that violate international law. The Council often does not, however, often turn these threats into actual penalties, which has been taken as a sign by some parties that non-compliance may remain without consequences. For example, the repeated violations of the 2015 South Sudanese peace agreement by several parties did not have any consequences. In 2017, UN Secretary-General António Guterres merely "encouraged all South Sudanese to end the violence and peacefully resolve the crisis" (UN News, December 15, 2017), but did not call for sanctions and other punitive measures.

As a result of the lack of strong institutions, some international actors violate international law on a regular basis, often without facing legal consequences. Given these conditions, negotiators cannot rely on an independent and powerful actor who would support them if their counterparts were to not honor agreements. Instead, negotiators often seek to identify incentives that increase the likelihood that their counterparts will honor and implement agreements. However, as Martin (2013) writes, even if the representatives that agree on something are highly committed, these individuals might leave office, and their successors might not honor the agreements that they inherit. This was, e.g., the case when U.S. President Donald Trump announced to pull out of the Paris Climate Accord in 2017, an agreement that Barack Obama's administration had co-negotiated.

Role of the negotiators

The role of negotiators in politics differs from the roles of negotiators in other fields. In politics, negotiators face a multilevel accountability and receive specific performance rewards and appraisals.

Multilevel accountability: One aspect that distinguishes the role of political negotiators from those of other negotiators is the issue of multilevel accountability, i.e., the legal, political, or ethical accountability to a multitude of stakeholders, who are likely to evaluate and reward the negotiators' performance. Besides their general ethical accountability to humans and nature, individuals participating in business negotiations are usually legally accountable mainly to those people who appraise their performance, i.e., superiors, shareholders, or business partners. For instance, a vice president of finance is accountable to his superior, i.e., the CEO, and this CEO will also be the person who evaluates the vice president's performance and makes decisions on his future salary, bonuses, and promotion. In politics, the mayor of town, as long she does not act in a grossly negligent manner and follows the rule of law, is primarily politically and personally accountable to those people who evaluate her performance in ways that are relevant for her, e.g. the voters, the media, her party, political committees, sponsors and donors, and the members of the town parliament (which may exercise political oversight and may have to vote on her executive decisions). At the same time, there are additional groups of people that her public office may intend her to feel accountable to based on ethical grounds. These comprise non-voting citizens, citizens from other countries who live in her town, future citizens of her town, or the citizens of nearby towns. When dealing with foreign affairs, political leaders need to take into account domestic accountabilities when negotiating international agreements (Putnam 1988). To train individuals for these kinds of negotiations, Bell and Mandell (2018) have developed what they refer to as systemic multiconstituency exercise.

The sketched accountabilities of political negotiators may compete with each other, e.g. when a major donor wants legislation, decrees, or enactments to pass that are in conflict with the interests of other stakeholders. In addition, the accountability to preserve the environment for future generations may often be in conflict with the accountability to generate economic growth for today's generations. Besides weighing possibly conflicting constructed public interests, negotiators may therefore also need to consider that they will be held accountable in different ways by a wide range of constituents.

Different constituents may not only have diverging interests, but also different mindsets by which they observe and judge the negotiation. Some constituents may, e.g., consider political negotiations a zero-sum game, while others may have what Ade and colleagues (2018) call an integrative mindset. The latter would and perceive political negotiations as opportunity to make the pie bigger for all parties. Negotiators may benefit from understanding which mindsets their constituents have, even if the negotiators disagree with these mindsets.

Also, we can assume that political negotiators do only have the interests of their constituents in mind, but also their own. Negotiators may want to be promoted, nominated for an office, get (re-)elected, or simply gain public attention. Eisenhardt (1989), e.g., has described this potential conflict of interest as the principal-agent problem. While it also applies to negotiators in business, we can assume that the fuzziness of public interests and, to give but one example, the dual-channel communication discussed below may make it even more relevant in political contexts. Besides considering the interests of their constituents and themselves, political negotiators are also likely to feel responsible to their values and the institutions that share and represent them (e.g. religious or social groups). While this kind of commitment are often voluntary in the case of business negotiations, e.g. those involving issues such as corporate social responsibility, political negotiators are required, at times by law, to consider public interests and will be held accountable by their constituents for the outcomes that they achieve.

Performance rewards and appraisal: Performance in business is often linked to tangible benefits such as compensation, an opportunity to work on interesting or prestigious tasks, or a nice office. In contrast, negotiators in political contexts may benefit from good negotiation performances or at least the perception thereof in rather intangible ways. For instance, they may gain power and influence or increase, receive media coverage, promote their public image, or increase the likelihood of getting (re)elected.

Regarding the criteria of performance appraisals, at least anecdotal evidence suggests that in many nations' diplomatic services, performance appraisal culture incentivizes ways of behavior that avoids errors rather than maximizes expected gains in their negotiations. Hence, diplomats often face structural disincentives for taking risks, and hence it is less likely that they will try to reach creative or otherwise unusual solutions. The extent to which this criterion for performance appraisal tends to characterize also local and national political negotiations more than business negotiations, however, is difficult to evaluate.

Negotiation process

Political negotiations also differ from others in terms of process. Two characteristics are crucial in this respect: the duality of public and private communication and the role of written agreements.

Public and private communication: In business and politics, negotiators convey many of their arguments, offers, and claims privately to their negotiation counterparts. In politics, due to the media attention and the stake that the public has in policy debates, negotiators can often also choose to communicate with their counterparts publicly. Such public communication may replace or complement private communication. For instance, many news media have reported on a regular basis on the ongoing Brexit negotiations between the government of the UK and the EU. Representatives from both sides of the negotiation table used the media to publicly comment on their expectations and hopes and to state their demands and offers. At the same time, they discussed these very issues in private meetings. This communication at two levels may also happen in business, but is particularly characteristic for political negotiations. Communicating "on stage" (that is, publicly) allows political negotiators to not only address their negotiation partner, but also other groups as voters and the media. In this manner, they may not only state their position and shape their public image, but also seek to influence the image of their counterparts, create or increase public pressure on these parties, frame issues or the negotiation, or introduce new issues to the public debate. In contrast, communicating "behind the scenes" (that is, in private settings) often allows for more solution-oriented negotiations. As Martin (2013) puts it, "successful political negotiations are more likely to occur […] far from the public eye" (p. 14) because "[a]llowing negotiations to take place in private settings encourages pondering rather than posturing" (p. 2). Behind the scenes settings, then, give negotiators autonomy from people who will eventually be affected by the outcome. It is not necessarily likely, but still possible, that negotiators such as the British foreign secretary Boris Johnson purposely come across as tough and provocative on stage, while acting in a much more collaborative and solution-oriented manner behind the scenes.

Written agreements: Written agreements are common both in business (e.g. contracts or plans) and in politics (e.g. laws, declarations, executive orders, or, in international politics, resolutions). Agreements in political contexts differ from other those in other contexts because language that is being used may have not only have a legal, but also a political, cultural, or symbolic function. For example, the tone of a non-binding coalition agreement may convey a sense of common purpose or lack thereof, or a document such as the Declaration of Independence (1776) also reflects the Enlightenment values of its authors.

Due to the aforementioned limited rule of international law, the legal value of language in political agreements may, at times, be fairly limited. In such cases, the political, cultural, or symbolic function may determine the use of language and linguistic conventions in their agreements. For example, anecdotal evidence suggests that there are often heated debates before resolutions of the UN Security Council about whether the Council "encourages," "invites," "calls on," "demands," or "urges" parties to perform a certain action. In meetings at the 2015 United Nations Climate Change Conference in Paris, negotiators meet in committees to for hours and days to discuss individual words of arguably non-essential paragraphs of the final resolution. In some cases, to get support from counterparts or to leave room for future interpretations of the results, negotiators may choose to sign agreements that are deliberately vague or even ambiguous.

Discussion: Practical implications

Resulting disincentives

The special nature of political negotiations has a wide range of implications for the negotiators and their stakeholders. These are also relevant for those who design and conduct trainings for political negotiations. Due to the fuzziness of public interests, the general complexity of political negotiations, or the secrecy of behind-the-scenes meetings, stakeholders (i.e., citizens or the media,) often have a limited ability to understand and appraise the overall quality of agreements. In addition, it is also difficult for them to evaluate the performance, style, and ethics of individual negotiators due to a lack of information and transparency and the uneven quality of performance appraisals in the media.[3] The degree to which voters can correctly evaluate the negotiation performance of their representatives likely has an impact on how they think and feel about these politicians and to which extent they are willing to support and (re-)elect them. Constituents who want to understand how their representatives sought to address their concerns during the political process often have to rely on the media, which assume the role of the fourth estate (or fourth power) in the state (the legislature, executive, and judiciary classically being the first three powers; Persson, Roland, and Tabellini 1997). In contrast to most citizens, high-quality media representatives ideally do not only have more time to analyze negotiations and related issues, but also more privileged access to inside information, related experience, and they possibly have received an education related to the field that they are covering.

Because stakeholders often have a limited understanding of political negotiations, it is difficult for negotiators to satisfy the expectations of involved stakeholders simply by doing good work. They might not be judged based on their actual negotiation performance, but depending on how negotiations and their outcomes are sold to the public, i.e., communicated by means of strategies such as framing, storytelling, spinning, or sloganeering. As a result, political

[3] What observers often can do is evaluate specific parts of legislation. E.g., a family may see their health insurance payments decrease after a related bill is passed. Or a donor group may understand if their beneficiary has successfully treated a special interest that they have mentioned in connection with their support.

negotiators who are able to successfully sell even a bad performance or outcome to their stakeholders may be perceived as more qualified, ethical, or likeable as negotiators who perform better but are unable to share their results and performances effectively. An example for what might be considered a bold sales pitch for a negotiation that did not result in the expected can be found in a speech that Christian Lindner, the party leader of Germany's liberals, gave in November 2017. When he announced that his party would end the coalition negotiations with the conservatives and the greens after four weeks without an agreement, he told the public that this was a sign that his party was strongly committed to principles and liberal ideas (FDP, November 20, 2017). He did not explicitly address other possible reasons for not reaching an agreement. Such reasons were later proposed in the media, and some commentators suggested that the liberals had negotiated not in good faith (Neuerer, November 20, 2017; Kuzmany, November 20, 2017).

The individual ability to sell negotiation results and performance is moderated by, among other aspects, the perspectives and attitudes of stakeholders and the actual outcomes, which may or may not match already existing narratives that the stakeholders are familiar with and therefore likely to accept. Here, confirmation bias (discussed, e.g., by Nickerson, 1998) may play a role. For instance, if continuing a war against another country can be brought in line with a popular narrative that the other country is dangerous, unethical, or provocative or that this country has economically victimized the home population, failing to sign a peace accord may nonetheless a politically favorable outcome to a negotiator. This may be the case even if most of the citizens of this negotiator's country would be more secure and prosperous as a result of a peace deal. In fact, as Weisberg and Christenson (2007) report, wartime presidents of the U.S. have been rather successful in reelections. Also, as Martin (2013) writes, blocking deals may be more beneficial for legislators than reaching them.

When negotiators find themselves in these kinds of situations, it may appear to be in their interest to a) focus on selling negotiation results to their stakeholders instead of optimizing these results by working hard at the negotiation table, and b) to, at least in some situations, reach certain outcomes only because they can be related popular narratives. Both of these interests may be in severe conflict with the interests of the constituents that the negotiator is expected and proclaiming to represent.

Besides creating challenges for negotiators and stakeholders, the characteristics discussed above can also present several opportunities. Political leaders effectively can develop and present wise and ethical narratives based on or to promote negotiation results. Narratives can be particularly helpful if they allow citizens to understand and to bridge the gap between their short-term and long-term interests. Acknowledging the fuzziness of public interests, leaders who seek to act in a responsible manner and aim to provide for the common good could, for example, focus on what they perceive to be the ethical dimension of specific issues and promote related interests. Another opportunity arising from the characteristics of political negotiations is that due to the symbolic value that they may have, even negotiations that end without relevant agreements may foster peace and collaboration between different groups or countries.

How to teach political negotiation

Given the difference between business and political negotiations, it is safe to assume that those involved in the latter may require different knowledge, skills, and mindsets than business negotiations. That it is exceedingly difficult to transfer the negotiation skills from, one context to another can be seen in the case of businessman-turned-president Donald J. Trump. In a statement echoing both other members of her party but also Republicans, Democratic former House

Speaker and minority leader Nancy Pelosi described Trump's political negotiation performance after another unsuccessful attempt to repeal and replace the Affordable Care Act ("Obamacare") in March 2017 as follows: "So far he's acting like a rookie. It's really been amateur hour […]. He seems to think that a charm offensive or a threat will work – that saying 'I can do this for you' or 'I can do this against you' will work. That's not the way it works. You have to build real consensus, and you have to gain a real knowledge of the policy – and the president hasn't done either of those things" (The New York Times, March 23, 2017).

As Lewicki (2014) observes, negotiation trainings are, in many ways, "still remarkably primitive" (p. 495) and fail to prepare negotiators for real-life negotiations. I argue that in order to become more effective, negotiation trainings in general and political negotiation training in particular have to address three levels: knowing (facts, concepts), doing (skills), and being (mindsets).[4]

Knowing: It is safe to assume that most political negotiation trainings cover the conceptual basics of creating and claiming value and address negotiation psychology, that is, issues also covered in, e.g. Malhotra and Bazerman (2008) or Thompson (2000). To introduce participants to political negotiation, instructors can present information on wicked problems or intractable problems. They can also use readings on real-life political negotiations, e.g. Holbrooke's (1998) account of the 1995 Dayton Peace Accords, which ended the Bosnian war, to add relevant context.[5]

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[4] The knowing, doing, being perspective on learning has been referred to, e.g., by Dyllick (2015), Datar, Garvin, and Cullen (2011) and International Commission on Education for the Twenty-First Century and Delors (1996).

[5] However, remarkably, in his fascinating account, Holbrooke does not explicitly mention any negotiation theory or concept of the canon.

Doing: Playing or even designing negotiation role-plays allows participants to develop and strengthen their practical skills (Wheeler 2015; Druckman and Ebner 2008). Here, role-plays that are set in contexts other than politics may enable the participants to approach these exercise from a new perspective and with lowered barriers to behavioral change (Crampton and Manwaring 2014). Political negotiation simulations as, e.g., Flashpoint Syria (Ebner, Yael, and Nellie 2014) or Refugees and the PPC (Ade and Young 2018) can, however, also provide specific insights and learning opportunities. If the participants, e.g., keep, learning journals (as, e.g., recommend by Macduff 2009, or Wheeler 2015) and thereby reflect on their experiences of political simulations or other role-plays, they may deepen their understanding of negotiations and expand and hone their skill set. To help students to develop the skills needed to deal with wicked problems, Kaufman, Lewicki, and Coben (2014) recommend that instructors focus on ways of thinking, rather than pre-developed solutions. Students should learn to expect real-life issues to be "difficult to unpack and understand, solutions to be difficult to devise and implement, results to surprise us, and the future to be difficult to predict." (p. 517). Besides fostering such expectations, Kaufman, Lewicki, and Coben (2014) argue instructors should help students to approach wicked problems with a sense of humility.

Being: With the Mindset-Oriented Negotiation Training (MONT) approach, Ade and colleagues (2018) aim to foster learning at the level of being. Their approach is based on the assumption that while negotiators need and often have knowledge and skills, they may not necessarily apply these consistently and effectively during a negotiation. It is easier for participants of negotiation trainings to transfer what they learned in a classroom setting to the real world if they develop a distinct mindset. Ade and colleagues (2018) propose what they refer to as the integrative negotiation mindset, a psychological construct that consists of a collaborative, a curious, and a creative inclination. Besides recommending several activities mentioned above, the authors discuss the use of, e.g., improvisation exercises, feedback sessions, mindset energizers (i.e., statements or questions that are meant to activate a mindset of negotiators and/or their counterparts), role model visualization, and if-then plans. The level of being is especially relevant for complex negotiations such as those in political contexts. Many of the key characteristics of political negotiations represent major cognitive and emotional challenges. As a result, it can be exceedingly difficult for negotiators to remember and apply the skills acquired in training. The higher the levels of complexity and the stakes, the more likely it is that negotiators will act based on their default settings, i.e., engage in automated behavior. Training the level of being is about becoming aware of and changing these default settings. Negotiators who have developed a strong integrative mindset automatically approach negotiations in a collaborative, curious, and creative manner, seek to create value, and reach deals in negotiations.

Summary and Outlook

This conceptual paper is the first to provide a detailed characterization of political negotiations. These negotiations are relevant because they not only shape policies, but also ultimately affect the health of democracies. Despite their importance, political negotiations have received little attention by researchers or instructors conducting negotiation trainings (Zartman 2010). Addressing this gap in the literature, I do not only describe key characteristics but also argue that in contrast to other kinds of negotiations, political negotiations can provide several incentives to perform poorly. I also discuss some implications for practitioners by sketching a potential approach to teaching political negotiations with a distinct emphasis on mindsets.

Political negotiations differ from negotiations in other context in terms of three sets of characteristic features. The first set includes characteristics related to the issues and context of political negotiations. These issues often address fuzzy and often contested public interests, which need to be constructed by negotiators. The issues addressed in political negotiations are often complex and potentially require interdisciplinary, long-term solutions. In many cases, the relationship between the parties plays a crucial role because parties do not have alternative deal partners and are therefore dependent on one another. Political negotiations can, at times, have important symbolic functions and often involve conflicts of values. As the legitimacy of parties is, at times, difficult to determine or subject to debate, it may be unclear which party will get a seat at the negotiation table. In international contexts, a lack of strong institutions guaranteeing the rule of law is likely to affect the course and outcome of political negotiations.

The second set of characteristics pertains to the role of the negotiators. In contrast to business negotiators, political negotiators may face the challenge of multi-level accountability. These negotiators are likely to receive rewards for performance that differ from those of commonly used in other contexts such as business. In diplomatic contexts in particular, cultural norms and protocol seems to incentivize negotiators to minimize risks, rather than to maximize the potential benefits of agreements.

The third set of characteristics is related to the distinct processes of political negotiations. Negotiators use, e.g., communication channels “onstage” and “behind the scenes,” often at the same time. Resolutions and other written agreements are also often characterized by language and linguistic conventions that have not only a legal, but also important political, cultural, or symbolic functions. For this reason, political negotiations in particular tend to involve writing.

These and the other characteristics discussed here have several practical implications because they can limit the ability of stakeholders to evaluate the performance of negotiators and the quality of their agreements. Therefore, negotiators may often not be evaluated based on their actual performance, but rather on how well they publicly frame their behavior and the agreements they sign. Their success does not only depend on their framing, storytelling, and other communication skills, but also on the frameability of certain agreements, i.e., on how well they can be brought in line with popular narratives. As a consequence, negotiators may face structural disincentives and might be, at times, appraised positively or negatively regardless of the actual outcome of a negotiation. Another implication is that individuals participating in political negotiations need to be trained for this specific context. I recommend that instructors use political and non-political role-plays and focus not only knowledge and skills but also on mindsets.

The present study has three major limitations, which suggest several directions for further research. First, I do not discuss how potential disincentives in political negotiations could be mitigated or in other ways productively addressed in trainings. It would be important to test some of the theoretical assumptions presented here. Future research could, e.g., examine this issue by using political negotiations exercises that deliberately put negotiators in a situation in which they face incentives to focus more on selling a negotiation result that on improving it. Second, empirical data on political negotiation trainings is not available, and interviews with instructors and participants could shed light on, e.g. some of the points raised in this conceptual study, e.g. whether those involved in these kinds of trainings conceive of political negotiations as different from those in other contexts. One might also develop a survey that asks participants several months after political negotiation trainings to rate how these trainings have changed their negotiation performances. Third, I do not discuss how and to what extent the media or other stakeholders affect political negotiations and, more specifically, how they tend to evaluate negotiations performances. Journalism scholars and negotiation researchers might team up to develop recommendations for media professionals on how to deal with potential disincentives in political negotiations and examine how journalists could and should appraise negotiation performances.

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Chapter 5: Frieden ist Verhandlungssache: Die Rolle von Mindsets und Werten bei der Lösung gewalttätiger Konflikte

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Schlagwörter

Konflikt, Frieden, Verhandlung, Mindset, Werte

Teaser/Zusammenfassung

Für gewaltsame Konflikten gibt es viele mögliche Erklärungen - wir diskutieren zwei davon. Die erste ist eine psychologische Orientierung, die Menschen unter Anderem dazu bringt, Verhandlungen als Nullsummenspiele wahrzunehmen, ihnen mit Angst oder Aggression zu begegnen und nicht bereit dazu zu sein, sich vertrauenswürdig zu verhalten (distributives Mindset). Daher beginnen Verhandlungen häufig erst gar nicht oder sie scheitern bald. Die zweite Ursache ist, dass es in politischen Konflikten neben Interessen häufig auch um Werte geht. Dadurch ist die Identität der Verhandelnden betroffen und ein besonders hohes Eskalationspotential entsteht.

Haupttext

Gemäß Ury, Brett und Goldberg (1988) gibt es drei Wege um Konflikte zu lösen. Der erste besteht im *Einsatz von Macht*. Als Quelle von Macht kann hierbei beispielsweise ökonomische oder militärische Stärke dienen, aber auch „weichere“ Faktoren wie etwa ein starkes Partner-Netzwerk oder rhetorische Fähigkeiten. Der zweite Weg bezieht sich auf den *Einsatz von Recht*, dessen Umsetzung von öffentlichen Exekutiv-Institutionen gewährleistet wird. In internationalen Friedenskontexten lässt sich dieses Mittel allerdings nur begrenzt einsetzen, da die relevanten Institutionen häufig zu schwach sind, um Recht gegen etwaigen Widerstand durchzusetzen. Der dritte Weg Konflikte zu lösen besteht in *Verhandlungen*. Da dieser Weg die Interessen der Akteure in den Mittelpunkt stellt, ist es über ihn - im Gegensatz zu den anderen beiden Wegen - in der Regel möglich, „den Kuchen größer zu machen“, d.h. Einigungen zu finden, die mehr Wert schaffen als Nullsummenspiele. Vielleicht haben Sie einmal die Aussage gehört (die verschiedenen Urhebern zugeschrieben wird) „Alle Kriege enden mit Verhandlungen. Warum also nicht gleich verhandeln?“.

Ja, warum bekämpfen sich Staaten, ethnische und religiöse Gruppen anstatt sofort zu verhandeln? In der Literatur gibt es hierfür zahlreiche Erklärungsansätze, etwa aus den Feldern Psychologie, Soziologie, Politikwissenschaft, Ökonomie, Geschichte oder Militärwissenschaft. In der Psychologie werden z.B. kognitive Verzerrungen wie die reaktive Abwertung (Ross & Ward, 1995) diskutiert, und auch gruppenpsychologische Phänomene, wie die, etwa der im Rahmen der Integrated Threat Theory beschriebenen, Angst vor Fremden (diskutiert im In-Mind Magazin z.B. von Schumann, 2010). In diesen Beitrag skizzieren wir zwei bisher weniger diskutierte

Erklärungsansätze, das distributive (und integrative) Mindset sowie Wertkonflikte. Zudem diskutieren wir diesbezügliche Handlungsempfehlungen.

Das distributive Mindset und sein Rolle in Konflikten

Die Verhandlungswissenschaft ist interdisziplinärer Natur und wird hauptsächlich von Forschenden aus den Bereichen Psychologie, Management, Recht und Politik betrieben. In der Psychologie haben erste Studien gezeigt, dass sich Mindsets auf Verhandlungsergebnisse auswirken (u.a. Trötschel, Hüffmeier, Loschelder, Schwartz, und Gollwitzer, 2011 sowie Harinck und De Dreu, 2008). Gemäß Rucker und Galinsky (2016) lässt sich ein Mindset als eine psychologische Orientierung verstehen, die kognitive, emotionale und motivationale und Prozesse von Menschen prägt. Mindsets wirken sich also darauf aus, wie Personen an bestimmte Situationen herangehen: was denken und fühlen sie dabei und wozu sind sie angetrieben?

Gemäß Ade, Schuster, Harinck und Trötschel (2018) gehen Personen mit einem distributiven Mindset an Verhandlungen so heran, als handele es sich dabei um Nullsummenspiele. D.h. sie gehen davon aus, dass zusätzlicher Nutzen für eine Verhandlungspartei stets auf Kosten einer anderen Partei entsteht ("Fixed-Pie Bias", diskutiert z.B. von Thompson und Hastie, 1990). Menschen mit einem distributiven Mindset neigen zudem dazu, auf Positionen zu fokussieren anstatt auf Interessen, und ihre Gegenüber schnell in polarisierte Kategorien wie „Freunde“ oder „Feinde“ einzuteilen. Des Weiteren misstrauen sie ihren Gegenübern häufig und sind nur begrenzt dazu bereit, sich selber vertrauenswürdig zu verhalten. Haben sie das Gefühl mit Feinden zu verhandeln, empfinden sie Angst und/oder Angriffslust. Auf Angst reagieren sie häufig mit dem Versuch, die Verhandlung kurz zu halten oder ganz zu vermeiden („Flucht“) und Angriffslust bringt sie dazu, sich kompetitiv zu verhalten („Kampf“).

Das distributive Mindset ist in politischen Kontexten auf mittlere und lange Sicht selten die beste Lösung, denn politische Verhandlungen bieten meist Möglichkeiten, Wert zu schaffen. So können Kriegs-Parteien beispielsweise davon profitieren, prioritätsbasierte Zugeständnisse auszutauschen, indem sie etwa Gefangene austauschen. Hierbei ist der Wert, den eine Partei durch die Freilassung eigener Anhänger erhält, häufig größer als der Wert, den sie durch die eine anhaltende Inhaftierung von Anhängern der Gegenpartei schaffen könnte. (Wie man in Verhandlungen Wert schafft, haben im In-Mind Magazin z.B. Warsitzka, Ade und Trötschel, 2018, umfassender beschrieben). Zudem führt das distributive Mindset von Verhandelnden häufig dazu, dass Konflikte eskalieren - unter bestimmten Bedingungen können aus politischen Konflikten gewalttätige ökonomische oder militärische Handlungen entstehen. Während Verhandelnde mit einem distributiven Mindset somit häufig weniger effektiv sind wenn sie verhandeln, hat diese psychologische Orientierung für sie noch einen zweiten Nachteil. Dieser liegt darin, dass sie Verhandlungen seltener beginnen als dies für sie vorteilhaft wäre. Das heißt, dass für beide Parteien vorteilhafte Einigungen auch deswegen nicht zu Stande kommen, da sich die Parteien erst gar nicht gemeinsam an einen Tisch setzen. Der Grund dafür ist, dass sie fürchten, in Verhandlungen schmerzhafte Zugeständnisse machen zu müssen.

Wertkonflikte - häufig heißer als Interessenkonflikte

Wie etwa Harinck und Kollegen beschreiben (Harinck & Druckman, 2017; Harinck & Ellemers, 2014, Harinck & Van Kleef, 2012), lassen sich Konflikte, die durch Verhandlungen zu lösen sind, in Interessenkonflikte und Wertkonflikten unterteilen. Während es in

Interessenkonflikten um die Verteilung knapper Ressourcen, wie etwa Territorium, Geld, oder Einfluss geht, drehen sich Wertkonflikten um soziale und religiöse Normen, Glaubenssätze, Ideale oder Gerechtigkeitsvorstellungen. Gemäß Harinck und ihren Kollegen neigen Menschen dazu, sich in Wertkonflikte tiefer hineingezogen zu fühlen als in Interessenkonflikte, zudem empfinden sie Wertkonflikte als gefährlicher. Dies hat damit zu tun, dass wir andere, die unsere Werte nicht teilen, tendenziell so wahrnehmen als würden diese einen wesentlichen Bestandteil von uns abwerten. Teilweise mag es uns dabei sogar so vorkommen, als hielten die anderen uns für einen "schlechten Menschen", was häufig eine schmerzvolle Erfahrung ist. Während es uns in Interessenkonflikten teilweise so vorkommen kann, als sei unser Gegenüber eine Gefahr für unsere Ressourcen (also etwa unser Geld), kann es uns in Wertkonflikten häufig so vorkommen, als seien andere eine Gefahr für unsere Identität. In diesen Fällen nehmen wir es häufig so wahr, als würde unser Kern angegriffen: wer wir sind, für was wir stehen, und die konstruierte Welt, in wir zu Hause sind.

Wie genau Wertkonflikte auf Menschen anders wirken als Interessenkonflikte beschreiben Harinck und Van Kleef (2012) in einer Laborstudie. Die beiden Forscher zeigen darin, dass Teilnehmer in Interessenkonflikten dazu neigen, auf von ihrem Gegenüber gezeigtem Ärger mit Zugeständnissen zu reagieren und somit etwa beim Preis eines Verhandlungsgegenstands nachzugeben. In Wertkonflikten ist das Gegenteil der Fall: Teilnehmer, die mit verärgerten Gegenübern konfrontiert wurden, empfanden das ihnen gegenübergebrachte Verhalten als unfair und reagierte häufig mit Vergeltung und Eskalation. Anstatt wie in Interessenkonflikten nachzugeben, reagierten sie in Wertkonflikten auf das gleiche Verhalten somit gegenteilig. Einen weiteren Einblick in die Psychologie von Wertkonflikten liefern Stöckli und Tanner (2014) in einer anderen Laborstudie. Sie argumentieren, dass Menschen in Wertkonflikten tendenziell lieber einfache Kompromisse machen, als etwa über das Konzept des oben erwähnten präferenzgeleiteten Austausch von Zugeständnissen den Kuchen größer zu machen.

Warum wird also nicht gleich verhandelt?

Eine mögliche Erklärung für die Tatsache, dass Parteien gewaltsamer Konflikte Verhandlungen häufig erst zu einem späten Zeitpunkt (wieder-)aufnehmen, ist, dass die Menschen, die diese Parteien führen, ein distributives Mindset haben. Eine zweite Erklärung für die Gewalt, die Parteien häufig ausüben bevor sie sich am Verhandlungstisch auf Frieden einigen, könnte darin zu finden sein, dass es in den betreffenden Konflikten nicht nur um Interessen, sondern auch um Werte geht. Durch die wahrgenommene Kritik an den eigenen Werten und dem damit häufig verbundenen Gefühlt, dass seine Identität angegriffen wird, neigen Menschen wie erwähnt dazu, Konflikte zu eskalieren. Deswegen scheinen die anderen beiden am Anfang dieses Texts genannten Alternativen zu Verhandlungen - der Einsatz von Macht und Recht (Ury, Brett und Goldberg, 1988) - häufig im Vergleich attraktiver. Während Nachbarschaftsstreitigkeiten zwischen Individuen nicht selten vor Gericht ausgetragen werden, entstehen zwischen Staaten, auch aufgrund der relativen Schwäche internationaler Institutionen, nach wie vor immer wieder ökonomisch oder militärisch ausgetragene Konflikte. Wie viele solcher nicht-friedlicher Beziehungen es aktuell auf unserem Planeten gibt, hängt stark von der Definition der Begriffe Frieden, bewaffneter Konflikt und Krieg ab, die man verwendet.

Bisherige Lösungsansätze und zukünftige Forschung

Den besonderen Herausforderungen, die sich in Konflikten aus distributiven Mindsets und betroffenen Wertebenen ergeben, steht die Friedenspsychologie nicht machtlos gegenüber. Auf

Basis der Erkenntnisse der bisherigen Forschung zu Wertkonflikten geben Harinck und Ellemers (2014) beispielsweise bereits drei Tips für Verhandelnde. Diese lauten:

1. Zeige keinen Ärger. Denn dadurch könnte der Konflikt (wie weiter oben diskutiert) eskalieren.
2. Drücke deinem Gegenüber Wertschätzung aus - sage also z.B., was dich trotz der inhaltlichen Verschiedenheiten an der anderen Partei beeindruckt und wo sie etwa als Vorbild für dich dienen kann. Auch wenn dies in Wertkonflikten besonders schwer fallen mag, lassen sie sich dadurch häufig deeskalieren.
3. Gehe einfache Kompromisse, anstatt zu versuchen, über den prioritätengeleiteten Austausch von Zugeständnissen Wert zu schaffen. Wie oben erwähnt, unterscheiden sich Wert- und Interessenkonflikte in diesem Punkt.

Die Liste dieser Tips für das Verhalten in Wertkonflikten ließe sich durch friedenspsychologische Forschung noch wesentlich weiterentwickeln beziehungsweise durch zusätzliche Forschung überprüfen. Zudem können Friedenspsychologen nicht nur durch Forschung zur Deeskalation und Lösung von gewalttätigen Konflikten beitragen. Es ist generell auch möglich, dass sie Entscheider in diesen Konflikten trainieren und coachen.

Bezüglich des Umgangs mit distributiven Mindsets skizzieren Ade und Kollegen (2018) erste Ideen für ein Trainingsprogramm, welches das Ziel hat, distributive in integrative Mindsets umzuwandeln. Wie die Autoren beschreiben sehen Personen mit einem integrativen Mindset sehen Verhandlungen als Chancen an, Wert zu schaffen und die Beziehung zwischen den Parteien konstruktiv weiter zu entwickeln. Das integrative Mindset zeichnet sich hierbei vor allem durch drei Neigungen aus: eine kollaborative (collaborative inclination), eine neugierige (curious inclination) und eine kreative (creative inclination). Die *kollaborative Neigung* bringt sie dazu, auch auf schwierige Verhandlungsparteien so zuzugehen, als seien es Partner in einer gemeinsamen Suche nach wertschaffenden Lösungen. Sie sehen diese Partner somit als fähig an, zu dieser Suche etwas Wichtiges beizutragen. Die *Neigung zu Neugier* bringt Verhandelnde dazu, möglichst viel über die Interessen, Sichtweisen und Ideen ihrer Gegenüber sowie der anderen Parteien zu erfahren und zu analysieren. Neugierige Verhandelnde stellen somit viele Fragen, und hören aufmerksam zu. Zudem achten nicht nur auf verbale Signale ihrer Gegenüber, sondern nehmen auch über Körpersprache, Mimik, oder Stimmlage vermittelte Informationen auf. Die *kreative Neigung* bringt Verhandelnde dazu, auf Basis ihrer durch Neugier gewonnenen Einsichten gemeinsam mit ihren Gegenübern an Vielzahl an Einigungsoptionen zu schaffen. Hierbei ziehen sie auch unkonventionelle Ideen in Betracht und entwickeln diese spielerisch weiter, bevor sie sich schließlich gemeinsam für eine Option entscheiden. Ein vielversprechender Ansatz für die Friedenspsychologie könnte es sein, näher zu erforschen, wie sich Mindsets in Trainings, Coachings und anderen Interventionen ändern lassen und welche Alternativen zu dem distributiven Mindset hierbei besonders friedensfördernd sind.

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Appendix 1: Refugees and the PPC

A multi-party negotiation role-play by Valentin Ade and Mark Young

The Peace and Prosperity Confederation (PPC) is an economic and political union of three countries: Blue, Green, and Orange.

General background of the PPC

The PPC was founded 10 years ago and is already considered a success story by most observers. Since its founding, trade between the three countries has grown by 50%. During the first five years of its existence, political relations between the three members improved steadily. Then, however, a global economic crisis hit the PPC, and it lasted for three years. During this time, Blue, Green, and Orange went through severe recessions, and unemployment rates in the Confederation nearly tripled. Since the end of the crisis, all the member economies have recovered to their pre-crisis GDP levels, but the political relations between the countries are now not as good as they used to be. The crisis seems to have had an adverse effect on the common identity and the shared vision of the Confederation.

Before the economic crisis, most PPC citizens believed that no major economic or political problem could ever harm the Confederation, but this assumption is clearly now in question. Currently even some of the old animosities that had existed between Blue, Green, and Orange for centuries are resurfacing. In all three countries, minority parties have emerged which question the legitimacy of the political foundations of the PPC.

Current Challenges

Geographically, the PPC is an island surrounded by a large lake. Some 40 kilometers off the PPC's shores is a country called Transit. Transit shares a direct border with several other countries beyond the PPC, some which have been entrenched in a long war. This war has been characterized by atrocities, epidemics, and famines. Every day, about a thousand people escape from these countries and cross the border to Transit, where they find shelter in refugee camps. It is unclear when and how these refugees will be able to return to their home countries.

Most refugees dream of a life in exile or even a permanent resettlement in the economically strong PPC, and 700,000 have already successfully crossed the lake. Most of those who did so used small boats for the crossing, and some 7,000 people have drowned in this process. To end this tragedy—and to prevent further uncontrolled immigration—the PPC decided to block lake access to its territory one month ago by sending a fleet of military ships that escort refugee boats back to Transit (with Transit's consent). Over one million refugees are currently stranded in Transit, and 90% have plans to make it over to the PPC during the next 12 months. At least 600,000 new refugees are also expected to enter Transit in this period due to recent battles in the war zone. It remains unclear just how the influx of refugees to Transit will develop in the next years. Experts estimate that the conflict between the neighboring countries might not be resolved for several years, a situation that is likely to only exacerbate the growing refugee problem.

Since the military mission by the PPC started one month ago, the growth of the refugee population in Transit has also increased tensions in the refugee camps. The only way to prevent riots was to promise that the PPC would hold a refugee summit and agree on a new immigration and asylum policy. Most observers agree that it is very likely that severe riots will erupt if the summit fails to result in a resolution that gives some form of hope to the refugees currently waiting in Transit. These riots might well lead to hundreds of deaths and injuries. The governments of Blue, Green, and Orange have further committed themselves to achieving such a resolution. The failure to reach this kind of agreement would also represent a massive loss of face for the governments and their representatives. It is even possible that the media will hold government representatives personally accountable for the riots if the summit indeed ends with no resolution. These kinds of developments could be further exploited by the minority parties that have questioned the legitimacy of the PPC.

Today's Summit

Today, Blue, Green, Orange, and Transit are due to meet for this highly-anticipated refugee summit. In addition to these four parties, the summit organizers have invited representatives of the media ("Media") and of an influential religious group ("Our Conscience") to be part of the summit. The goal of the summit is for the three PPC members to agree on a resolution providing specific details concerning the following five issues:

1) **Refugee cap**: Will the PPC establish an upper limit for the total number of additional refugees that the Confederation will allow to enter its territory, and if so, what is the limit?

2) **Allocation formula**: Will the PPC establish a binding allocation formula, one that states which percentage of the additional refugees are to be hosted by each of the three member states?

3) **Protecting lives of refugees on the lake:** Will the PPC seek to prevent further tragedies, for example sending ships that rescue refugees or that accompany refugee boats across the lake?

4) **Financial support**: How much money will the PPC offer Transit to cover the costs of running camps for refugees in transit or for providing housing and jobs to refugees who want to stay in Transit until they will be able to go back to their home countries? What does the PPC expect from Transit in return for this financial support?

5) **Value Statement**: A declaration of principle describing how the PPC intends to deal with refugees and immigrants in the future, including an explicit articulation of the values on

which the PPC's immigration and asylum policy will be based. This statement is likely to be too vague in order to be binding. Still, observers assume that it may have a significant influence of the long-term development of the PPC.

Resolution will only be passed if all three parties unanimously agree on a resolution including specific formulations concerning each of the five issues listed above. The parties may decide to add new issues.

No agreement on a possible re-distribution of the refugees that have already arrived in the PPC is necessary, as all member countries accept the status quo, at least for now.

Summit Schedule

Round One (100 minutes)

- Preparation (60 minutes): Blue, Green, Orange, and Transit hold preparatory team meetings. All of these countries may choose to invite representatives of the Media or Our Conscience to their meetings.

- Voting Round 1 (broadcasted by international TV stations, 10 minutes):
    - The Media are granted three minutes to comment on the current situation.

  - Blue, Green, Orange, and Transit are each accorded a two-sentence statement. Blue, Green, and Orange present their vote on Resolution Draft 0.
  - Our Conscience is allocated tree minutes to hold a spontaneous speech commenting on the emerging results of the summit.

- Negotiation/Drafting Phase 1 (30 minutes): Resolution Draft 1 is written by Green.

Round Two (40 minutes)

- Voting Round 2 (broadcasted by international TV stations, 10 minutes):
  - Three minutes: Resolution Draft 1 is presented using a data projector and read out loud by the authors.
  - The Media are granted three minutes to comment on the new proposal.
  - Blue, Green, Orange, Transit, and Our Conscience are each allowed to make a two-sentence statement. Blue, Green, and Orange present their vote on Resolution Draft 1 in this statement.
  -
- Negotiation/Drafting Phase 2 (30 minutes): Resolution Draft 2 is written by Orange.

Round Three (55 minutes)

- Voting Round 3 (broadcasted by international TV stations, 10 minutes):
  - Three minutes: Resolution Draft 2 is published via data projector and read out loud by the authors.
  - The Media are granted three minutes to comment on the new proposal.
  - Blue, Green, Orange, and Transit are each allowed to make a two-sentence statement. Blue, Green, and Orange present their vote on Resolution Draft 2 in this statement.

- Negotiation/Drafting Phase 3 (45 minutes): Resolution Draft 3 is written by <u>either Blue, Green, or Orange</u>.

Round Four (15 minutes)

- Final Voting Round (broadcasted by international TV stations, 15 minutes):
  - Five minutes: Resolution Draft 3 is published via data projector and read out loud by the authors. There is a final round of voting. If no unanimous decision is made, the summit ends without a resolution.
  - The Media are granted the remaining time to comment on the situation and evaluate the behavior and achievements of all other five parties.

Total time of simulation: 3:30 hours.

Publicly Known Background of the Six Parties

Blue:

- GDP per capita (PPP): 60,000 money units

- Population: 100m

- Current percentage of migrants (including refugees): 10%

- Current number of refugees hosted: 500,000

- Many observers consider Blue the main architect of the PPC. The country is in particular interested in the long-term development of the Confederation

- Political situation

- Socially and economically liberal government that champions a universal right to asylum for war refugees and that identifies with and promotes the values of Our Conscience regarding the importance of a "generous welcome."
- Population so far mainly backs the government's general and immigration policies.
- 30% of population identify as members of Our Conscience.
- The next government elections are two years from now, with good chance for the incumbent party to hold on to power if it can appear strong and lead the PPC in the current refugee crisis by promoting clear value-oriented policies. In a recent speech, the

head of state said "Human dignity is sacrosanct and that is something that we regard as self-evident not only for people who happen to currently be on Blue territory. It is also sacrosanct for people in danger in other places in the world!"

Green:

- GDP per capita (PPP): 50,000 money units

- Population: 100m

- Current percentage of migrants (including refugees): 20%

- Current number of refugees hosted: 150,000

- Political situation:

- Economically liberal government that supports the immigration of highly skilled workers but that does not see economic benefits of hosting refugees.
- Population mainly concerned with the economic situation, and low-skilled refugees tend to be seen as a financial burden. Still, 70% of citizens identify as members of Our Conscience.
- The next election will be in three years. The current head of government is struggling to maintain the support of the population. She wants to show strength during the summit and return with a good deal.

Orange:

- GDP per capita (PPP): 40,000 money units

- Population: 70m

- Current percentage of migrants (including refugees): 3%

- Current number of refugees hosted: 50,000

- Political situation

  - Conservative, anti-asylum and anti-immigration government
  - The main focus of the population and government is on economic growth. The population does not see any economic benefits – but lots of costs – of hosting refugees. 80% of the population identify as members of Our Conscience.
  - The next election is in two months. The president is currently in a neck-to-neck race with an even more conservative rival and wants to stay in office. She believes that showing strength at the summit will help get her reelected.

Transit:

- GDP per capita (PPP): 20,000 money units
- Population: 100m
- Current percentage of migrants (including refugees): 5%
- Current number of refugees hosted: 1,000,000
- Political situation: Transit faces serious budget problems if it maintains the current level of support for the refugees. The country has therefore asked the PPC to shoulder this burden, ideally by paying 0.5% of the overall budget of this supranational body. It argues

that all the refugees come to Transit with the sole purpose of continuing their way to the PPC and that Transit hence should not bear any costs for hosting them.

Media:

- Participant largely trusted and respected.
- It has a strong influence on the public opinions in Blue, Green, and Orange and a significant indirect impact on the countries' governments. Also, it has good relations with Our Conscience.
- It has a weak to medium influence on the public opinion in Transit and a weak indirect influence on the country's government.

Our Conscience:

- Over the last centuries, it used to be a very influential authority in Blue, Green, and Orange.
- Now, its public role has been diminished, but it still has a substantial influence; some of the leading parties of PPC include the group's name in their party title.
- Lately, it has begun to use its moral authority to influence policy decisions.
- Because its membership has been decreasing, it seeks to raise its profile.
- Strong focus on values (generosity and welcome) and good relations with the Media
- Wants a right to asylum for all war refugees and wants the general public to show sincere respect for these disadvantaged people.
- Still fairly wealthy but has never made a financial contribution to governments.

<u>Resolution Draft 0 (presented by Blue)</u>

1) **Refugee cap**: No such cap will be introduced. Reason: It is the moral responsibility of each country to grant asylum to all refugees who qualify for it.
2) **Allocation formula**: Each country is to accept as many refugees as its total GDP represents proportional to the cumulative GDP of the PPC.
3) **Safeguarding the boat trip:** Our responsibility as humans is inconsistent with letting people drown in front of our eyes. Therefore, all refugees seeking to cross the lake by boat will be accompanied by Red Cross ships.
4) **Financial support**: Transit will be reimbursed by the PPC for its expenses up to 0.1% of the budget of this supranational body.
5) **Values statement**: "PPC is a union that is based on strong common values, a common political vision, and a common market. As a socially conscious actor, it will always help those people whose lives are in danger and always accept all war asylum seekers who qualify for it."

Confidential Information for Blue

- In terms of total GDP, Blue is by far the biggest country of the PPC. It is important for your government to show that it can translate this economic advantage into political power. You are the de facto leader of the Confederation and you are willing to assume this responsibility!

- You are aware that reaching a unanimous decision with the other PPC partners will be as difficult as it is imperative. If necessary, you are willing to make concessions with regard to all of your positions but keep in mind that each concession may hurt you domestically and lead to your political demise.

- For you, the value statement is the most important issue in the current resolution draft. This is because you believe that of all issues this statement will have the strongest impact on the long-term development of the PPC. And you are very much long-term oriented. Therefore, you are willing to make concessions concerning short-term issues (that is all other issues besides the value statement), in particular if you can in return convince the other parties to agree on a value statement that is <u>even more comprehensive and explicit</u> than the current formulation.

- Nearly as important as the value statement (and more important than the other issues) is that the refugee boats are tracked to make sure that no refugees drown in the case of accident.

- You learned in a briefing from your advisors that Our Conscience is likely to be a crucial partner for you as you negotiate with Green and Orange.

- The public's perception of this summit will not only depend on the substance of the resolution (if there is one), but also on how you and the Media communicate your performance. Hence, you want to convince the Media that your interests are legitimate and that you are true to your values. Ideally, you will win the Media as your ally. It would be of great value for you if the Media praised you publicly for your performance during this summit.

- The perception of the summit will also depend on how you present your party during the broadcasted Voting Rounds. So you will want to make sure that your statements are on target. Also, your citizens will be grateful if you don't embarrass them by getting rebuked for showing up late to these meeting or for speaking too long ☺

Confidential Information for Green

- You are aware that reaching a unanimous decision with the other PPC partners will be as difficult as it is imperative. If necessary, you are willing to make concessions with regard to all of your positions but keep in mind that each concession may hurt you domestically and lead to your political demise.

- Your population is quite skeptical concerning the overall benefits of the PPC. You must appear strong and avoid playing into the hands of skeptics.

- Keep in mind that Blue is the strongest member of the Confederation (in terms of GDP) and may be able to help you, especially in informal negotiations.

- You believe that if additional refugees are allowed to enter the PPC, their boats should be accompanied by Red Cross ships to make sure that no one drowns in the case of an accident. This is the most important resolution issue for you.

- The public's perception of this summit will not only depend on the substance of the resolution (if there is one), but also on how you and the Media communicate your performance. Hence, you want to convince the Media that your interests are legitimate and that you are true to your values. Ideally, you will win the Media as your ally. It would be of great value for you if the Media praised you publicly for your performance during this summit.

- The perception of the summit will also depend on how you present your party during the broadcasted Voting Rounds. So you will want to make sure that your statements are on target. Also, your citizens will be grateful if you don’t embarrass them by getting rebuked for showing up late to these meeting or for speaking too long ☺

Confidential Information for Orange

- In terms of total GDP, Orange is the smallest country of the PPC. It is important for your government to show that this does not mean that Orange is any way politically less powerful than Blue and Green. Stand up for your interests!

- You are aware that reaching a unanimous decision with the other PPC partners will be as difficult as it is imperative. If necessary, you are willing to make concessions with regard to all of your positions but keep in mind that each concession may hurt you domestically and lead to your political demise.

- It is your general goal that your government wins the upcoming elections (two months from now). You believe that in order to reach this goal you need to convince Blue and Green to agree that your country has to accept as few refugees as possible. You are in particular willing to make concessions concerning long-term issues (such as the value statement) if you can pursue this main goal of you.

- You government has been alarmed by the recent statements by and unexpected political ambitions of Our Conscience, an organization that you and your population very much respect. You feel that Our Conscience needs to fully respect your country's sovereignty and to focus its activities on charity and social work. You want to use an early opportunity at the summit to communicate your position in this respect.

- Unfortunately, you not only heavily depend on the Confederation for economic support, but also for political and military solidarity.

- The public's perception of this summit will not only depend on the substance of the resolution (if there is one), but also on how you and the Media communicate your performance. Hence, you want to convince the Media that your interests are legitimate and that you are true to your values. Ideally, you will win the Media as your ally. It would be of great value for you if the Media praised you publicly for your performance during this summit.

- The perception of the summit will also depend on how you present your party during the broadcasted Voting Rounds. So you will want to make sure that your statements are on target. Also, your citizens will be grateful if you don't embarrass them by getting rebuked for showing up late to these meeting or for speaking too long ☺

Confidential Information for Transit

- You have no vote at this summit, but it is clear that the members of the PPC greatly depend on you in a number of ways. You have negotiation power!

    - Any change of your funding of the existing refugee camps in Transit directly influences the health and security situation in the camps and hence also the flow of refugees bound for the PPC. Hence, your funding decisions may indirectly influence the extent and form of pressure that citizens of the PPC are likely to exert on their governments.
    - You could, at any point, deny PPC ships maritime access to your lake territory.
    - You could also reduce the number of refugees from the war areas that you allow into your country. If the PPC does not want to allow everybody in, why should you? This measure may reduce refugee inflow into the PPC in the short term, but could also well led to criticism of inhumane treatment and policies towards refugees by your government.

- You have no particular relationship with Our Conscience. You do not, however, have any particular problem with its values.

- If you have an idea that could be used to make the pie bigger, it may be good to present this idea to the PPC countries and propose adding it to the resolution.

- The public's perception of this summit will not only depend on the substance of the resolution (if there is one), but also on how you and the Media communicate your performance. Hence, you want to convince the Media that your interests are legitimate and that you are true to your values. Ideally, you will win the Media as your ally. It would be of great value for you if the Media praised you publicly for your performance during this summit.

- The perception of the summit will also depend on how you present your party during the broadcasted Voting Rounds. So you will want to make sure that your statements are on target. Also, your citizens will be grateful if you don't embarrass them by getting rebuked for showing up late to these meeting or for speaking too long ☺

Confidential Information for The Media

- Certainly, the refugee crisis has taken on terrible proportions, and it is your responsibility to draw attention to this problem and to inform the general public of the plight of refugees. You do not want to gloss over this situation. At the same time, this crisis clearly also represents an opportunity for you to increase your political power and market penetration.

- How you frame any agreement will have a major effect on whether and how it is accepted by the general population in the home countries.

- You have, and, to a certain extent, depend on, good relations with Blue, Green, and Orange. However, your relationship with the government of Transit is tense, which greatly limits your ability to work effectively in that country.

- If you have an idea that could be used to make the pie bigger, it may be good to present this idea to the PPC countries and propose adding this to the resolution. For instance, you might question the attitude that currently refugees seem to be seen as a problem for their host countries, rather than an opportunity. Also, you might try to raise the other parties' awareness of the situation in the war zone. Maybe the resolution could also address the reasons that the refugees have for leaving their home countries ("root causes")?

- The public perception of your performance at the summit will not only depend on the substance of the resolution (if there is one), but also how professional your present yourself during the broadcasted Voting Rounds so you will want to make your statements be on target. Also, you will to ensure that you don't get publicly rebuked for showing up late to these meeting or for speaking too long - this might look embarrassing and people might start to question your legitimacy.

- Note from the authors: While the PPC countries can use formal power in the negotiations, your power is of an informal nature. During past trainings in which this exercise was used, some teams that played The Media have been very effective in using this power.

<u>Confidential Information for Our Conscience</u>

- In your view, the current refugee crisis represents the biggest humanitarian crisis that the PPC members and Transit have seen in the last 50 years. Given that much of the population of the PPC are members of your religious group, it is difficult for you to accept that the governments – expect maybe Blue's – seem to prioritize their economic interests to an extent that they behave in ways inconsistent with the values that you share.

- More specifically, you are concerned with the current positions of Orange. You want to use an early opportunity at the summit to communicate this to them.

- You believe that at the summit, you are most likely to be able to influence the text of the value statement and therefore this text is your main priority. One of your two main goals at the summit therefore is to effectively lobby for a value statement that is <u>more comprehensive and explicit</u> than the formulation in the current draft.

- Preventing further casualties, that is, refugees drowning in the lake, is your other main goal.

- You do not have any particular relation with Transit and nearly no citizens of this country are members of your religious group. You still believe that Transit might become an ally. Support for human rights might be a possible issue to find common ground.

- Despite the tragic dimensions of the refugee crisis, it clearly is also an opportunity for you to attract new members, to reassert your moral authority, and to become credible proponent for shared values such as human rights.

- You also have significant economic power (you are fairly wealthy), but have not had a chance to use it to date. You are not sure how you would do so.

- If you have an idea that could be used to make the pie bigger, it may be good to present this idea to the PPC countries and propose adding it to the resolution. For instance, you might question the attitude that currently refugees seem to be seen as a problem for their host countries, rather than an opportunity. Also, you might try to raise the other parties' awareness of the situation in the war zone. Maybe the resolution could also address the reasons that the refugees have for leaving their home countries ("root causes")?

- The public's perception of this summit will not only depend on the substance of the resolution (if there is one), but also on how you and the Media communicate your performance. Hence, you want to convince the Media that your interests are legitimate and that you are true to your values. Ideally, you will win the Media as your ally. It would be of great value for you if the Media praised you publicly for your performance during this summit.

- The perception of the summit also will depend on how you present yourself during the broadcasted Voting Rounds, so make sure that your statements are on target. Also, you will to ensure that you don't get publicly rebuked for showing up late to these meeting or for speaking too long - this might look embarrassing and people might start to question your legitimacy.

- Note from the authors: While the PPC countries can use formal power in the negotiations, your power is of an informal nature. During past trainings in which this exercise was used, some teams that played Our Conscience have been very effective in using this power.

Refugees and the PPC: Teaching Notes

Overview and Learning Goals

Refugees and the PPC is a six-party negotiation that illustrates central elements of multinational policy and crisis negotiations. It is set in an integrative, five-issue context and deals with both conflicts of interests and conflicts of values. If successful, students develop their ability to reach a sustainable and pie-extending agreement by

- identifying the differences in valuation of the negotiation issues that the six roles entail (logrolling),
- possibly adding additional issues in a creative way (adding issues),
- identifying compatible interests behind opposing positions (differentiating between positions and interests)
- betting on different expectations regarding future events (using integrative contingent contracts), and
- reaching a value-allocation that not only addresses the interests of the three countries that have a formal vote in the exercise's refugee summit but satisfies all involved parties.

Required student competencies

While a background in international or diplomatic affairs is beneficial, no prior knowledge is needed for participating in this exercise. In fact, our experience has shown that in particular groups without such a background enjoy this exercise as it allows them experience new roles.

Number of players and party set-up

The exercise can best be performed with 6 to 30 players. For larger groups we recommend to split them and hold several summits simultaneously.

Time Frame

Total time: 3:30 hours plus time for (de-)briefing (see instructions below for details). This time frame is ideal for student groups of 20 people. Generally, the larger the number of students taking part in the exercise, the longer it takes. This is due to the potentially extensive intra-team communication and negotiations that groups require.

Administration

Warm-up time: As the refugee summit is set in a fairly multidimensional context (at stake are interests and values, parties might try to gain strategic allies, there are several negotiation rounds, important stakeholders - for instance voters or representatives of the refugees - are not present, etc.) the information that the participants receive may need some time to sink in. Therefore, we recommend that facilitators

- ensure that the participants read at least the general instructions before coming to class
- show the geographic map of the PPC and Transit using a data projector before starting the first summit round

- dedicate some of the warm-up time for answering questions from the students.

Laptop computer and data projector: The resolution drafts are shown in the summit room using a data projector. The party that writes a new draft may elect to use this computer, or its own for typing their draft. This party may also decide to be alone in the main room during the drafting and hence is permitted to temporarily send some or all of the other parties out of the room.

Time-keeping: Time-keeping is critical for running the exercise smoothly and effectively. Especially the drafting processes can be time-consuming. To mitigate such delays, the instructors should point out to the participants that this summit simulation compresses a negotiation process into half a day that would in reality often take weeks or months. So a delay of the start of a PPC negotiation round of several minutes can be seen as an equivalent for a delay of hours or days of a real-world summit. In such a real-world summit - for instance at the UN - this might be regarded as very disrespectful to the other parties and raise questions about the general level of professionalism of the party that causes the delay.

To make this point in this exercise, the media is assigned the role of the time-keeper and tracks and publicly names delays. Any delay of the the voting rounds may have a severely negative effect on the reputation of the tardy party by citizens and international observers, come across as disrespectful to the refugees currently waiting in Transit, and hence further increase the risk of turmoil.

Passing on the (often unpopular) role of the time-keeper from the facilitators to the participants not only makes the exercise more realistic (as also at UN summits no hierarchically superior person keeps the time that potentially also grades the participants). It also frees the facilitators to focus their efforts more closely on observing the often fascinating negotiation processes of the students and answering their questions.

<u>Structural decisions to be made during the summit:</u> Instructors must make clear to the students that they will need to negotiate the following structural decisions:

- which team will write Resolution Draft 3
- which team member is to represent each party in each of the voting rounds (for each meeting, only one person can be selected as representative, and it does not need to always be the same one).

Debriefing

1. Preparation Matters. Review the preparation worksheets of the six parties. What assumptions were made about the others and did these turn out to be accurate? How did they check that? Did they anticipate levers and plan a negotiation strategy?

2. **Integrative Potential**. If the participants approach this exercise with a distributive mindset they will likely find a negative zone of possible agreements (ZOPA) and fail to a agree on a resolution. The exercise contains integrative potential that can be used by

- capitalizing on the differences in the valuation of negotiation issues (i. e. logrolling/using levers)
- adding issues (such as financial contributions by Our Conscience, an education program for refugees, or diplomatic/military actions regarding the war zone)
- identifying compatible interests behind opposing positions
- using integrative contingent contracts.

Here is an example of an analysis of the logrolling potential: The PPC refugee summit brings together parties that differ in their valuation of negotiation issues:

- **Blue:**
  - **Long-term Development of PPC/Resolution Issue Value Statement:** Blue is especially committed to the long-term development of the Confederation, and therefore particularly interested in adopting a strong and unequivocal Value Statement

- **Resolution Issue Protecting the Lives of Refugees on the Lake:** The issue with the second highest value for Blue is to protect the lives of refugees on the lake and ensure their immediate safety
- **Resolution Issue Refugee Cap:** Blue generally supports a universal right to asylum for war refugees and hence will be likely oppose any kind of refugee cap by individual countries

- **Green:**
  - **Resolution Issue Protecting the Lives of Refugees on the Lake:** If additional refugees are allowed to enter the PPC, the highest preference of Green is to protect the lives of the refugees on the lake and ensure their immediate safety
  - **Resolution Issue Refugee Cap:** Green's Government is not really convinced of the advisability of hosting low-skilled immigrants and hence is likely to support a refugee cap and an allocation formula that directs most asylum seekers to Blue and Orange

- **Orange:**
  - **Resolution Issue Refugee Cap:** Orange's main goal at the summit is ensure a very low cap for the number of additional refugees that are allowed to enter the PPC and especially their country. This is because the government fundamentally opposes asylum and immigration

- **Long-term Development of PPC/Resolution Issue Value Statement:** Long-term issues are less important to Orange as the current focus of the party is to help its government win the upcoming elections that will take place in two months from now. This weak long-term focus will make Orange less interested in the Value Statement and hence also less likely to oppose it

- **Transit:**
  - **Resolution Issue Financial Support:** The country seeks financial compensation for hosting the transiting refugees and also respect in general. Would like to be compensated with at least 0.5% of the overall PPC budget

- **Media:**
  - Takes its responsibility to inform the general public about the refugee crisis and its potential solution very seriously
  - Would like to increase its political power in any way possible
  - Seeks to maintain/develop good relations with all parties

- **Our Conscience:**
  - **Resolution Issue Value Statement:** The exact text of the Value statement and protecting the lives of refugees on the lake are the two highest-valued issues. This is because of OCs strong focus on values (generosity and welcome). There is therefore a strong coalition potential with Blue.

- **Resolution Issue Refugee Cap:** Wants a generalized right to asylum for all war refugees and wants the general public to show sincere respect for these disadvantaged people. Hence OC will lobby against Refugee Caps
- Would be happy to attract new members, also from any of the other parties
- Is fairly wealthy and ready to invest money to reach its goals

Due to the number of parties and issues and the need for a unanimous decision on a resolution draft, successful students will focus the negotiation on the most central integrative potential. For instance the following coalitions seem promising:

- Blue and Our Conscience value the Value Statement highly and will fight for maximum language; for Orange this issue is far less important, although Orange's interest in a good relationship with Our Conscience may make it willing to deal
- For Blue and Green the resolution issue protecting the lives of refugees on the lake is a shared interest. No other party really opposes this idea
- For Transit, the Resolution Issue Financial Support is paramount. Any other party with wealth (Blue, OC) may be willing to concede here. No other country has opposed this demand in principle so far

Based on this map of interests and levers, a final resolution might include

- a strong Values Statement (which would please Blue and Our Conscience)

- an agreement to protect the lives of refugees on the lake (which would in particular please Blue and Green)
- a refugee cap for Orange (e.g. as part of the allocation formula)
- an agreement on financial support for Transit that is mainly paid for by Blue and Our Conscience

The exercise allows for many additional agreements, depending on the particular interests that the parties identify in their planning. In the end it is all about the particular ways in which the parties interpret their roles, as well as the ideas they generate for creating additional value.

3. Consider the interests of third parties. It is critical in this exercise that the parties consider their own "home front" (i.e. their voters, members (Our Conscience), or customers (the Media), or partners) as well as any other actors beyond the six involved in the exercise. An agreement that depends on implementation by absent parties is inherently unstable. Encourage the students to make a list of who these third parties might be.

4. Think Systemically. Changing any term in any agreement ripples through the interests of all six parties, making multilateral negotiation infinitely more complex than bilateral. Did all parties think about all these effects?

5. Watch out for Potential Spoilers. Sometimes there are parties at the table whose only interest is to kill the agreement. Concessions made to such parties do not necessarily

advance the deal. Often a good strategy is to isolate them and prevent them from forming coalitions. Depending on the students who represent Orange interpret their role, this country may be potential spoiler. It is however also possible, that Orange actively presents itself as a potential spoiler only in order to increase its negotiation power in this way, as all parties know that the PPC Resolution has to be unanimous.

6. Build Coalitions. Before going to formal multilateral negotiation sessions, it is smart to find individual partners to support you on individual issues, then preventing a united front vis-à-vis the others. That is negotiation power.

7. Negotiating At the Table vs. Away from the Table. The students will quickly realize that the negotiation rounds are better suited for interest-based (and often confidential) negotiation as the voting rounds. This finding is often reported also from real world policy and crisis negotiations.

8. Question the Rules. Sequencing, ground rules and procedures can have a real effect on power. Even where you sit at the table matters. Did you question these assumptions and try to think “outside the box”?

9. Interests and values. Negotiations are often not only about interests but also about values. Certainly we are allocating scarce *resources*, such as time, money, or space but what about values, (e. g. justice, religion, social norms), are these negotiable? What role did

they play in today's discussion? Is it possible to successfully negotiate interests without compromising values?

Realize that values form the basis of socio-cultural identity, and create very different sources of conflict. Values often go deeper than interests and can make the parties feel particularly threatened.

When dealing with value conflicts, in addition to using traditional negotiations strategies and tactics, the following advice may be applied:

- Make it clear that you respect the other party's values even if you do not share them or if you are not willing to concede on yours
- Realize that not all values are central to identity and try to focus on the less crucial ones when seeking to make the other party concede
- Do not show anger because negative emotions may fuel the value conflict
- Silently affirm the other party by thinking about their strengths and dignity
- Compromise and show that you are willing to divide the pain equally.

Further proposed questions to be discussed in the debrief session.

- What kind of questions did you ask your counterparts? Why? Were they good questions and did they yield insights on interests?
- Which atmosphere did your negotiations have? What contributed to this?
- Were the negotiations only intellectually demanding or also emotionally?
- Did any behavior of one of your counterparties impress you in a particular way?
- What would you do differently next time?

- Which knowledge, skill or mindset that you have so far acquired in your negotiation training has helped you in particular (if any ☺)?
- (How) will you be able to apply what you have learnt in this exercise to a real world situation in your life?

Notes

Debriefing → 2. Integrative Potential: The listed differences that create integrative potential are taken from: Thompson, L. L. (2014). *The Heart and Mind of the Negotiator* (6th edition.) Saddle River: Pearson Prentice Hall.

Debriefing → 9. Interests and values: This section is partly based on: Harinck, F., & Ellemers, N. How values change a conflict. (2014). In: C.K.W. de Dreu (Ed.). *Conflicts Within and Between Groups: Functions, Dynamics, and Interventions* (19-36). Current Issues in Social Psychology. London: Psychology Press.

Appendix 2: Thai Solar Park

By Valentin Ade

Role of Senior Portfolio Manager at Renewable Energy Invest (Buyer)

Renewable Energy Invest's business model is to buy and operate renewable energy parks in Southeast Asia. It earns its money by selling the kilowatt hours (kWh) produced by the parks to utilities (that is, energy companies). Renewable Energy Invest is headquartered in Singapore and holds investment portfolios in wind, solar PV, solar thermal, and hydropower. You joined the company three years ago, and since then, you have assembled and led the team that buys solar PV parks. You love your job (despite the long hours at work), and you are happy that you will receive a raise and be given the new job title of vice president PV investments at the beginning of Renewable Energy's new fiscal year. Currently, your job title is senior portfolio manager.

Although Renewable Energy Invest is still one of the smaller solar investors in the region, you have led the acquisition of solar PV parks with a total capacity of 200 megawatt (MW), which equals a total investment of about 300 million Euros. On average, these parks are operating very well and generating returns that are higher than expected.

You believe that part of the success of your team is due to the experience that you had before joining Renewable Energy Invest. For 10 years, you worked for an international infrastructure giant, where you held several positions in strategy and finance. You have seen many projects go through several steps of their (often very comprehensive) life cycles, have learned what makes a project successful, and to anticipate problems.

Recently, you met a managing director of a company that builds and sells solar parks in Thailand. The company is called Solar EPC and is a medium-sized player in its market segment. The director gave you the prospectus for a very interesting 10 MW park in the region of Krabi in the south of the country. Construction of the park has just started. Due to the

special soil conditions at the site, construction is scheduled to be completed in four months. The managing director invited you to meet the leader of the project, who is also responsible for the sale of the park. The managing director implied that Solar EPC may have already spoken to other potential buyers concerning this project.

You generally approach these kinds of meetings without any sense of urgency. However, many of your competitors are making considerable investments in PV and have started to buy parks that are construction. Until recently, you only bought parks that were already in operation (producing and selling energy), hence fully planned, constructed, and connected to the electricity grid. To increase your chances of closing a deal on Krabi, you can imagine buying it while it is still under construction. In fact, if you negotiate a good price, the sooner you can sign a deal, the better. If you don’t buy the Krabi park, you will seek to invest the money in a similar park somewhere else in Southeast Asia. As far as you know, Solar EPC’s will be the first PV park in Krabi, so this is an opportunity to get into this regional market early.

To assess the risk-adjusted value of solar parks, investors consider a wide range of factors, such as the expected financial return, the level of risk of the investment, the impact of this risk on the investor’s total portfolio, and the potential of synergies of a deal with future investments. Regarding the financial return, the three main criteria you consider when evaluating solar parks are the purchase price of the park, the sales price that you can obtain for each kWh when selling it into the electricity grid, and the amount of kilowatt hours (kWh) the park is expected to produce each year.

The Specific Yield Report of a park indicates the annual amount of kWh that a park is expected to produce. The higher this yield, the more energy is expected to be produced. Investors therefore want to buy parks with a high yield (and a low price, low risk, etc.). The expected specific yield of a park is influenced by many factors, such as the park's size, its technology, and the expected amount of sunshine that will hit the park each year. The latter factor is influenced by the degree of latitude (which indicates how far north or south the park is located on the globe), the amount of cloud cover and air pollution, the altitude above sea level, and possible obstacles that may block sunlight from reaching the PV modules (for example trees or buildings). Every year, the volume of sunshine that a park receives varies by 2 percent on average. The Specific Yield Report that is included in the Krabi project description has a result of 1,500 kWh/kWp p.a.

Assuming that the specific yield of 1,500 in the prospectus is correct, you would be willing to pay up to 10.5 million Euros for the park (walk away price), if you could buy it soon. Your target price is 9.7 million Euros. These prices are based on discounted cash flow analyses that you have performed and would allow you to realize returns (in terms of internal rate of return (IRR)) of 8 to 11 percent, which is the range Renewable Energy Invest strives for in its investments. The date for the sale could be as soon as next week. The sale would become effective once Solar EPC has finished construction and the park has started operation. Of course, your goal is to pay as little as possible. By doing so, you can show that your salary increase and new job title are well deserved.

Your experience suggests that a potential pitfall concerning this deal might be the Specific Yield Report. In general, sellers of parks commission Specific Yield Reports from independent third-party engineering offices. There are a number of these service providers that have a reputation for preparing excellent, unbiased reports. For the Krabi park, a third party report is likely to cost 5,000 Euros. In this case however, the report included in Solar EPC's prospectus for the Krabi park seems to be "home- made" - composed by Solar EPC itself and not by an independent third-party. Therefore, the prospectus' estimate of 1,500 may be biased. For this reason, you will ask Solar EPC whether there is an independent third-party report. (You think it would be very unprofessional if Solar EPC hadn't commissioned an independent report.) In case no such third party report exists, you do have a problem, as ordering and receiving a new report would take around six weeks and if you do not close the deal soon, one of your competitors might buy the Krabi park based on the "home-made" report. Your experience tells you that the results of Specific Yield Reports that are home- made by parties trying to sell a park are often 5 to 20 percent too high. In contrast, the results of third-party reports are much more likely to be accurate. Hence, Solar EPC's "home-made" report does not provide much value to you. You believe that for each percent below 1,500 that a third-party estimates, the sales price should decrease 1.2 percent ("adjustment factor") in order to keep the rate of return equal. You understand that a higher adjustment factor would, other things being equal, increase your rate of return and hence be beneficial for you.

Contract

The Krabi park is sold for _______ Euros.

The sale will become effective__________________________________. Additional agreements:

Signature Project Leader at Solar EPC (Seller)

Signature Senior Portfolio Manager at Renewable Energy Invest (Buyer)

Role of Project Leader at Solar EPC (Seller)

You have been working for Solar EPC for six years, and you were very happy when you were promoted to the position of project leader two years ago. Now you have your dream job: You are responsible for the construction of large solar PV parks, including staff selection and sales. As an engineer, you love working with technology, but you have come to enjoy the human interactions that your work entails even more. Your company is based in Chiang Mai, a city in northern Thailand characterized by a friendly and laid-back population, and the projects you are working on are located all over the country.

Solar EPC has what is known as an "EPC" business model: it Engineers projects, Purchases the components, and Constructs the PV parks. The company then sells the PV parks to investors. Solar EPC is a medium-sized player in its market segment. Most of your buyers are investment companies that choose solar mainly for its financial returns. They do not use the energy that the parks produce themselves; they sell it to utility companies (energy companies). Investment companies base their decision to buy a solar park on three major criteria: the price of the park, the amount of kilowatt hours (kWh) the park is expected to produce each year, and the price they can charge clients for each kWh.

One of your teams is currently constructing a 10 megawatt (MW) park in the region of Krabi in the southern part of the country. Due to difficult soil conditions at the site, construction will take about four months. This park will be the first of this size in Krabi and as it has drawn the attention of local politicians and the media. You estimate that the total cost of the park (without overhead costs) will amount to 8.0 million Euros.

One step that you may still have to take is commissioning a third-party Specific Yield Report. Specific Yield Reports describe how many kWh a park is expected to produce per year. The higher the yield, the more energy will likely be produced. The

yield of a park is influenced by many factors, such as the park's size, the technology, and the expected amount of sunshine that will hit the park each year. The latter factor is influenced by the degree of latitude (which indicates how far north or south the park is located on the globe), the amount of cloud cover and air pollution, the altitude above sea level, or possible obstacles that may block sunlight from reaching the PV modules (for example trees or buildings). Every year, the volume of sunshine that a park receives varies by 2 percent on average. Because calculating the specific yield of a park involves making many assumptions, investors often require an independent third-party - normally a specialized engineering office - to compile the report. They believe that this way the yield estimate will be more reliable than the estimate of the construction company. You disagree. You think that if the buyer is going to trust your company to construct the park, the buyer should trust your company to estimate its yield. For this reason, you have not commissioned a third- party report. Your team did its own calculations estimating the annual yield of the Krabi park to equal 1,500 kWh/kWp. You think that this estimate is correct, and you are satisfied with this number. You included this report in the Krabi park prospectus that was sent to several potential investors. You believe that ordering and receiving a third-party Specific Yield Report would take around six weeks and cost about 5,000 Euros.

You will meet a representative of a company called Renewable Energy Invest. One of the managing directors of Solar EPC recently gave the Krabi prospectus to this person and told you that Renewable Energy Invest might be interested in buying the park. The job title of the person you will meet is senior portfolio manager, but it is not quite clear what the person's exact responsibilities are. The managing director said it would be good for you to give the representative of Renewable Energy Invest 30 minutes of your time.

Your director also said that assuming that the Yield Report of 1,500 is correct, you should sell the park for a minimum of 10.0 million Euros. While this is your walk away sales price, your target sales price is 11.5 million Euros. Selling the park for more than 10.0 million Euros would allow you to realize a profit margin (before overhead costs) of over 25 percent—a standard for projects of your company. The date for the sale could be as soon as next week. However, the sale would only become effective once Solar EPC has finished construction and the park has started operation. The director cautioned that a buyer might require a third-party Specific Yield Report and that report might vary from Solar EPC's own report. In such a case, your director said that Solar EPC would fully accept the findings of the third party report and agree to an adjusted price.

There are several reasons for taking this approach to selling the park. The director is uncertain that a

buyer will accept Solar EPC's yield calculation. At the same time, the director emphasized that Solar EPC has a strong interest in quickly finalizing the sale at a high price. The director is aware that you will need to devote more time in the near future to your other (and larger) projects. The director advised that for each percent that a third-party Yield Report comes in below 1,500, a decrease of the sales price of 1.2 percent would be reasonable ("adjustment factor"). If you don't sell the Krabi park to Renewable Energy Invest, you will need to start looking for other potential buyers. Until now, you haven't spoken to any regarding this park and to your knowledge neither has anyone else from your company. You do not believe that anyone else is constructing a PV park in the Krabi area and you have no specific information about the current market demand and supply for solar parks in other regions that might be interesting for your potential buyers.

Thai Solar Park: Teaching Notes

Overview and Learning Goals

the negotiation before class. The exercise can also be conducted as part of an online course (for example via email, telephone, or *Skype*). If conducted in the classroom, the confidential role descriptions can be distributed as hard or digital copies.

Solar PV in the Real World

Reliable specific yield reports are very important for investors in the real world. Because costs for third- party reports make up only a small part of multi- million Euro projects and because they are more likely to offer an unbiased perspective, investors may even commission several third-party reports.

Expected Outcomes

Some students will be able to structure an integrative contingency contract whereas others will agree on a distributive contingency contract or on a distributive agreement without a contingency clause. See the spreadsheet for sample results. You can also use the sheet called "Student agreements" in the excel file to post students' results.

Debriefing

1. Identifying what information is essential for the negotiation.

The confidential role descriptions include technical terms and descriptions. As a result, the students may find themselves in a very realistic situation: there is an abundance of information available and not all of it is relevant or easy to understand. In order to be successful, students will have to differentiate between information that is relevant and other information that is not. Students should be able to answer the following from their role descriptions:

• Why is the specific yield of a solar park relevant for the pricing of the park?
o Answer for both parties: Because the value

of the park is a function of the specific yield. Other things being equal, the higher the yield, the higher the value of the park and hence the higher the price an investor should be willing to pay for the park.

The Thai Solar Park is a two-party negotiation exercise that illustrates the benefits of contingency contracts. Although it is an integrative multi-issue negotiation, students will be tempted to interpret it as a distributive, single-issue negotiation. If successful, students will overcome this first impression and develop an agreement that makes the expected pie bigger by identifying all the issues at stake and by using the format of a contingency contract to capitalize on their different expectations.

Required student knowledge

I recommend discussing contingency contracts with the students before running the exercise. It addition, it may make sense to explicitly refer to this exercise as a contingency contract exercise or to tell students beforehand that the ideal solution to this exercise involves such a contract.

Students do not need any prior knowledge regarding solar energy parks.

Set-up and Group Size

The exercise is best run one-on-one, but it can also be run team on team. In the latter case, there could also be a debriefing concerning intra-team dynamics [see: Brett, J. M., Behfar, K. & Friedman, R. 2009. How to manage your negotiating team. *Harvard Business Review* September 2009, 105-109].

Time Frame

Total time: 90-135 minutes

- Preparation (including instructions and Q&A): 30 to 60 minutes
- Negotiation: 30 minutes
- Debrief: 30-45 minutes

Administration

The exercise does not require taking any breaks. To save class time and/or to allow the students to read up on contingency contracts, the students could prepare answers to these questions:

- How reliable does the Seller/Buyer think the "home-made" yield report is?
  o Answer Seller: mainly reliable
  o Answer Buyer: mainly unreliable
- For each percent that a third-party yield report would be below 1,500 kWh/kWp p.a., what should the sales price adjustment factor be?
  o Answer Seller: an adjustment factor of 1.2 percent would be fair. In general, the lower adjustment factor, the better for the seller.

o Answer Buyer: an adjustment factor of 1.2 percent would be fair. In general, the higher adjustment factor, the better for the seller.

2. Contingency contracts.

Malhotra & Bazerman (2007) define contingency contracts as “agreements that leave certain elements of the deal unresolved until uncertainty is resolved in the future” (p. 41). Regarding the Krabi park, the result of a third-party yield report is uncertain. For the buyer, it is essential to base the price of the park on the result of an independent (i.e., third-party) yield report. Both parties know that it will take six weeks to commission and receive a third-party report, but both would like to agree on a sales price (at least a preliminary one) for the park now. This makes a contingency contract is the most obvious option to close the deal today. In this contract, the parties fix a preliminary price for the Krabi park that is based on the yield of 1,500. They also agree on an adjustment factor: If the third-party yield report(s) show(s) a result that differs from that of the home-made report, the sales price will be changed accordingly.

Contingency contracts do not only have virtues; they also create challenges. They:

- require continued interaction between the parties:

  the parties’ relationship hence needs a certain degree of stability (Bazerman & Gillespie, 1999, p. 160)

- need to be enforceable (Bazerman & Gillespie, 1999, p. 160). What if Solar EPC would refuse to pay money back to Renewable Energy Investment if a third-party yield report shows a yield that is lower than 1,500?

- require transparency: it must be objectively clear if and to what extent a contingent event happens, otherwise the parties may argue about different interpretations (Bazerman & Gillespie, 1999, p. 160)
- may not be easy to formulate, as details for many different scenarios may need to be agreed on (Bazerman & Gillespie, 1999, p. 156)
- may create conflicts of interests (Larkin, 2012, p. 2; Thompson, 2014, p. 108). Both Solar EPC and Renewable Energy Invest may be tempted to commission several third-party reports and then cherry-pick which one to show to the other party • are risky if they comprise bets on the quality of the information that the parties have (rather than bets on fundamental differences in beliefs) (Larkin, 2012 p. 2). In order to mitigate this risk/uncertainty, Larkin (2012) recommends answering three related questions when structuring contingency contracts:

  o “What is the source of my information, and others’ information?” (p. 8)

  o “Is my information better or worse than the other parties’ information? (p. 8) o “What if I am wrong?” (p. 9)
- are risky for employees if they concern personal performance in job contracts, as employees might be overconfident (Larkin, 2012, p. 2).

3. Integrative potential: capitalizing on different expectations.

Thompson (2014) discusses the following differences that can be capitalized on via contingent contracts:

“Differences in the valuation of negotiation issues” (p. 107)

“Differences in expectations of uncertain events” (p. 107)

“Differences in risk attitudes” (p. 108) (I personally believe that we could add uncertainty attitudes to this point)

“Differences in time preferences” (p. 108)

“Differences in capabilities” (p. 108)

To make the Thai solar deal integrative, the two parties can draw up a contingency contract that considers their different expectations regarding the results of one or more third-party yield reports:

- The project leader of Solar EPC (seller) thinks that the yield of 1,500 - which was calculated by Solar EPC and presented in the home-made report - is likely to be confirmed by third-party reports
- The senior portfolio manager of Renewable Energy Invest (buyer) believes that this yield is likely to be too high and that a third-party report is likely to show a lower yield.

  Therefore, an increase of the adjustment factor above 1.2 means more subjectively expected advantages (i.e., value) to the buyer than subjectively expected disadvantages (i.e., costs) to the seller. This is why both of them should be willing to trade an increase of the adjustment factor for an increase in the preliminary sales price as long as both of them can get what they subjectively consider an attractive exchange ratio (i.e., additional adjustment factor in relation to additional preliminary sales price).

  How each of the two parties evaluates what an attractive exchange ratio is for them depends on how

- strongly they subjectively expect the third-party report will differ from the home-made Solar EPC yield report (if at all)
- much they personally like to bet on different expectations. Therefore, the exchange ratios that the students agree on during the negotiation may differ substantially.

Recommendation: Ask some questions of the students who reached a contingency agreement:

- Who proposed the contingency agreement?
- What motivated you to propose the contingency agreement?
- Explain your contingency agreement and how it creates value for you.

In the debriefing, the class could also discuss whether contingency clauses create value in the same way as other strategies, such as trade-offs, that make the pie bigger do. Malhotra & Bazerman (2007) discuss this question regarding a similar case in which "both parties are better off (in terms of expected revenue) when the contingency contract is signed because both are confident in their projections. Technically, this contingency clause does not actually "create" value in the way that logrolling or adding issues creates value. This is because when the [uncertainty is resolved] the contract will force one party to transfer [a certain amount of money] to the other party.

Although essentially a zero-sum transfer, the contingency contract does create *expected* value. At the end of the deal, both parties *are* made better off in terms of expected revenue from the deal - a Pareto improvement" (p. 69).

Here you could ask the class: Does negotiating a contingent contract create value in negotiation the same way as we learned making trade-offs does? You may have to lead them a bit to understand the differences between objective value created in a trade-off and subjective value created by making a bet on an uncertain future.

4. Target prices, ZOPA, and the contingency context.

What is the Seller's/Buyer's target price? What is the Seller's/Buyer's walk-away?

- Answer Seller: a) target price: 11.5m Euros b) walk-away: 10.0m Euros
- Answer Buyer: a) target price: 9.7m Euros b) walk-away: 10.5m Euros

What is the ZOPA?

• The zone of possible agreement (ZOPA) is 10.0m to 10.5.m Euros. Given the different expectations that are discussed above, the buyer might be willing to pay a price that exceeds her walk-away if she, in return, can get an adjustment factor that is higher than 1.2 percent. [See chart, below.]

Look to see if any buyers paid more than their 10.5m Euros walk away. Then look at what adjustment factor they negotiated. If they negotiated an adjustment factor greater than 1.2 percent they should be able they should be able to give this as reason for to justify paying more than their walkaway. Be careful calling on a student who paid more than the walkaway without an adjustment factor greater that 1.2 percent. By this time in the debrief they will know that they made a mistake, and you do not want to spotlight poor outcomes.

• Why did you agree to pay more than your walk away?

Answer: Look for an expected value calculation as the answer.

I recommend using the sheet “Financial analysis” of the excel file in class. In this way the students can see how combinations of the basic sales price, the adjustment factor, and a possible deviation of a third- party report lead to changes in the basic sales price.

5. Ideal agreement.

The ideal solution of this case is that the two parties agree on a soon-to-be-executed deal based on a contingency contract. This contract stipulates that the price of the park is a function of the results of one or more third-party yield reports and that the adjustment factor is higher than 1.2 percent. In addition to price, adjustment factor and closing date, parties may also negotiate who is paying for the third-party report.

Sources

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