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“The Art of Negotiation: How to Improvise Agreement in a Chaotic World”

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The Fog of Negotiation: What Negotiators Can Learn from Military Doctrine

Michael Wheeler

On the surface, warfare and negotiation may seem to be polar opposites. The objective in war is to defeat the enemy. In negotiation, the goal is to find a solution that satisfies all the parties. Not surprisingly, little cross-learning and exchange has occurred across the two domains.

In spite of important differences, however, the dynamics of war and negotiation have much in common. Specifically, both involve the interaction of motivated agents with distinct interests, perceptions, and values (especially in high-stakes contexts). As a result, robust strategy, creativity, and nimble tactics are essential both on the battlefield and at the bargaining table. Just as negotiation theory could be enriched by principles of maneuver warfare, military doctrine offers officers and soldiers a potentially useful foundation to better understand and manage the negotiation process, especially in complex, cross-cultural contexts.

Key words: negotiation, theory, strategy, military doctrine, leadership, agility, improvisation.

Overview

Machines don’t fight wars. Terrain doesn’t fight wars. Humans fight wars. You must get into the minds of humans. That’s where battles are won.

—United States Air Force Colonel John Boyd (Curts and Campbell 2001: 2)
Warfare and negotiation seem worlds apart, at least at first glance. In combat, one side seeks to dominate the other. Parties in negotiation — even those with adverse interests — jointly seek a solution that is at least satisfactory for all involved.

Compare the following definitions, for example. The United States Marine Corps (USMC) manual, Warfighting, has declared that war is “a state of mind bent on shattering the enemy morally and physically by paralyzing and confounding him, by avoiding his strength, by quickly and aggressively exploiting his vulnerabilities, and by striking him in a way that will hurt him most” (Warfighting 1997: 95).¹

By contrast, an author of a popular text stated that “Negotiating is about trading. This distinguishes it from other forms of decision making. In negotiation, there is an explicit trade: I get some of what I want, and you get some of what you want” (Kennedy 1994: 3).

The stark differences in objectives may explain why few negotiation scholars have looked to military doctrine for insights about strategy and tactics. Likewise, it is understandable why many in the military may regard negotiation as an entirely different enterprise.²

Notwithstanding the obvious differences between these two domains, however, there also are important parallels that have been largely overlooked. The potential for cross-learning is considerable. Popular negotiation books, for example, have paid little attention to crafting and implementing strategy in fluid, uncertain environments.³ Instead, they typically have posited static situations with clearly defined parties whose interests and nonagreement options are implicitly unchanging.

However, those neat models often fail to capture real-world conditions. Surprises pop up even in everyday negotiations: new issues arise, competitors arrive on the scene, and walk-away options may improve or deteriorate. Modern theories of maneuver warfare could help fill this conceptual void, particularly in devising ways to effectively move forward and adapt in the face of uncertainty and risk.

Learning can happen in the other direction as well. Military personnel who need to master key negotiation concepts to win local support and cooperation in war-torn regions could ramp up their learning curve by adapting what they already know about strategy and tactics. As I explain later, the ideas underlying maneuver warfare are more subtle and supple than commonly thought. Indeed, the Marine Corps and other branches have articulated maneuver strategy and tactics in ways that often echo important aspects of the negotiation process.

In this article, I draw specifically on Warfighting, written by USMC Captain John Schmitt in 1989 and revised by him in 1997. That work, in turn, is based on sources as varied as Carl von Clausewitz, Winston Churchill, and Chinese military legend Sun Tzu. As General A. M. Gray, then Commandant of the Marine Corps, stated in his foreword to the first edition, "..."
edition of *Warfighting*, its “philosophy for action represents not just
guidance for actions in combat, but a way of thinking in general” (*War-
fighting* 1989: foreword).

In this article, I also incorporate some of the pioneering concepts of
Air Force Colonel John Boyd, whose thinking has been broadly influential.
Boyd, who trained fighter pilots in his early career and later was a maverick
analyst in the Pentagon, was a voracious student of military history, politics,
and philosophy. His animating insight sprang from his study of Korean War
air battles between American F-86s and Soviet Union-made MiG-15s.
Although the Soviet planes were faster, better armed, and could reach
higher altitudes, F-86s won 90 percent of the encounters.

One of his biographers noted that what might seem to others like “a
confusing and disorderly fur ball of a fight among swarming planes” was
something that delighted Boyd (Hammond 2001: 32). There was more order
to the process of air battles than one might think, and Boyd spent years
deriving logical cause-and-effect relationships from the chaos of air-to-air
combat. What initially excited him was that it was limitless. It could start or
end at any altitude, from any direction. It was all azimuth, coordinates in a
three-dimensional, constantly changing environment. It was, he believed,
the best way to think about a problem (Hammond 2001; see also Coram
2002).

Boyd attributed that success of the American F-86 to two factors. First,
the F-86 had hydraulic controls that allowed it to transition from one
activity — climbing, banking, and accelerating — more rapidly than the
MiG. Second, the F-86 had a bubble canopy that gave the pilot superior
“situational awareness,” enabling better informed and faster decision
making. Each maneuver by the F-86 would increase its edge over its oppo-
nent until cumulatively it achieved a dominant position.

From this example, Boyd conceived of the “OODA loop” — the
repeated process of *observing*, *orienting*, *deciding*, and *acting*. As he saw
it, tactical and strategic victory hinges on cycling through this loop faster
than the enemy (or by disrupting the enemy’s ability to connect those
activities efficiently).4

Agility and situational awareness are likewise critical in negotiation,
as is the ability to thrive in chaotic and shifting environments. At the
bargaining table, of course, the goal is not to vanquish, disable, or demor-
alize one’s counterpart. Instead, it is to jointly attack the problem and
the barriers to its solution, especially when tensions are high and time
is tight.

The stakes are different in combat and negotiation, but both enter-
prises demand mental and emotional balance. In both enterprises, more-
ever, creativity must be grounded in clear-eyed realism, just as initiative
must be tempered by patience. Commitment to a goal likewise must be
coupled with flexibility about how it is achieved.
In short, having the right mindset is essential in combat and in negotiation. According to the *Warfighting* manual, “the mind is an officer’s principal weapon” (1997: 64). The same surely applies for master negotiators. I will turn, therefore, to six aspects of military theory and practice and connect them to negotiation dynamics.

### Managing a Clash of Wills

In war and in negotiation, no one is in full control of his or her own destiny. As the *Warfighting* manual warned:

> It is critical to keep in mind that the enemy is not an inanimate object but an independent and animate force with its own objectives and plans. While we try to impose our will on the enemy, he resists us and seeks to impose his will on us. Appreciating this dynamic interplay between opposing human wills is essential to understanding the fundamental nature of war. (1997: 4)

A keen awareness of the other side is equally as important in negotiation, where different parties have their own priorities, perceptions, expectations, and values. Sometimes, we can act unilaterally, of course, without regard for anyone else’s interests, rights, or resources — or for the longer-term ramifications of our actions. But often, meeting our own objectives requires winning other people’s agreement, cooperation, or support. While we strive to influence them so that they see things our way, they will push to advance their goals, however they construe them.

Even when the benefits of collaboration should be obvious, parties still may have conflicting styles and cultural norms. Matters can become more complicated if key people have not fully thought through their interests or if they harbor unrealistic hopes about what they may gain from agreement. Time pressure and possible miscommunication can trigger mutual frustration. In the end, it takes just one party performing poorly under such conditions to hobble the whole interaction.

Managing the negotiation process requires integration of different cognitive, emotional, and social skills. As the late Richard Holbrooke, a former U.S. Ambassador to the United Nations, said, “Negotiation is like playing chess while climbing a mountain.” Like chess players, effective problem solvers coolly weigh possible moves and try to anticipate likely consequences. They are artists, as well, sculpting agreements to satisfy the parties’ interests. Negotiators must also be skillful interpersonally, adept at reading what their counterparts are thinking and feeling. They must also be emotionally nimble — passionately involved in the moment-to-moment interaction while simultaneously maintaining a detached awareness of their long-term interests.

Decision making, communication, persuasion, and problem solving are familiar skills for civilians and soldiers alike. But negotiation is more than
the mechanical sum of those constituent parts. Integrating its various elements, often on the fly, requires comfort with ambiguity and risk. It also entails accepting the reality that not everything is within our control in negotiation. (If we could impose the outcome, we would not need to be at the bargaining table in the first place.)

For better or worse, we do not park our personalities and values at the door when we negotiate. Instead, we bring with us — and often enact — our strengths, virtues, biases, quirks, and weaknesses. If we are generally optimistic about human nature, for example, our tendency to trust others may sometimes be exploited. But if we take a more skeptical view, we may wrongly doubt people who are being truthful with us.

That is equally true for the parties with whom we deal. Just because our intentions are good does not guarantee that others will necessarily believe us. By temperament or history, other parties may be distrustful. Overcoming their reluctance to negotiate openly may test our skills and our patience.

**Coping with Uncertainty, Ambiguity, and Friction**

Uncertainty is a fact of life in war and in negotiation. In the face of ambiguity, imperfect information, and contradictory options, choices nonetheless must be made and actions taken. According to *Warfighting*, perfect clarity and complete information are never possible in combat; therefore, decisions must be based on reasonable probabilities and calculated risks.

All actions in war take place in an atmosphere of uncertainty, “the fog of war.” Uncertainty pervades battle in the form of unknowns about the enemy, about the environment, and even about the friendly situation. While we try to reduce these unknowns by gathering information, we must realize we cannot eliminate them — or even come close. The very nature of war makes certainty impossible; all actions in war will be based on incomplete, inaccurate, or even contradictory information. (1997: 7)

So it is for negotiators, as well. As we prepare to meet with other parties, we will seldom fully know their true interests, their no-deal alternatives, or their willingness to compromise. (In fact, they may not know any of that very well themselves.) If we are persuasive, for example, they may end up agreeing on certain points that they would have rejected at first. As a consequence, it may be hard at the outset to know how much room there is for agreement, or what approach would maximize the chance of reaching it.

Thus, strategies in both arenas must be robust. As *Warfighting* has cautioned, “Because we can never eliminate uncertainty, we must learn to fight effectively despite it. We can do this by developing simple, flexible plans; planning for contingencies; developing standard operating procedures; and fostering initiative among subordinates” (1997: 8).
It is often said in the military that “battle plans go out the window at first contact with the enemy.” Indeed, General Dwight D. Eisenhower, the architect of the invasion of Allied forces into Normandy in World War Two, famously said, “Plans are worthless. Planning is everything” (Eisenhower 1957).

That is not a contradiction. A well-conceived process for planning can underscore goals, expose potential obstacles, and illuminate possible paths around them, even though the exact route may not be determined until the interaction is well underway.

In the same spirit, Colonel Boyd described strategy as “a mental tapestry of changing intentions for harmonizing and focusing our efforts as a basis for realizing some aim or purpose in an unfolding and often unforeseen world of many bewildering events and many contending interests” (Hammond 2001: 161). The terms he used — harmonizing, focusing, realizing, unfolding, bewildering, and contending — apply equally well to negotiation.

Thus, negotiation strategies, like battle plans, should articulate an overarching, clearly identified intent, tested by analyzing the situation from the point of view of the enemy (or one’s counterpart). The authors of the Marine Corps manual noted the importance of preparing for different scenarios that might unfold but expresses caution about forecasts in the face of unavoidable uncertainty.

The further ahead we think, the less our actual influence becomes. Therefore, the further ahead we consider, the less precision we should attempt to impose. Looking ahead thus becomes less a matter of influence and more a matter of laying the groundwork for possible future actions. As events approach and our ability to influence them grows, we have already developed an appreciation for the situation and how we want to shape it (Warfighting 1997: 83–84).

Similarly, in negotiation, the challenge lies in crafting strategy that is precise enough to offer practical guidance yet grounded in the reality that planning horizons must be short, given the inherent uncertainty in the process. Preparing for the unpredictable might seem paradoxical, but here again, negotiators can learn from military practices.

No matter how short the time, Marines set a minimum level of analysis: they want to have straight in their heads at all times the enemy’s most likely course of action and its most dangerous course of action — that is, the one that would pose the largest threat to the Marine’s success. Thus, the only time the Marines risk being relatively unprepared is when the enemy does something that’s both unlikely and not especially damaging (Freedman 2000: 182).
It is foolish to think that we could ever script a negotiation, as the other side may say and do things that we could not have anticipated. Just as the Marines usually have a “bump plan,” negotiators need to have a plan B at the ready in case events do not play out as hoped or expected. For example, we might find that another party whose full support we are trying to win is unwilling or unable to grant it, at least for now. Our plan B might be to secure whatever agreement is essential to getting today’s job done, while leaving other issues open for later resolution. Reframing the current priority as pilot venture may both make it easier to get short-term agreement and pave the way for a broader settlement down the road.

Indeed, without using the word “negotiation,” the authors of the counterinsurgency manual virtually echoed that same principle.

Do not try to crack the hardest nut first. Do not go straight for the main insurgent stronghold or try to take on villages that support insurgents. Instead, start from secure areas and work gradually outwards. Extend influence through the local people’s networks. Go with, not against, the grain of the local populace. First, win the confidence of a few villages, and then work with those with whom they trade, intermarry, or do business. This tactic develops local allies, a mobilized populace, and trusted networks. Seek a victory early in the operation to demonstrate dominance of the AO [area of operations]. This may not be a combat victory. Early combat without an accurate situational understanding may create unnecessary collateral damage and ill will. Instead, victories may involve resolving a long-standing issue or co-opting a key local leader. Achieving even a small early victory can set the tone for the tour and help commanders seize the initiative (Department of the Army 2006: A-5).

That is not to say that it’s easy to know which nut will be the hardest to crack. Uncertainty and adversity are analytic problems and also tax our stamina, creativity, and resolve. The following passage from Warfighting could just as well have been written for negotiators.

Friction may be mental, as in indecision over a course of action. It may be physical, as in effective enemy fire or a terrain obstacle that must be overcome. Friction may be external, imposed by enemy action, the terrain, weather, or mere chance. Friction may be self-induced, caused by such factors as lack of a clearly defined goal, lack of coordination, unclear or complicated plans, complex task organizations or command relationships, or complicated technologies. Whatever form it takes, because war is a human enterprise, friction will always have a psychological as well as a physical impact (Schmitt 1997: 5–6).

Friction in negotiation cannot be wished away. As noted in Warfighting, friction may be mental (indecision) or physical (time constraints). It
may be imposed by others’ surprising actions or be self-induced. Whatever
the source of friction, negotiation strategy and organizational processes
must take it into account.

Identifying Surfaces and Gaps

In a nutshell, reaching agreement in negotiation depends on finding
terms that each side regards as superior to its respective go-it-alone alter-
natives. If one party can get a better deal elsewhere, it will have no
incentive to settle (likewise, if that party thinks it will do better by pro-
longing the negotiations). The process thus can be thought of as a joint
search, although complicated by the fact that parties typically have dif-
fering viewpoints, interests, and styles. Moreover, both sides may be reluc-
tant to reveal what they really are looking for, lest their needs be
exploited.

Identifying the boundaries of possible agreement is thus akin to reck-
oning battlefield conditions. In military terms, “surfaces” and “gaps” refer to
the enemy’s strengths and weaknesses. Surfaces are hard and solid — the
strengths — while gaps are the weak points or openings that can be taken
advantage of. Attacks against surfaces waste energy and resources. Finding
and, if need be, creating gaps allows more opportunities for success.

However, recognizing surfaces and gaps in real time is difficult. Gaps
on a battlefield are not just physical in nature (such as a lightly patrolled
area). According to *Warfighting*, they “may also be any weakness in time,
space, or capability: a moment in time when the enemy is overexposed and
vulnerable, a seam in an air defense umbrella, an infantry unit caught
unprepared in open terrain, or a boundary between two units” (1997: 92).
Likewise, a surface may be a heavily fortified area or a situation in which
“the enemy has just replenished and consolidated his position or a techno-
logical superiority of a particular weapons system of capability” (*Warfight-
ing* 1997: 92).

Belligerents will do their best to disguise both their surfaces and their
gaps. The passage of time also transforms battlefield features. Colonel Boyd
learned from the writings of the Emperor Napoleon Bonaparte that “Early
tactics, without apparent design, operate in a fluid adaptable manner to
uncover, expand and exploit adversary vulnerabilities and weaknesses. . . .”

_Warfighting_ observed that

Due to the fluid nature of war, gaps will rarely be permanent and
will usually be fleeting. To exploit them demands flexibility and
speed. We must actively seek out gaps by continuous and aggres-
sive reconnaissance. Once we locate them, we must exploit them
by funneling our forces through rapidly. For example, if main
effort has struck a surface but another unit has located a gap, we
designate the second unit as the main effort and redirect our
combat power in support of it (1997: 93).
Parties searching for agreement likewise encounter surfaces and gaps. In the context of negotiation, surfaces may be thought of as points of resistance, demands that the other party will surrender only at great cost. Gaps, in turn, are those areas (positions, interests, and demands) in which there is room for movement and exchange. Just as in battle, the surfaces and gaps of potential agreement can be hard to detect and subject to change, as the parties’ options and preferences evolve in the course of negotiation. The process of joint exploration may be one of trial and error, with each party trying to distinguish real resistance from mere bluffing or mis-communication.

**Simultaneous Learning, Adapting, and Influencing**

Army General Peter J. Schoomaker has said that counterinsurgency is “a game of wits and will. You’ve got to be learning and adapting constantly in order to survive” (Department of the Army 2006: ix). Here again, a military insight applies to negotiation with equal force.

Some negotiation texts offer advice on keeping one’s wits and managing the process. The best of them do not simply deal with isolated tactics but additionally encourage a broader view of how the ongoing exchange shapes the bargaining relationship. In _Getting Past No_, for example, William Ury (1991) urged “going to the balcony” (adopting a detached perspective), to constantly monitor whether the dialog is moving in a constructive direction. In _The Shadow Negotiation_, Deborah Kolb and Judith Williams (2000) described specific “moves and turns” that can redress power imbalances and reposition the parties in future interactions.

The _Warfighting_ manual has similarly integrated strategy and tactics, notably in regard to maneuvering, both in space and in time. Rather than wearing down the enemy’s defenses, the goal is to bypass them, penetrate the enemy system, and disable it. In a nutshell, “Maneuver warfare is a warfighting philosophy that seeks to shatter the enemy’s cohesion through a series of rapid, focused, and unexpected actions which create a turbulent and rapidly deteriorating situation with which the enemy cannot cope” (_Warfighting_ 1997: 73).

This goal of completely disabling the enemy may seem light years away from what we seek in negotiation. In fact, often, the challenge at the bargaining table is just the opposite: namely enabling indecisive or poorly organized counterparts to say “yes” to our proposals. (Even a firm “no” can be preferable to being strung along with an endless series of maybes.) As a result, it usually is in our interest to get other parties to be in sync with our speed and efficiency so that we can jointly get things done. When that is not feasible, however, we may have to slow down our pace, or nothing can be accomplished. As _Warfighting_ stated, “[w]e must avoid set rules and patterns, which inhibit imagination and initiative” (1997: 75). Or as veteran mediators say, “sometimes you have to go slow to go fast.”
Tempo is also central to Boyd’s concept of OODA loops — the cycle in which pilots (and other combatants) sense and respond to ever-changing conditions. Observation (the first O in his model) implies more than passively seeing. Rather it means absorbing deeply all the relevant data in the moment. Orientation, the second O, is interpretation, relating what we are experiencing in the moment to our prior knowledge and assumptions, both formal and tacit.

Interpreting what the other side is doing is imperative in both maneuver warfare and negotiation. Warfighting stated that “We should try to ‘get inside’ the enemy’s thought processes and see the enemy as he sees himself. . . . We should not assume that every enemy thinks as we do, fights as we do, or has the same values or objectives” (1997: 77).

For Boyd, the key was spotting “mismatches” between our expectations and unfolding reality so we can constantly update our understanding. That requires brutal honesty in recognizing “what we think is going on in the real world and what actually is” (Edison 2002: 26). Soldiers and negotiators thus need to build on their respective experience and past successes, but be vigilant in their search for unfamiliar perils and opportunities. A tight link between deciding and acting (the D and the A in the loop) further reduces the cycle time. Actions disrupt the status quo, of course, and thereby demand repeated loops of observation, orientation, deciding, and action.

In warfare, the soldiers who complete the OODA loop more quickly have advantages over their opponents who complete it more slowly. By contrast, in negotiation, we can never move faster than the slowest party. It never pays, of course, to be slower at observing and orienting than are the parties that we are dealing with. If we can see further ahead to where things are likely going, we will be better positioned to lead counterparts where we want to go. By contrast, if our assessments are slower or less accurate, then others will be driving the process and shaping the negotiation environment. Clinging too tightly to our expectations can blind us to the fact that conditions have changed.

Balancing Initiative and Organizational Alignment

Warfare requires the marshaling of great numbers of troops, those in battle as well as others supporting and directing them behind the lines. In a military organization, much is made of the sanctity of command, but the real world challenge lies in respecting hierarchy while simultaneously encouraging individual action and responsibility. The author of Warfighting stated that

As part of our philosophy of command we must recognize that war is inherently disorderly, uncertain, dynamic, and dominated by friction. . . . For commanders to try to gain certainty as a basis for actions, maintain positive control of events at all times, or
shape events to fit their plans is to deny the very nature of war. We must therefore be prepared to cope — even better, to thrive — in an environment of chaos, uncertainty, constant change, and friction (1997: 80).

As a result, the Marines (as well as other branches) put a premium on decentralized command and local initiative.

In practical terms this means that we must not strive for certainty before we act, for in so doing we will surrender the initiative and pass up opportunities. We must not try to maintain positive control over subordinates since this will necessarily slow our tempo and inhibit initiative. We must not attempt to impose precise order to the events of combat since this leads to a formulaic approach to war. And we must be prepared to adapt to changing circumstances and exploit opportunities as they arise, rather than adhering insistently to predetermined plans (Warfighting 1997: 80–81).

In the heat of battle — or in the midst of political turmoil — rigid structures inhibit creativity and timely decision making. In 1991, General Anthony Zinni reported to the Chairman of the Joint Chiefs of Staff about relief efforts in Northern Iraq. When he was asked about command relationships, specifically if they were operational control or tactical control, he said that he relied instead on “hand-shake con.” There was no time for memoranda of understanding, he explained. “[T]he relationships are worked out on the scene, and they aren’t pretty. . . . It’s consultative. It is behind the scenes” (Department of the Army 2006: 2-3).

The same conditions play out in negotiations whenever the person at the bargaining table represents other parties or organizations. For example, business managers, like commanders, must balance direction and delegation. On the one hand, trying to give their sales and procurement people precise instructions on what and how to negotiate would stifle initiative and creativity. Rigid directions would handcuff negotiators in the field when they encounter unexpected opportunities or pitfalls. On the other hand, merely giving subordinates wide discretion and wishing them good luck when they negotiate would invite bad decision making and poor internal coordination. Maintaining balance between these two poles is essential for the success of the negotiators, as well as the organizations they represent.

In this regard, negotiators could learn an important lesson from modern military practice. Specifically, officers are trained to state the underlying intent of their specific orders. This allows “subordinates to exercise judgment and initiative — to depart from the original plan when the unforeseen occurs in a way that is consistent with higher commanders’ aims. . . . While a situation may change, making the task obsolete, the intent is more lasting and continues to guide our actions” (Warfighting 1997: 88–89).
Intent usually can be crisply expressed by adding the phrase “in order to . . .” after stating the task. *Warfighting* offered as an example, “Control the bridge in order to prevent the enemy from escaping across the river” (1997: 89). (In counterinsurgency, it might be “restore essential services in order to prevent civil unrest [Department of the Army 2006: 4–5]). According to *Warfighting*, “a commander’s statement of intent should be brief and compelling — the more concise, the better” (1997: 90).

The same principle applies when a manager gives instructions to his or her negotiators. If the stated purpose is clear and concise, personnel in the field — with hands-on knowledge about the people with whom they are dealing — can better forge workable agreements.

**Designing Effective Training**

It is one thing to understand the principles of negotiation (or warfare, for that matter) on an abstract level. Actually, putting those concepts and techniques into action in high risk, uncertain, and rapidly changing environments is something else entirely, given the inevitable friction that the Prussian military theorist Carl von Clausewitz described as “the force that makes the apparently easy so difficult” (*Warfighting* 1997: 5).

Marines and other service members are given intense training under grueling conditions so that these ideas become second nature. The following five key principles underscore the design of that training. They also suggest what is required to learn to be a more effective negotiator.

**Train Like You Fight**

The *Warfighting* manual has asserted that military training exercises “should approximate the conditions of war as much as possible; that is, they should introduce friction in the form of uncertainty, stress, and opposing wills” (1997: 60). As a result, young soldiers are trained and must make hard choices when they are uncomfortable and exhausted. Only then can they develop confidence and determination. Recruits have a saying, “If it ain’t rainin’, then we ain’t trainin’.”

That degree of realism is not readily available in negotiation classrooms. When diligent students perform simulations, they are not negotiating issues and items that matter to them personally. On the other hand, egos are at stake. High-achieving students are unlikely to be satisfied with negotiating an outcome that is inferior to what most of their classmates have achieved. When participants on both sides of the exercise are motivated, they test and strengthen one another’s skills.

**Cultivate a Culture of Bold Decision Making**

Marine doctrine disdains indecision and regards boldness and initiative as virtues. *Warfighting* has noted, “These traits carried to excess can lead to rashness, but we must realize that errors by junior leaders stemming from over-boldness are a necessary part of learning” (1997: 57).
It is hard to learn from excessive caution. A negotiator who never pushes the envelope by floating a novel idea has no way of knowing just how big that envelope might be. Likewise, a negotiator who seldom draws a line about what is not negotiable will learn little about being firm and persuasive. Would-be negotiators who push themselves (and others) will learn the most.

**Teach Students to Fail and then Fight Back**

In leadership training, Marine officers are routinely given high-stakes problems with too little information, time, and resources to solve them. Requests for more troops and supplies are denied, so successes are rare. The point is to teach young officers how to fail, take responsibility for their actions, and learn from mistakes.

Likewise, in class, the toughest negotiations are the most instructive (more so, e.g., than an exercise that pairs a desperate seller with a buyer who has trunk loads of money). In failure, we must ask what we might have done differently. By contrast, when we succeed, it is hard to know whether we were smart or just lucky to be matched with a counterpart who was not demanding or motivated.

**Provide Honest Criticism**

Marines have a strong ethic of acknowledging mistakes and trying to learn from them. By contrast, many organizations seem to aspire to be 100 percent error free. The result is that mistakes are covered up, thus never corrected or learned from. As noted in *Warfighting*, “a subordinate’s willingness to admit mistakes depends on the commander’s willingness to tolerate them” (1997: 61). The same kind of openness is essential in a negotiation classroom. Only then can we go beyond superficial rote learning to a more robust view of the underlying dynamics.

**Conclusion**

In 2003, in the early days of the war in Iraq, Lieutenant Colonel Chris Hughes led a unit of soldiers to meet with Grand Ayatollah Ali al-Sistani in Najaf to help build local support for the American effort. A growing crowd of civilians was anxious about the soldiers’ intentions and alarmed that they might be about to violate the sanctity of the nearby mosque. Rumors, perhaps started by agitators, quickly flew that the Americans were there to arrest the ayatollah. News cameras were on site, and for all appearances, it looked as if tensions might escalate and culminate in a massacre.

 Hughes, however, defused the tension. “Smile,” he said to his troops. “Don’t point your weapons at ’em. Relax.” He then ordered them to kneel and point their weapons down. When the tension abated, he said. “Calmly stand up and move backwards. Continue smiling.” The soldiers withdrew, letting communication with the ayatollah wait for another day (See Department of the Army 2006: 7-3; Hughes 2007).
Hughes had not expected to negotiate with an angry mob that day, nor had he ever been trained to negotiate or been taught the specific gesture of having his troops kneel down. But he clearly understood the goal of his mission was to enlist local support and achieving that could be thwarted by appearing to attack a holy Shia site. His action was widely publicized and served as a valuable model to his fellow officers.

In this instance, the result was positive. Undoubtedly, in other cases, intentions may have been just as good and actions may have been equally creative, but the results may have been less successful. Indeed, it is hard to imagine a more challenging — or more important — negotiation mission than counterinsurgency. Senior commanders must be soldier-diplomats as they variously collaborate with, cajole, compel, counsel, and caution rival political leaders, heads of non-governmental organizations, and a host of other influential stakeholders. On a local level, their troops have an equally daunting agenda, under the ever-present shadow of armed conflict. Before the wars in Afghanistan and Iraq, Marine Corps General Charles Krulak foresaw how the versatility of the military would soon be tested.

In one moment in time, our service members will be feeding and clothing displaced refugees, providing humanitarian assistance. In the next moment, they will be holding two warring tribes apart — conducting peacekeeping operations — and, finally, they will be fighting a highly lethal mid-intensity battle — all in the same day . . . all within three city blocks. It will be what we call the “three-block war” (Department of the Army 2006: 8-3).

That is asking a lot of military personnel, whatever their rank. As an officer from Fiji observed, “From a military standpoint you are trained to close with the enemy and kill him. In the [United Nations], an army is sent in for the purpose of peace. That means a soldier has to change his entire state of mind” (Goodwin 2005: 136).

Oscillating back and forth on a single day or even in a single hour is even more difficult. Just as soldiers and military strategists must cope with “friction” and the “fog of war,” negotiators have to deal with uncertainty and stress, although the stakes for them are manifestly lower, of course. Soldiers and negotiators likewise must function in fluid environments. While they must be well prepared, they also must be poised to adapt their tactics and revise their strategy.

Colonel Boyd stated that the goal of human beings in conflict is “not merely to survive but also to survive on their own terms” (Hammond 2001: 124). His language about prevailing in dynamic environments is particularly evocative of negotiation. He wrote, “In a tactical sense, these multi-dimensional interactions suggest a spontaneous, synthetic/creative, and flowing action/counteraction operation, rather than a step-by-step, analytical/logical, and discrete move/countermove game” (Boyd 1986: 176).
Fog, friction, and fluidity are apparent in both deal making and dispute resolution. The techniques of maneuver warfare offer negotiators ways of understanding and managing these dynamics. But many other aspects of maneuver warfare may not line up as cleanly, so the analogy should not be forced beyond its usefulness.

Nevertheless, Warfighting’s description of maneuver warfare as “a state of mind born of a bold will, intellect, initiative, and ruthless opportunism” (1997: 95) is provocative. Negotiation need not – and in most instances should not – be “ruthless” on a personal basis. There is no shame, however, in zealously pursuing agreement in the face of uncertainty and constant change. Mentally, this requires a high tolerance for ambiguity coupled with initiative and a willingness to take considered risks. Strategically, it suggests a constantly adaptive approach, one that tests, probes, learns, and, when need be, adjusts.9

NOTES

1. The manual, in its entirety, can be found at http://www.clausewitz.com/readings/medp1.pdf, among other sites on the Internet. The fact that it is publicly available suggests that success ultimately rides on how well any strategy is actually executed.

2. Indeed, the word “negotiation” appears only three times in the main text of the Army’s text titled Counterinsurgency, (Field Manual 3-24, Department of the Army 2006). The term is mentioned three more times in the appendix, briefly. That omission notwithstanding, much of the document deals with winning support through non-coercive means.

3. This is in sharp contrast, incidentally, to the frequent application of insights from military strategy to management and competition generally. See, for example, Santamaria, Martino, and Clemons (2004).

4. Others have extended his OODA model to settings as diverse as business strategy, marketing, and rugby. In spite of the extensive impact of his work, Boyd himself never presented his ideas in book form. For a thorough analysis of his thinking, see Oisinga (2007).

5. Knowledge flows in the opposite direction, too. Two national security analysts recently argued that U.S. Army doctrine too closely mimics American football in its focus on centralized control and execution, suggesting instead that the free-wheeling strategy of soccer is better suited for today’s turbulent world (see Cassman and Lai 2003).

6. For a full account of Boyd’s contribution to contemporary military strategy, see Hammond (2001).

7. While some negotiations involve independent, autonomous parties, often people at the bargaining table represent larger organizations or constituencies. The support, resources, and authority granted to these “agents” can significantly influence negotiation process (see Ertel 1999).

8. Agent–principal issues in negotiation are beyond the scope of this article, although scholars have undertaken considerable interesting work in this general domain. See, for example, Klein (2002) and Mnookin, Peppet, and Tulumello (2001).

9. For a thoughtful and provocative application of this approach to the formulation and implementation of business strategy, see Eisenstadt and Sull (2001).

REFERENCES


NEGOTIATING EMOTION

HIGH STAKES DEAL MAKING IS FRAUGHT WITH FEELING. SHOULD WE REALLY IGNORE THAT?

by Kimberly Leary Spilka and Michael Wheeler
In the realm of risk management and decision making, the role of emotion plays a critical and often underestimated part. Emotions can influence our perceptions, judgments, and decisions, sometimes leading to more effective outcomes or unintended consequences. Understanding and managing these emotions is crucial in various fields, including finance, psychology, and business.

Emotion and Decision Making

When making decisions, emotions can provide vital information. Positive emotions can enhance our ability to focus, make more effective choices, and persevere through difficult situations. Conversely, negative emotions can cloud judgment, leading to impulsive actions or avoiding necessary risks.

Negotiation Theory and Emotion

In negotiation, understanding the role of emotion is essential. Negotiators can leverage emotions to influence their counterparts, whether it's通过建立信任、建立共同利益 or creating a sense of urgency. However, it's important to be mindful of one's own emotional responses, as they can affect the negotiation process.

Risk Management and Emotion

In risk management, recognizing the emotional aspects of decision making is critical. Managers must understand how their own and others' emotions affect risk assessment and mitigation strategies. This knowledge can help in developing more effective risk management plans that take into account the human element.

Conclusion

The role of emotion in decision making, negotiation, and risk management is multifaceted. By acknowledging and managing these emotions, individuals and organizations can enhance their decision-making processes and achieve better outcomes.
How Negotiators Depict Their Emotions

When we asked 32 seasoned negotiators to assemble images that reflected their experience, the collages they created were rich and varied. They depicted their emotions and actions, their thoughts and feelings, and the underlying assumptions that influenced their negotiation strategies. Though the collages varied widely in style and content, they all conveyed a sense of the emotional complexity and strategic depth of the negotiation process.

The heart of the matter

Some negotiators described the emotional toll of negotiation as a constant tug-of-war between the head and the heart. Others spoke of the importance of maintaining a balanced perspective, acknowledging both the rational and emotional components of the negotiation. The negotiators' depictions of their emotions ranged from the intense to the subtle, reflecting the variety of emotional experiences they had encountered.

The negotiation process is not just a rational exchange of arguments and offers. It is also a deeply emotional experience, with negotiators often feeling a range of emotions, from excitement and anticipation to frustration and anger. The negotiators' depictions of their emotions provided insights into their negotiation strategies, revealing how they managed their emotions to achieve their goals.

In conclusion, negotiation is a complex process that involves not only strategic thinking but also emotional intelligence. By understanding and managing their emotions, negotiators can improve their ability to communicate effectively, forge strong relationships, and arrive at successful agreements.
Strong feelings, and resilient in the face of adversity, were navigators who were sent into the face of dangers, often for the benefit of others. Among the men who served as navigators, there were those who faced great challenges and emerged with a sense of accomplishment.

As navigators, they were faced with the task of guiding ships through uncharted waters. This required not only skill and knowledge but also courage and determination. The challenges they faced were not only physical but also psychological, as they had to deal with the constant threat of danger and the uncertainty of the future.

Despite these challenges, the navigators were able to overcome them and achieve their goals. They were able to adapt to new situations and find solutions to problems that seemed insurmountable. This resilience and determination were a testament to their character and their commitment to their mission.

The navigators who served during this time were not just ordinary men. They were leaders and heroes, who were willing to put their lives on the line for the greater good. Their story is one of strength, courage, and resilience in the face of adversity.