Improvisation and Teaching Negotiation: Developing Three Essential Skills

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The notion of an adaptable negotiator, who can respond to any situation he or she encounters, resonates with every negotiation expert. Unexpected things happen in negotiation, and negotiators must be able to adapt in fleet and effective ways. Dealing with the unexpected, responding "in the moment," and adapting effectively to sudden changes — these are the skills of an improvisational artist, and they are effective skills for negotiators to learn. How can improvisational skills be taught to negotiation students so that they will be able to draw upon these skills in the heat of a negotiation or mediation? By bringing together teachers of improvisation in various disciplines, we

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explored how improvisation is currently applied and taught in theater, business, and psychotherapy. We then developed some ideas about ways in which teachers of negotiation might begin to incorporate improvisation as part of the negotiation lesson plan.

Introduction

Can negotiation students learn to improvise? Perhaps a better question is, *should* negotiation students learn to improvise? And if so, *how* should improvisation be taught in the negotiation classroom? To answer these questions, we need to think about what we teach and how we teach it — mindful all the while about how students really learn. Improvisation can be a powerful framework for negotiation students, assuming we utilize those components from the artistic world that can be effectively taught and learned. We identified three distinct improvisation and negotiation capabilities that students should learn: (1) formulating and adapting strategy, (2) managing the process "on the fly," and (3) solving problems in creative ways.

Formulating and Adapting a Strategy

The first skill is the easiest to teach because it is essentially conceptual. Although standard negotiation texts do not deal with strategic improvisation in much depth, teachers should not have to look far to find relevant and stimulating readings. A great deal of literature in the organizational-learning realm examines improvisation, including Frank Barrett's article on jazz and organizational learning (Barrett 1995) and Karl Weick's landmark writings on both improvisation and sense making (Weick 1995; 1998). Michael Wheeler has also explored the improvisational maneuvering in warfare and negotiation (Wheeler and Morris 2002); such scholarly work can be used to stimulate the understanding of an improvisational approach to negotiation.

To more fully understand the direct application of an adaptive strategy, we can also look at the current application of improvisational skills training in Master of Business Administration classes on innovation. Mary Crossan has written several pieces on improvisational theater and emerging innovation and strategy (Crossan 1997; Vera and Crossan 2005). In this context, improvisation is taught to help students interpret the business environment — competitors, customers, suppliers, company's needs, and so on. An essential element of this understanding is for students to break out of traditional ways of thinking, to see something in new and different ways. This contextual "new" framework of creating and then adapting strategy to interpret the environment has strong implications for negotiation

students. Learning to recognize the environment — to the point that they can then change strategies — has obvious benefits.

To explore the improvisational nature of negotiation strategy, a simple assignment would ask students to review traditional theory and see what sources like those just noted add to it. The challenge is to get students to go beyond mere conceptual understanding. It is one thing to recognize, after the fact, how effective negotiators improvise their strategies, it is quite another to understand what the process requires *prospectively*. Teachers should consider rewriting standard negotiation-teaching cases in a step-by-step mode to demonstrate more fully how learning and adapting can take place within a negotiation. For example, an exercise could be constructed so that the best alternative to a negotiated agreement of one or more parties changes for better or for worse during the negotiation. (Perhaps a competing buyer tells a seller of a newly improved offer.) Alternatively, additional information might be available that would cause a negotiator to adjust his or her priorities. If such twists and turns are introduced, students should be encouraged to reflect not just on how they adjusted their plans in this particular exercise but also on broader conceptual issues. What are the costs of having a robust strategy: will it confuse or frustrate other parties; might they see it as a lack of resolve?

At present, the simulations used in most negotiations courses do not sufficiently support the teaching of strategic improvisation. Students are typically given a scenario and told to run with it. Rarely are they given updates (good and bad news) during the course of the process. Even if students *do* have to adapt in the course of negotiating, debriefings often focus on outcomes (Were deals reached? Were they efficient? Who got the lion's share?), rather than on the process through which they were reached. This is partly a legacy of the decision-analytic roots of the field, but it is also a practical convenience as it is much easier for an instructor to tally results than it is to get an accurate picture of the process as it unfolds, especially in large classes.

There may be some "half-a-loaf" solutions. Even with conventional simulations, students could be asked to keep journals in which they can track how and why their strategy evolved in the course of the negotiation, which at the very least forces them to think about whether they even have a strategy to begin with and to become much more consciously aware of their *unconscious* strategies. And exercises can be designed with hidden facts that will emerge only once the negotiation is underway. For example, in a simulation entitled "Windham" (Wheeler and Morris 2002), there are two buyers and two sellers of similar properties. As the exercise begins, each student believes that he or she is in a favorable position — each seller knows that two buyers are interested in the property but only later learns of the second competing seller. The resulting shift in perceived power calls for radically altered strategy. Simulation exercises like these — in which

participants' circumstances suddenly shift, outside circumstances intrude, or crucial information is incrementally revealed — encourage the development of improvisational skills in a negotiation context. (For a discussion of conflict-resolution training that involves simulations in which dramatic outside events intrude on a simulation, see Ebner and Efron 2005.)

Managing the Process in the Moment

It is, of course, one thing to examine the concepts and theories underlying improvisation, but in the end it must be pulled off "in the moment." Success significantly depends on an individual's personality and natural abilities, notably how comfortable they are with uncertainty and discomfort. Jazz masters, improvisational comics, and psychotherapists train for years to sharpen their abilities to listen deeply and respond appropriately. At the same time, they develop deep knowledge of the structures and conventions of their particular fields, which gives them a firm foundation from which to work. Actors learn through improvisation to develop an openness that enables them to respond with their reflexes rather than with their brains. It is unrealistic to expect students in a single negotiation course — and probably just a portion of one course, at that — to become master improvisers. But that is no reason for not launching the learning process in several specific ways.

Some negotiation teachers already utilize student exercises that encourage the development of productive-reflex responses. For example, when teaching a product-liability case study entitled "*Ginzel et al.* vs. *Kolcraft Enterprises et al.*" (Wheeler 2001), the instructor divides the students into plaintiffs and defendants to prepare negotiation strategies as if they are about to enter the courtroom and meet with the judge. As the students prepare in teams, a "reporter" with a microphone and a "cameraman" burst into the classroom. The reporter aggressively asks pointed questions to the defendants. Two minutes later, the reporter reads an article that he or she has written based on the defendants' answers. Students often respond poorly and undermine their original negotiation strategy. If they take a hard line, they further risk antagonizing the plaintiff, the grieving family — as well as and tarnishing the companies' already damaged reputations. If the two different defendant companies point the figure of blame at each other, they sabotage each other before the negotiation for which they have prepared even begins. It is one thing to craft a carefully worded offer of settlement in the privacy of one's own office, and quite another to effectively respond with a microphone jammed onto the face. But both activities are part of the negotiation. This kind of experience gives students an appreciation for quick reaction skills and the dynamic nature of negotiations. In this simulation, the students must shift strategy as the reporter enters the room. Although the retroactive analysis occurs too late, the students gain a sense of the reflex responses that they might require in difficult negotiation scenarios.

Quick reflexes are not the only improvisational component that negotiators can develop. Learning to effectively manage a negotiation in the moment requires strong interpersonal abilities. Some negotiation teachers already utilize student exercises that encourage the development of improvisational skill sets in this regard. For example, one component of the negotiations course at Harvard Law School is the Interpersonal Skills Exercise, in which students are asked to identify situations and behaviors that they find challenging. They are given a set of tools, a repertoire of responses and strategies that they can use in those challenging situations. Then they practice using those tools in groups of three in which they rotate being a protagonist, an antagonist, and a coach.

Students begin the exercise by identifying an interpersonal skill in which they believe themselves to be deficient. Then they identify a particular situation where this interpersonal deficiency hindered a negotiation. By role-playing various outcomes focusing on the interpersonal skill in question, the students see various possibilities played out. This helps them understand what their potential options are in that particular difficult interpersonal situation. The broader goal is to make students more comfortable in uncomfortable situations, more confident of their ability to respond because they have access to — and have practiced using — this set of tools (reframing, buying time) to respond to unexpected demands and offers, difficult questions, and misunderstandings.

By using simple exercises from improvisational theater, negotiation teachers can demonstrate how improvisational comics develop their skills at recognizing "offers." In improvisational comedy, an offer is a piece of information that an actor contributes. The other actors, using their improvisational training, learn to recognize the information, accept the offer, and then build on it to create a scene. By learning — in the moment — how to recognize when an offer is being made, either verbally or nonverbally, students learn not only how to respond to unexpected demands, questions, and opportunities but also how to capitalize on them. While true mastery requires years of experience, a little bit of practice and training can go a long way toward helping students feel more comfortable in responding effectively, confidently, and creatively in the moment.

Professional psychotherapists also rely on these kinds of understandings. Therapists learn to recognize, for example, when a patient's recalcitrance to discuss one topic constitutes an offer to tell a different type of story. The therapist and the patient change course and pursue another possibly more productive avenue of dialogue. Similarly, a negotiation student can learn to recognize offers and moves that provide him or her a chance to "back out of a corner" in a negotiation or to avoid becoming tongue-tied or defensive. Deborah Kolb and Judith Williams (2003) recommend recognizing certain offensive "moves" in negotiation and countering with specific "turns." In improvisational theater, the actors learn to avoid

becoming "tongue-tied" by adding information to the scene. Of course, this new information, which is related to the previous information, gives the actors the opportunity to build something new — and unplanned. Rather than preparing stock, scripted responses for situations, instead they take the opportunity to add new information to move the scene in a different direction.

Developing Creative Solutions

The third critical improvisational skill with relevance to negotiation training is deal crafting, the ability to "turn lemons into lemonade." Some good foundational materials include Weick's work on creativity and organizational learning (Weick 1991) and David Perkins's *The Mind's Best Work* (1981). While negotiation instructors have long taught the generic sources of value (differences in preferences, risk aversion, discount rates, etc.), research by Leigh Thompson and her colleagues (Thompson, Loewenstein, and Gentner 2000) suggests that students are not very good at translating theory to practice: a student must develop his or her "risk muscle" in order to develop his or her creative side.

Encouraging students to think in an analogical way is especially important in this realm. One way would be to create brainstorming exercises in which small teams are given the same set of facts and asked to craft imaginative solutions. Comparing and contrasting different solutions opens up the creative process and demonstrates how vast the realm of possible solutions is. Analyzing sets of elegant solutions in real cases where real negotiators made "lemonade from lemons" is another possible approach — particularly if, in the spirit of the work on analogies, an opportunity for students then to adapt those solutions to novel situations is provided. Problem solving should focus on means as well as ends because, as we know, stalemates are often broken when a negotiator or a mediator comes up with a new way of framing the issues or managing the interaction.

Conclusion

Which of these three realms of improvisation is most important to teach: unfolding strategy, managing in the moment, or crafting creative agreements? Stating the question this way underscores the importance of each. Just as a jazz musician who only learns one scale would never succeed on stage, it is hard to imagine a negotiator excelling if he or she were to master only one of these facets. Students of negotiation should seek to learn skills and practices that they can call upon in the heat of the moment, skills that will prove not only useful but possibly essential.

As a practical matter, teachers tend to gravitate toward what interests them the most, and, depending on constraints like class size, what is easiest to manage. Students and teachers alike lose, however, when one topic is emphasized at the expense of other because the teaching of one

illuminates the others. Seen together, they expose the dynamic nature of the negotiation process. Understanding that process better is not only intellectually stimulating but becomes more practically rewarding at the bargaining table.

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