negotiation and conflict management research

Lessons from Practice: Extensions of Current Negotiation Theory and Research

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Abstract

Negotiation is in essence a practical skill. We identified the need to increase the number of academic contributions related to negotiation practice. The goal of this special issue – edited by Ramirez Marin, Druckman, and Donohue-- is to call attention to areas in which research informs the practice, as well as areas in which the practice calls for advances in theory. The five papers included in this issue illustrate different ways in which practice can help academics extend the current theory. For example, describing how the predictions made by current theories can inform the practice, adapting and applying hostage negotiation principles to everyday negotiations, or testing the limits of current theories by adding external constraints and dependencies between and within negotiation issues. These examples can help researchers and teachers to bridge theory with practices as well as improve the way practitioners use evidence to improve their interventions.

Lessons from Practice: Extensions of Current Negotiation Theory and Research

The world economic forum (WEF) established negotiation as one of the 10 most important practical skills to have in 2020 (WEF, 2016). However, on August 1st, 2020, a search of one of the top negotiation journals during the past 5 years yielded no results with the word *practice* in the title. Moreover, on the same date, a Google Scholar search with the keywords *negotiation* and *conflict* and *practic*e in the title yielded 27 results but only 3 results if the search is limited to the past 5 years. At NCMR, a word search performed in May 2022 with the keyword *practice* in the title yielded 13 results excluding the five papers from this special issue. In these papers we can find useful examples of mediation (Kressel & Gadin, 2009), sustainability (Eliott & Kauffmann, 2016), the theory-practice link (Broome, 2017; Gross, 2018; Hogan, Frey, Kim & Clements, 2017; Olekalns, Shestowsky, Skratek & De Pauw, 2019; Putnam, Olekalns, Conlon & De Dreu, 2020), education (Ebner & Parlamis, 2017; Fisher & Fisher Yoshida, 2017; Jameson, Brinkert & Raines, 2018), high-stakes conflict (Oostinga, Rispens, Taylor & Ufkes, 2018), consulting practices (Druckman, 2019), and journalism (Ha et al., 2020).

This evidence suggests that there is a lacuna in the literature. Nonetheless, practitioners often consult with academics about advice on conflict and negotiations. Practice can be a resource for investigating the limits of current negotiation and conflict management theories. Practice can also help academics engage in a reality-check process that contributes to our understanding of the phenomenon. This special issue is intended to bring various types of practices closer to ongoing and planned research. The goal of our special issue is to showcase two types of contributions: 1) examples in which research informs the practice, and 2) examples from practice that aim to extend current negotiation and conflict management theory.

Action Science as a Theoretical Foundation

This special issue is, in part, a response to the call by Argyris (1980; 1995) and Argyris and Schon (1989) to build social scientific inquiry from an action science perspective. The goal of action science is to learn the "theories in use" participants bring to practice so that researchers can build more externally-valid conceptual frameworks from their insights. Over time, researchers and practitioners create an iterative partnership to learn from one another with the goal of incorporating these practitioner insights into more valid theories. How can theories become better at capturing key phenomena while also improving the work of practitioners?

While action science is traditionally viewed as a product of the interaction of practitioners and researchers, it can also be viewed as a framework for individual scholars to explore their phenomena of interest. Scholars, particularly in fields such as conflict that are rich with practitioners, can assume the role of practitioners from time to time to help inform, conceptualize and strategize together. Researchers in the field of conflict occasionally assume practitioner roles or explore how their phenomena of interest apply in actual conflict settings. Thus, our goal in this special issue is to reinforce the value of an action science perspective in exploring conflict phenomena.

What can we learn from researcher-practitioner collaborations to extend our knowledge of conflict? Each article provides examples of this learning. These include applying insights from practice that are developed further by research, using insights from research as lenses for helping practitioners work through difficult problems, and entering researcher-practitioner collaborations where both roles conceptualize and strategize together. They also include working together prior to negotiation to diagnose when parties are ready to enter the talks and learning about structural constraints on practitioners that are infrequently considered in laboratory experiments. The idea that runs through the articles in this issue is that action science is a useful perspective for making progress in managing conflicts.

Content of the Special Issue

A total of 23 initial proposals were received between August 28th and October 20th 2020. A total of 12 full papers were submitted. Eight manuscripts had practitioners as first authors, and four were led by academics. Five papers were finally accepted. The practical examples described on the original submissions stemmed from multiple fields such as: industrial relations, family businesses, government agencies, university management, international conflict, business to business negotiations (B2B), mergers and acquisitions, etc. The number and the diversity of submissions reflect an interest for the topic, as well as a need for journals to focus on practice.

The content of this special issue is organized into two parts. The first part consists of two articles from researchers who have assumed practitioner roles as consultants, diplomats and managers (Cai; Druckman & Donohue). These two articles contain specific examples from which anyone can draw useful advice. The next three papers present collaborations between academics and practitioners and present three different contexts in which the practice can extend the theory: cross-cultural mergers and acquisitions (Rana, Druckman & Canduela), corporate governance (Kern & Murphy), and B2B negotiations (Mann et al.).

More specifically, the article by Cai is an incredibly useful read for those dealing with difficult colleagues. The examples are derived from an academic setting but most of their content is generalizable to other organizations. The author elaborates on five principles derived from research in hostage negotiation and applied to conflict situations in academic organizational settings. The principles are: building rapport, message affect, relational goals, communication, and taking time. The examples include having a difficult conversation with a colleague after receiving a series of complaints and managing discrimination claims at the workplace. The article identifies several insights from Cai's practice that have interesting theoretical implications. For example, from her practice, Cai learned about a disputant tactic called *manufactured agreement* which is aimed at creating the illusion of support for a position. The article talks about how this concept might influence outcomes in a conflict.

The article by Druckman and Donohue views the theory-practice nexus through two lenses, the role of consulting analyst and the role of conciliator. Consulting examples include research on international alliances, negotiation turning points, and how matters of procedural justice come into play in the context of climate negotiations. Conciliation examples how framing research is used in the context of practice when solving a conflict over laboratory space with a faculty member. Each of the examples include a section about the lessons learned for the practice, in where the authors capture the way research adds value to practice challenges. They conclude with suggestions for how graduate education in the social sciences can be structured for developing pracademic skills. Perhaps the real value of the article is understanding how key insights from the consulting and conciliation process can stimulate important research questions that can move conflict research forward.

The article by Rana, Druckman, and Canduela is an example of a collaboration between practitioners and academics. The authors use a framework for analyzing turning points (TPs) in their cases of cross border mergers and acquisitions (CBMA) negotiations. They performed an analysis of nine negotiations between automobile manufacturers. This entailed coding each part of the framework, referred to as precipitants, departures, and consequences. The results provide a comparative picture of the dynamics in terms of the prevalence of each of these parts. They also shed insight into the way coalitions are formed and dissolved between union and management. A particularly interesting feature is a proposal for a two-stage collaboration between researchers and practitioners with an example of how this can be done. The goals of the collaboration are to both enhance an understanding of the key turning points construct while trying to refine strategies for conducting more effective cross-border mergers and acquisitions negotiations.

The article by Kern and Murphy is another example of a collaboration between practitioners and academics. The authors build on theory of collaborative governance processes and describe in detail: 1) the conditions that are necessary to initiate a collaborative governance process, and 2) the conditions that are essential to sustain this process. They elaborate on the need to identify the *readiness* (the individual motivations and believes of individuals related to their ability to prevail in the conflict) to determine the extent to which the situation is *ripe* (the joint decision that parties are ready to collaborate) to resolve the conflict. A set of 11 questions guide the assessment of each party's readiness to initiate and sustain a collaborative negotiation process. Based on their public policy experience, the authors suggest that success depends on evaluating process expectations before setting up the collaborative process. Thus, this article clearly demonstrates that when practitioners repeatedly observe an important process and collaborate with researchers to develop and refine it over time, both parties win. The constructs are more externally valid because the action science framework has been faithfully executed.

The article by Mann and colleagues is an excellent example of a common disconnect between practitioners and researchers that energizes the scientific iterative process. The article begins by acknowledging that practitioners have a more difficult time reaching mutually beneficial outcomes in buyer-seller negotiations than researchers expect based on empirical findings that favorable preconditions should lead easily to favorable outcomes. In a classic academic-practitioner collaboration, this article finds that this gap is a result of a structural dilemma. That is, practitioners find that B2B negotiations are characterized by specific tradeoff opportunities across multiple dimensions that are constrained by rigid financial constraints. Researchers recommend addressing this constraint by translating budgets into negotiation limits or budgetary parameters that can then be used to create tradeoffs. The transformation of a problem to an opportunity derived from an academic-practitioner collaboration can begin to extend the negotiation literature by investigating different types of tradeoffs.

Contribution of the Special Issue

Our special issue contributes to the field by highlighting examples in which the theory can help the practice, as well as, providing contexts in which the practice calls for an extension of the current theory. Moreover, this issue heralds a field at the juncture of several social science disciplines. We received submissions from colleagues in communication, economics and management, political science and several who worked for consulting companies. The articles provide examples of the challenges from public policy, academic management, international negotiation consultancy, business to business (B2B), and international business.

 Most empirical articles on negotiation prioritize experiments over field research that are rarely built upon partnerships between practitioners and researchers. An action science perspective might argue that such partnerships should be more common in a field that assumes that the output of research findings should have some practical applications. Do the simulated settings used in experimental research capture the important constructs that impact real-world negotiators or mediators? The chances that researchers will have impact depends to a certain extent on our willingness to engage with practitioners in their worlds. The tools are there as illustrated by the articles in this issue. So too are models of researcher-practitioner collaboration as described in the article by Rana et al. Further, we are positioned better than other disciplines to have this sort of impact—in creating integrative agreements in the public and private sectors, in giving advice to hostage negotiators, purchasing managers, diplomats, family mediators, and even wine dealers or museum directors.

We encourage researchers to approach and embrace practice. Of note is that management scholars show an increasing interest in dealing with real world problems. Let's all take a step forward and collaborate with our fellow practitioners to solve problems. These collaborations can make a difference in the world and

increase the impact of our field as the action science perspective promises. We conclude with quote from Lewin's, the originator of action research, "There is nothing more practical than a good theory" (Lewin, 1943).

References

Argyris, C. (1980). *Inner contradictions of rigorous research*., New York: Academic Press.

Argyris, C. (1995). Action science and organizational learning. *Journal of Managerial Psychology, 10*(6), 20-26. https://doi.org/10.1108/02683949510093849

Argyris, C., & Schon, D.A. (1989). Participatory action research and action science compared: A commentary. *American Behavioral Scientist, 32*(5), 612-623. https://doi.org/10.1177/0002764289032005008

Broome, B., (2017). Negotiating the nexus: Symbiotic relationship of theory and practice in conflict management. *Negotiation and Conflict Management Research, 10*(4), 252-264. https://doi.org/10.34891/jx0j-x289

Druckman, D., (2019). Theory to practice: Reflections on a consulting life. *Negotiation and Conflict Management Research, 13*(2), 163-179. https://doi.org/10.34891/3dvk-f702

Ebner, N., & Parlamis, J., (2017). Weaving together theory, research, practice, and teaching: A four-dimensional approach to negotiation and conflict management work. *Negotiation and Conflict Management Research, 10*(4), 245-251. https://doi.org/10.34891/ccfy-sp34

Elliott, M., & Kaufman, S., (2016) Enhancing environmental quality and sustainability through negotiation and conflict management: research into systems, dynamics, and practices, *Negotiation and Conflict Management Research, 9*(3), 199-219. https://doi.org/10.34891/m95m-4h46

Fisher, J., & Fisher-Yoshida, B., (2017) Educating negotiators: Using theory, practice, case studies, and simulations in an integrated learning experience. *Negotiation and Conflict Management Research, 10*(4), 286-305. https://doi.org/10.34891/p6yj-te71

Gross, M., (2018). Transforming society from theory to practice: Celebrating the achievements of Rubin Award recipients from the international association for conflict management. *Negotiation and Conflict Management Research, 11*(2), 111-114. https://doi.org/10.34891/sp6k-gp55

Ha, L., Yang, Y., Ray, R., Matanji, F., Chen, P., Guo, K., & Lyu, N., (2020). How US and Chinese media cover the US-China trade conflict: A case study of War and Peace Journalism Practice and the Foreign Policy Equilibrium Hypothesis. *Negotiation and Conflict Management Research, 14*(3), 131-152. https://doi.org/10.34891/w62z-5g51

Hogan, M. & Frey, L. & Kim, Y. & Clements, K., (2017). A Journey within the theory–practice nexus of conflict management: Contributions of Rubin Award recipient Benjamin Broome. *Negotiation and Conflict Management Research, 11*(2), 160-182. https://doi.org/10.34891/nmjd-c294

Jameson, J. K., Brinkert, R., & Raines, S., (2018). Beyond the bridge: Transforming conflict research, education, and practice by transcending barriers—honoring the contributions of Tricia S. Jones. *Negotiation and Conflict Management Research, 11*(2), 115-129. https://doi.org/10.34891/k26v-cy25

Kressel, K., & Gadlin, H. (2009). Mediating among scientists: A mental model of expert practice. *Negotiation and Conflict Management Research*, *2*(4), 308-343. https://doi.org/https://doi.org/10.34891/evvp-qw51

Lewin, K. (1943). Psychology and the process of group living. *The Journal of Social Psychology*, *17*(1), 113-131. https://doi.org/10.1080/00224545.1943.9712269

Oostinga, M. S., Rispens, S., Taylor, P., & Ufkes, E., (2018). High-stakes conflicts and the link between theory and practice: Celebrating the work of Ellen Giebels. *Negotiation and Conflict Management Research, 11*(2), 146-159. https://doi.org/10.34891/hxd6-j008

Olekalns, M., Shestowsky, D., Skratek, S., & De Pauw, A., (2019). The double helix of theory and practice: Celebrating Stephen J. Goldberg as a scholar, practitioner, and mentor. *Negotiation and Conflict Management Research, 13*(1), 85-97. https://doi.org/10.34891/8fc9-bd08

Putnam, L., Olekalns, M., Conlon, D. E., & De Dreu, C. K., (2020). From the field to the laboratory: The theory-practice research of Peter J. Carnevale. *Negotiation and Conflict Management Research, 14*(4), 310-322. https://doi.org/10.34891/qmmz-6b78

World Economic Forum. (2016). *The future of jobs report 2016.* https://www.weforum.org/agenda/2016/01/the-10-skills-you-need-to-thrive-in-the-fourth-industrial-revolution/

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From Theory to Practice and Back Again: Lessons from Hostage Negotiation for Conflict Management

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Abstract

This article provides five principles for effective conflict management, which are derived from research on hostage negotiation but applied to conflict situations within academic organizational settings. The principles draw from the author's personal experiences as a university administrator and are used to propose research questions that can be used for further study of conflict management. This article is part of a special issue in NCMR entitled "Lessons from Practice: Extensions of Current Negotiation Theory and Research."

Perhaps because I am afraid that life will prove me wrong, and perhaps because I know my own weaknesses, I am cautious to say that I am good at conflict management. On the one hand, my preference is to avoid conflict whenever possible. I come from a part of Midwestern United States where the cultural norm of always trying to be *nice* also means avoiding confrontations. Yet various aspects of my professional life in university administration have required the ability to manage conflicts, to coach people in conflict management, and to help people navigate challenging interpersonal situations. Although most conflicts I deal with as an academic administrator are not major, a few memorable cases have required a higher level of skill and resilience. Thankfully, I have never had to manage a conflict that rose anywhere close to the high-stakes level of hostage negotiation.

I first encountered hostage negotiation research in graduate communication courses on negotiation and conflict, and I continue to incorporate a section on this area of research whenever I teach communication and conflict management. Hostage negotiation puts the ability to effectively use communication to manage conflict situations to its greatest test. For me, this body of research has provided useful insights about how to communicate when managing conflicts in my own administrative role.

To be clear, the purpose of this article is to derive new directions for research from the practice of conflict management in the professional context of university administration. This is not an article about how to negotiate hostage situations.[1] Instead, this article shows how principles from this area of crisis negotiation have been helpful for me in thinking about how to manage conflicts I have encountered as an administrator in academic settings as a department chair, as an associate dean, and as a leader in an academic association.

This article begins by providing some background to hostage negotiation research. Next, several principles from this body of research are used to explain how to manage some of the more challenging conflict situations that I have encountered in my work as an administrator. From each of these conflicts, research questions are proposed that may be useful for future research on conflict and communication.

Principles from Hostage Negotiation for Practice

Without question, the role and responsibilities of a university administrator are far different from the role and responsibilities of a hostage negotiator. I am grateful that negotiating with a disgruntled faculty member has not been as challenging or as life threatening as negotiating with a hostage taker. I do not mean to suggest these types of conflict are the same.[2]

So why apply principles from hostage negotiation to conflicts in academic settings? Because, in my experience, the lessons I have learned from studying about high stakes crisis negotiations have provided useful principles for managing difficult interactions with faculty, staff, and administrators. To this end, hostage negotiation can serve as a metaphor for other distributive settings in which conflict must be carefully managed and negotiated. Using metaphors requires a lending domain—in this case, principles from hostage negotiation—and a borrowing domain—the context that the metaphor illuminates—in this case, the practice of managing conflicts in academic settings. In other words, principles from one context provide helpful guidance for practice in other difficult—albeit less dire—contexts.

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[1] To learn more about hostage negotiation research and practice, a good place to start is Rogan and Lanceley's (2010) edited book, *Contemporary theory, research, and practice of crisis and hostage negotiation*.

[2] Although I did have a panic button installed in my office after one particularly difficult interaction, thankfully, I have never had to use it.

It should be noted that hostage negotiation comprises a wide range of contexts, including situations that involve criminals, prison inmates, political extremism, domestic disputes, or mental illness (Grubb, 2010). Each context has its own set of attributes and challenges, so there is no singular approach to negotiating all these types. Therefore, the term *crisis negotiation* has become widely accepted and is often used interchangeably with *hostage negotiation*. Despite this wide range of crises, some underlying principles have been identified as particularly important for crisis negotiators. To understand why these principles are so important, we start by considering the relatively recent history of negotiating hostage situations.

Principles from Hostage Negotiation for Practice

Research on how to effectively negotiate hostage situations began in the 1970s. One of the primary motivators for finding better ways to negotiate was the terrorist attack on the 1972 Olympics in Munich (West Germany at that time), which resulted in 22 people dead, including a policeman, all ten terrorists, and all eleven hostages (Soskis & Van Zandt, 1986). In the U.S., the 1971 Attica prison uprising, in Attica, New York, left 43 people dead—33 prison inmates and 10 correctional officers and staff members. These deadly situations, which took the lives of both hostages and hostage takers, brought international attention to the need for new approaches to crisis negotiation. By the end of the 1970s, the New York City Police Department and the Federal Bureau of Investigation were training negotiators with new basic principles, which have continued to advance over the last fifty years. By now, there is a fairly extensive literature on hostage negotiation, and the knowledge and training has advanced significantly. In 2020, the 30th Annual Hostage Negotiation Competition at Texas State University in San Marcos, TX, was held, in which 30 teams competed over three days on their ability to negotiate hostage and kidnapping situations (McMains, 2004).

Hostage negotiators must continually manage and assess multiple goals to reach the point of influencing the hostage taker to surrender. Rogan and Hammer (2002) proposed SAFE as the acronym for the demands that must be managed during hostage negotiations and the related communication dynamics that are used to address these concerns. SAFE stands for Substantive (instrumental) demands, Attunement (relational) concerns, Face (identity) concerns, and Emotional concerns.

Substantive demands are tangible wants and needs. In business negotiation, these concerns are referred to as instrumental goals (Wilson & Putnam, 1990), which are measurable goals, such as time, money, goods, terms of insurance, and delivery. Substantive goals in hostage negotiation cover the range of requests from peripheral demands, such as food and drink to meet the hunger needs of the hostages, to central demands, such as requests for a car or a plane for escape.

Attunement demands have to do with the relational concerns between the parties involved. In hostage situations these concerns include threats to the hostage taker's power and control as well as the need for the hostage negotiator to convey empathy and build trust with the hostage taker. Rogan and Hammer (2002) pointed out that, at the beginning of a hostage situation, relational concerns do not begin at a neutral starting point: The hostage negotiator is already at a deficit in terms of trying to establish trust because the hostage taker is surrounded by police. Nevertheless, the hostage negotiator's ability to build trust with the hostage taker is crucial for hostage negotiations to resolve well.

Face concerns are those that promote, protect, or defend from threat our own identity as well as the identity of the other party (Brown & Levinson, 1987; Goffman, 1955). Brown and Levinson (1987) differentiated between positive face, which is the identity a person puts forward, such as being competent, kind, tough, or knowledgeable, and negative face, which is a person's autonomy, or the right to have one's time and decisions respected and not encroached upon by someone else.

Emotional concerns are particularly important to attend to in crisis negotiation because they involve intense emotions of anger, fear, and frustration that prevent the negotiation from moving forward by using normative processes. Ignoring emotional concerns is a recipe for disaster (Matusitz, 2013).

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The SAFE model is useful for managing crisis situations because it provides a framework for identifying specific frames that emerge throughout the crisis and a toolbox of communication strategies that can be used to de-escalate the conflict. Donohue, Ramesh, Kaufman, and Smith (1991) distinguished between crisis and normative bargaining. Crisis bargaining is often characterized by intense levels of emotion; substantive demands are difficult to address when emotions, such as anger and fear, are still high. In contrast, normative bargaining processes are more likely to focus primarily on identifiable instrumental outcomes, without the disruption of emotional intensity.

Donohue, Ramesh, and Borchgrevink (1991) proposed a framework for crisis negotiation along two dimensions: affiliation—trust, liking, and acceptance—and interdependence—acceptance of mutual responsibility and obligations. They described how features of coercive versus cooperative relational parameters varied across stages of different types of hostage situations: criminal, mental illness, and domestic violence. In crisis situations, more coercive communication is driven by the hostage taker's high stakes emotional, relational, and identity issues. Further, this type of bargaining lacks clear goals to pursue.

In hostage negotiations, when trust and liking between the hostage taker and the hostage negotiator achieve a level that is relatively stable and high, cooperative outcomes are more likely. But when trust and liking are low, power struggles are more likely to occur. Further, Womack and Walsh (1997) found that sincere communication improves cooperation, but deception damages both affiliation and interdependence. By using effective communication strategies, a capable negotiator is able to move the hostage taker from focusing on emotional, face, and attunement demands to addressing substantive demands, where more normative bargaining processes can be used. In these and other models of hostage negotiation, skilled communication—often over long periods of time—is paramount.

Television depictions of hostage situations—like depictions of other types of conflict management—are usually poor representations of how these conflicts should be handled. For example, the occasional hostage situation on *Law & Order: Special Victims Unit* has about fifteen minutes for the hostage situation to be resolved. One such episode showed a situation in which a young man takes his girlfriend and her daughter as hostages (Leight et al., 2012). The police are eager to end the standoff by taking out (i.e., killing) the young man as soon as they have a clear shot. Olivia Benson argues with the officer in charge, demanding the police not shoot but instead wait for the young man to give himself up and release the hostages. It makes good drama. But like so many dramatic depictions, it suggests that ending the situation, and using violence to do so, is more important than preserving the lives of those involved, including the hostage taker. In this episode, Olivia wins out, and the hostage taker is apprehended. But in other episodes and on other shows, expediency—and dramatic effect—result in the hostage taker being killed.[3] Crisis negotiation research predicts that if hostage situations unfold too quickly, the whole process can be derailed.

When I teach courses on conflict management or negotiation, I cover crisis negotiation because there are valuable lessons to learn from hostage negotiation research about communicating in difficult situations that can be applied to less severe crises. For example, one high-stakes goal of hostage negotiation is to save lives—of the hostages as well as of the hostage taker (Magalatta et al., 2005). This goal raises the bar to Fisher and Ury's (2011) goal of a wise agreement, which prescribes, in part, reaching an agreement that improves the relationship with the other party, or at the very least, leaves the relationship no worse off than it was.

Further, in phase models of crisis negotiation (e.g., Madrigal et al., 2009), the initial phase involves information gathering, which takes place before the negotiation even begins. This is the preparation stage. Lewicki and Litterer (1985) wrote that planning is the most important part of the negotiation. Yet this process is often overlooked (Molhotra, 2015), because people are overconfident in their abilities, or they

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[3] As much as I enjoy watching the show, *Law and Order SVU* is not a good model for conflict management. Most episodes show detectives and attorneys yelling at each other in one scene and calmly working together in the next. It makes good TV drama, which means it sets a poor example for how disagreements ought to be handled.

underestimate the need to be more fully prepared. In crisis negotiation, this phase sets the stage for the negotiation that will unfold. Crisis negotiation research drives home how essential careful and thoughtful planning is to being a successful negotiator.

Thankfully, most day-to-day interactions with my colleagues are cooperative. Plus, I have a fairly short memory about most conflicts. Once finished, they're done. The Zeigarnik effect (Zeigarnik, 1938) posits that completed tasks tend to be forgotten, but uncompleted ones are more likely to stay with us. I feel this way about most conflicts: Once they are managed, I tend to forget them. In this regard, good relationships are fostered by a short memory.

However, challenging conflicts do arise that are difficult to manage. Drawing from knowledge and skills in the crisis negotiation literature has helped in managing these conflicts. The following sections describe some of these cases, organized around some key principles of hostage negotiation, and followed by questions that are proposed for future inquiry and research in conflict management.

Principle 1: Building Rapport

Thompson (2015), a psychologist who trains hostage negotiators, wrote, "Active listening is the most important set of communication skills that a crisis negotiator must not only use, but must use properly" (p. 1). Active listening allows people's emotions to calm down and lets them know they are being heard. It is also an essential tool for finding out what is at the source of the conflict.

According to the phase models, the second phase of hostage negotiation focuses on using active listening and empathy to build rapport with the other party (Madrigal et al., 2009). One of the longest phases in the process, it is during this stage that the hostage negotiator works at building rapport and trust with the hostage taker while also working to understand the issues that are at the root of the crisis (Donohue, Ramesh, & Borchgrevink, 1991). This ability to build rapport is essential in conflict management.

Back when I was a new department chair, we were in the process of hiring a new faculty member. The process was nearly complete, and it was my job to make the final decision. I had laid out expectations for how the search was to be conducted, and I was proud of how my department's faculty had managed the process. The search committee did its job well, and a diverse pool of applicants was narrowed to three good candidates. After a full round of campus interviews, the pool was narrowed to two candidates. After the final round of interviews, the search committee met and made its recommendation to me. In addition to their recommendation, I asked all the faculty members to express their preferences to me privately. I had not yet announced who would be offered the position, but one candidate, who was from an underrepresented population, had edged out the other. From my perspective, the process was fair and inclusive to all parties involved.

The morning I was planning to announce the hiring decision, one faculty member (we'll call him *Mark*)[4] sent me an email, copying the whole faculty, claiming that the whole hiring process was racist. I responded to Mark directly by email, asking that he come see me as soon as possible. Later that morning, Mark was sitting in the chair across from me in my office.

Mark was clearly upset when he came into my office that morning. Some might have perceived him as aggressive, and perhaps I did too. My recollection is of a calm conversation, though I know it did not start out that way. Mark was angry. Nonetheless, I was determined that, before he walked out of my office, he would understand that the search had not only been fair and equitable but had been handled very well.

As discussed above, Donohue, Ramesh, and Borchgrevink (1991) differentiated between crisis (i.e., distributive) and normative (i.e., integrative) negotiation processes, and Rogan and Hammer's (2002) SAFE

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[4] The names of the people in my examples have all been changed.

model identified four concerns that arise in crisis negotiations: Substantive, Attunement, Face, and Emotional. Both these models identify the importance of using effective communication strategies to address high intensity emotions, which contribute to the crisis mode and prevent the use of normative negotiation processes in which substantive issues can be addressed. In Mark's case, he was highly emotional, expressing anger and frustration.

Mark repeated several times his claim that the process was racist. Without becoming defensive, I laid out the exact process, how we sought a diverse pool of applicants and finalists, the various ways that different interests were given voice, and that, given how comparable the two finalists were judged by the faculty, my decision to go with the person who was from an underrepresented population. Still, Mark repeated his claim.

It wasn't until we went through several rounds of Mark claiming the process was racist, and my asking Mark questions about why, that it became clear that what he was talking about was faculty hiring processes in general. It turned out that Mark was expressing bitterness about how he felt his own hiring had been managed, which had occurred years before I was at this university, and how his own hiring was, in his mind, fraught with racially-biased decision making.

Mark had his own goal in mind—to make sure I understood the bias that he felt was underlying hiring processes across the university. Once I understood that goal, I could show how we did things differently in the current hiring process from what he had experienced before. Subsequently, we could talk about what else could be done in future hiring to ensure a fair, inclusive, and equitable process.

If I came into the discussion on defense—or offense—the conversation would not have had a constructive outcome. In the end, Mark shook my hand, thanked me for hearing him, and we left the conversation with a stronger working relationship than before.

The dean I currently work for as an associate dean frequently reminds our leadership team to "seek to understand before trying to be understood." Good conflict management starts with active listening: Asking questions and receiving information without judgment, and then repeating and rephrasing what the person is feeling and what you understand them to be saying.

Active listening in conflict management serves four purposes in a situation like the one just described. First, active listening communicates empathy and concern for the other person and what the other person is thinking. Second, active listening is useful for managing emotions, both by lowering the level of emotion the other person may be feeling and deflecting my own defensiveness. Third, it is through active listening that we begin to gauge the other person's substantive concerns. And fourth, active listening is a very good way to buy time to figure out where the conversation needs to go, to identify what the next steps need to be and how to choose the right words to say. If I'm listening, I'm not talking, and if I'm not talking, I'm not saying something before I'm ready to say it. This example suggests the following research questions:

RQ1. Do more questions and fewer statements in the early stages of conflict and negotiation yield better outcomes (e.g., satisfaction, instrumental)?

RQ2. What is the role of asking questions in de-escalating conflict?

Principle 2: Message Affect

Because emotions play such a central role in crisis negotiation, managing how emotions are expressed and allowing time for emotions to cool are frequently a focus in hostage negotiation research. Allowing intense emotional levels to calm is essential before substantive processes can unfold, which is one reason hostage situations may take many hours to resolve. Whereas business negotiation typically focuses on instrumental, relational, and identity goals (Wilson & Putnam, 1990), in the context of hostage negotiations, Rogan and Hammer's (2002; Hammer, 2007) SAFE added emotion to this set of concerns.

From a communication perspective, language intensity is the strength of verbal expression a person uses about an object or issue; greater intensity is associated with higher levels of emotion and stress (Rogan & Hammer, 1995). Because it is both difficult and unwise to try to negotiate with a person who is in a highly emotional state, language intensity can indicate that person's emotional and stress levels. The Yerkes-Dodson law predicts that, as stress increases, performance quality also increases, up to a point (Gino, 2016; see Figure 1). After that point, with increased stress, anxiety, and negative emotion, performance quality drops significantly. Or as one friend put it: "When people are too highly stressed, they get stupid." Understanding patterns of communication, and having strategies to respond, is part of the conflict management toolkit.

Figure 1
Performance-Emotional Arousal Curve
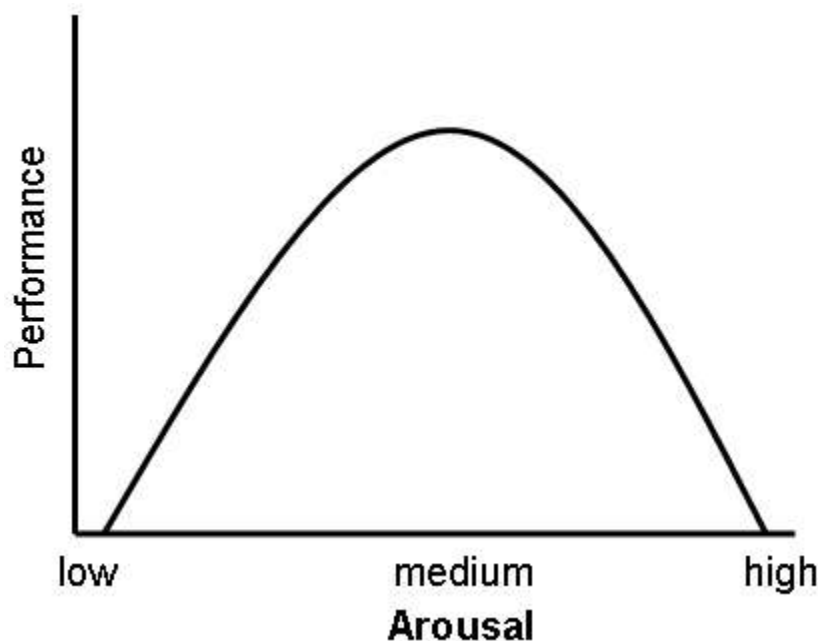
Note. Image available at
https://static.wikia.nocookie.net/psychology/images/6/61/YerkesDodsonLawGraph.png

Here is the case of Molly. As associate dean, I had received many complaints over time about how she treated her colleagues and students, such as being dismissive of colleagues, loudly packing up and leaving meetings when others did not agree with her, and speaking to staff and graduate students with a tone that was perceived as contempt. I was sad to have to address this pattern of behavior, because personally I never experienced these issues with her. Yet enough complaints came in to warrant intervention: We needed to talk. Molly held positions of leadership, so her behavior was making other people's work difficult. I had to address it. When I sought guidance about handling the situation, a colleague in human resources advised: "The first time we receive a complaint about a colleague it could just be a mistake—we all act poorly sometimes; a second time is a bit of a warning – but still, it could just be another bad day; however, a third time indicates a pattern that probably needs to be addressed." At this point, I had a list of about 12 complaints.

I welcomed Molly into my office, offered her a chair, and opened the conversation with the need to talk about some concerns about her that had come to my attention. Although Molly and I usually got along well, she immediately became emotional and defensive. She announced, "You should know that I come from a difficult family, so when I feel I'm being attacked, I throw up." I reached under my desk, pulled out a wastebasket, and set it next to her. I continued, "I'm not here to attack but to let you know a number of concerns that have been raised."

Due to her emotional state, her first tactic was to start asking for specific details of who complained, about what, and when. This tactic was a defensive strategy to protect her own face and not have to accept responsibility for the concerns that had been raised. The tactic can derail the focus of the conversation, which in this case, was to identify patterns that had emerged and to help her to realize the benefit of seeking guidance to do better. I had learned that the strategy for addressing this tactic is to continue addressing the issues without giving specific details of the person, place, and episode, but instead, to keep focusing on the desired outcome. In this case, the desired outcome was to get this colleague to seek guidance on how to become a more effective colleague.

When the first tactic didn't work, Molly turned to a second tactic, *guilt shoving*, which was to turn her defensiveness on me, with accusations of how I didn't care, this was all my fault, how I never liked her, and how I never had her best interest in mind. Her language intensity increased, and she became more accusatory, indicating even greater stress and anger.

I knew this tactic would be coming. I also knew the accusations were her defense against what I'm sure felt like an attack on her identity. I did not need to defend myself, because the attacks were an effort to defend her own face by threatening mine. In a calm and quiet voice, I reminded Molly that it would be easier for me to let this issue go than to address it, and I reminded her that she knows me, knows who I am, and knows that deep down I have her long-term best interest in mind.

After several days, I followed up with Molly. In the end, she sought out some helpful resources. I will never know if her attitudes changed toward those she worked with, but her behavior did. And for her and for everyone else, that made a big difference.

Gladwell (2000) differentiated between panic and choke: Panic occurs when we stop thinking but need to think, whereas choke occurs when we have trained ourselves to respond with appropriate and well-prepared tactics, but due to anxiety, we forget to use those tactics. Every conflict provides the opportunity to practice what works effectively and prepares us to respond to future stressful situations more calmly.[5] Hostage negotiators are experienced and prepared with a repertoire of strategies to bring down stress levels, build rapport, prevent further escalation, and move the negotiation into resolution. On my side of the desk, every conflict situation has taught me to respond more calmly when a person needs to vent, becomes defensive, or uses guilt-shoving—trying to put the blame on me when I know I am not the cause of the problem. And I have learned that the high emotional state of the person is likely more to blame for that person's outburst than reason and clear cognitive processing. This experience leads to the following research questions:

RQ3. What constitutes tactics of personal attacks in verbal and nonverbal communication, what triggers them, what are the most effective strategies for managing these attacks, and what goals best guide choices in effective strategies to address them?

RQ4. How are choke and panic evident in conflict management situations? What tactics and training can prepare people to prevent these responses in their various forms?

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[5] As a music teacher once told me, "Practice makes permanent—not perfect." If one practices mistakes, those mistakes will be repeated. Practicing something the way it should be done makes it easier to do it correctly next time.

Principle 3: Relational Goals

An essential part of hostage negotiation is to build rapport with the hostage taker. Efforts to preserve the relationship, or at least not damage it (Fisher & Ury, 2011), temper how many conflicts are handled. As the crisis negotiation literature illustrates, showing empathy and building rapport are crucial for resolving crises. Much of what we know about good conflict management includes the assumption that relational concerns are an important part of working through conflict with another party. But how we think about relationships during negotiation can be complex. Principled negotiation (Fisher & Ury, 2011) recommends "separating the people from the problem" and being "soft on the people and hard on the problem" (p. 13). Yet, one of my most freeing experiences in working through a very challenging conflict situation was when my opponent labelled me simply as *the enemy*. Here's what happened.

We had spent a couple months trying to negotiate a very difficult situation involving the financial and legal position of an academic association. Emotions were high. Lawyers were involved. I was working hard to navigate the tensions of a messy situation while also working hard to maintain a good relationship with the person leading the other side of the conflict, someone with whom I had had a good working relationship for several years. I had made every effort to maintain some type of good relationship with our opponent, thinking it would help in the effort to find a solution.

But after months of battling, during a conference call with people from both sides, she spoke directly to me and said, "You are the enemy."

I am certain she meant it as an attack, but for me, it was a statement of freedom. My concern over protecting and preserving the relationship had just been removed from the negotiation, at least with the person who was at the center of the conflict. Now I was free to get down to business and work on a solution that addressed the overarching issues. No longer did I need to worry about how I was perceived by my opponent. No longer was I concerned about building rapport or about keeping the relationship intact or about whether there would be a relationship left if we ever reached the end of the conflict.

Let me be clear. This was not *carte blanche* to do whatever I wanted. Freedom to pursue our own side of the issues still required a clear moral compass on what was right. It required seeing things from both sides of the conflict, because it was clear I could no longer rely, whatsoever, on the other side to rationally contribute to a normative negotiation process.

This was a big conflict, because the outcome could potentially impact a lot of people. But thanks to the opponent's declaration, the relationship with the opponent was no longer going to help—or hurt—the effort to find a resolution. The parameters of trying to keep a good long-term working relationship or seeking common goals were no longer guiding, or constraining, how the conflict could be addressed. Once I was labelled as the enemy by the other side, I was free to pursue what needed to be done to bring an end to the conflict, perhaps because "focusing on the person" was no longer an option. This experience raises the following research question:

> *RQ5.* Under what conditions does seeking to build rapport become a hindrance to achieving successful outcomes?

Team Relationships

Freedom from that relationship, however, did not mean there were no other relational concerns. This conflict involved teams of people on both sides: I led one side and my opponent led the other. When my opponent severed our relationship, that meant good people were also cut out of the conversations and were forced into sides they didn't necessarily want to be on, which made the situation difficult for them. In this case, members of the opposing team had been pulled into a side of the conflict they didn't necessarily believe in. As a result, they played as much of a role behind the scenes on the other side as our own team

did on the front lines: Never underestimate the voice of reasonable people seeking good, even when they may seem to be on the other side of the conflict. They shared the stress and anxiety of the conflict while doing what they could to find a solution to the challenging goals we needed to achieve. The team behind the scenes on the other side share in the credit for ending the conflict.

Hostage negotiators may get the credit for bringing the hostage situation to successful closure with no loss of life. But there are teams of police and counselors securing the premises, keeping bystanders out of the way, researching information about the hostage taker that the negotiator can use, monitoring changes in the situation, and ensuring the crisis comes to a successful close. This is why the annual hostage negotiation competition, mentioned above, engages teams, not individuals, to compete. Effective negotiators often rely on a team of people to bring about safe and effective closure.

Only rarely have I had to manage a professional conflict in which others were not involved. Sometimes it has been one or two people who serve as perception checks, people who help me think through my own biases, plan strategies, or process the outcome. Other times there have been teams involved who help by providing support, fact checking, and strategizing. Although much of our negotiation and conflict management research focuses on individual strategies and tactics, it is rare for professional conflicts to be simply one-on-one endeavors. The team leader may get the credit, but the team is crucial to the outcome.

I often say, "The assistant director does not get the Oscar," because in most team efforts, usually one person gets most of the credit and recognition for what is accomplished—a great movie, a Nobel prize, a major conflict resolved effectively. Yet, in many cases in which someone is recognized for outstanding work, there are teams of people behind the scenes, feeding information, backing up the lead negotiator, and keeping the team on task and focused on the outcome.

This long and difficult conflict eventually came to an end. We created a path that led to closure, and we were able to move forward. Although I received a lot of credit for achieving a successful outcome, it took a really good team of people on both sides, working hard behind the scenes and not giving up, to resolve the crisis.

RQ6. What are the most effective strategies for managing intergroup conflicts when there are factions on the other side or on both sides?

RQ7. If the team leader is creating most of the conflict, what ethical strategies can be used by the rest of the team or for working with the rest of the opponent's team?

Principle 4: Communication

One of the most important lessons from crisis negotiation research is the crucial role of effective communication (Matusitz, 2013). As Mullins (2002) wrote, "Hostage negotiators are in the communication business" (p. 63). Many tactics and strategies have been developed that work well for building rapport and de-escalating hostage situations. Further, skilled negotiators know what warning signals to listen for in the hostage taker's communication, and they know what strategies to use in response (see, e.g., Miller, 2005).

Although the crisis negotiation literature identifies many aspects of communication that have been studied in the context of hostage negotiations, during the association conflict case sited above, I identified two tactics used by the other side that were undermining our ability to make progress.

Conversational Control

One of the tactics the opponent used to control interactions was to dominate the conversation. She spoke over people, interrupted people, was the first to respond—and talk at length—to any question raised

by either side. We'll call this tactic *conversational control*: While controlling the interaction, she was also controlling the content of the conversation.

On the one hand, crisis negotiation strongly advocates for active listening. But active listening is not just letting the other person talk. In crisis negotiation, for example, allowing the hostage taker to vent is not considered active listening and can contribute to a dangerous situation as language intensity increases (Rogan & Hammer, 1995). Active listening must also involve observing communication dynamics and patterns that emerge. In the association conflict, it became evident that too much listening on our side, and too much talking on the other, was giving the opponent the advantage. We already knew what the issues were that needed to be addressed, so conference calls were supposed to yield small moves toward a resolution. Instead, the opponent actively worked against discussion and problem solving. By dominating the interaction, the opponent obstructed constructive processes and prevented us from presenting our side of the issues. It was a subtle but effective tactic: Just keep talking; don't let the other side move the discussion forward.

No matter what boundaries we tried to set for who would speak and for how long, nothing worked. Eventually, I enlisted a mediator to help control the conversation, but even the mediator had difficulty keeping the opponent from dominating the conversations. More forceful countertactics of controlling the floor became necessary. The opponent's conversational control was an effective tactic. Identifying it—and then finding ways to work around it—became crucial for moving the case forward. This tactic rendered what should have been normal negotiations to be useless.

RQ8. What are the effects of conversational control on information sharing and on integrative processes?

RQ9. What tactics and strategies can be used to effectively manage the use of conversational control?

Manufactured Agreement

The other tactic the opponent used took longer to identify. I call this tactic *manufactured agreement*. Here's how it works.

On a regular basis, and to our team's surprise, the opponent would come to the table with reports that she had garnered support for her side—on whatever issue was being discussed—from respected parties we knew were invested in the outcome of the conflict. Here's what she would say:

I spoke with [this person], who agreed with me about [whatever issue was at stake], and then I spoke with [this other person], who also supported me.

These reports were disconcerting because each expression of support seemed to weaken our side's position; it seemed we were losing support from key stakeholders we thought were supporting our side of the issues: We believed our position was widely supported by these same concerned parties the opponent just said supported her position. Then, finally, I realized what was happening.

The opponent was speaking to each of these individuals one at a time. The conversations would start something like this [the opponent is speaking to one of these interested parties]:

Here is my view on how things work . . . [she explains her position in very broad terms, with no facts and details clarified]. Doesn't that seem reasonable?

To make sense of what was happening, consider the communication concept of a *demand ticket*. A demand ticket is a question that requires a response, usually a formulaic one (Nofsinger, 1975). For example, "How are you?" is generally met with the appropriate and well-trained response, "Fine." When I lived in China, I learned an effective response to the demand ticket, "Have you eaten?" was "Yes, I have eaten enough," or to the demand ticket, "Where are you going?" was simply "Out." It was sufficient to respond to the question without divulging information that the other person did not need to know, and that response was generally sufficient and acceptable.

In this case, "Doesn't that seem reasonable?" is a demand ticket that can generate a formulaic and cursory response, such as "Sure" or "I guess so." These responses are a type of backchanneling, which is used to convey the meaning "I'm listening" more than "I agree." But the affirmative responses from these one-on-one conversations with individual stakeholders were then used by the opponent to suggest these stakeholders supported her side's positions. Further, because each of these conversations was one-on-one, no one could refute or reframe the content of the conversation.

Once this tactic of manufactured agreement was identified, it became much easier to respond to the opponent when she said she had broad support for her positions: "So if we call this person, they will verify their support?" "Who else was on the call when you spoke to that person?" Further, once the tactic was identified, I asked members of our team to cease having one-on-one conversations with the opponent. We agreed that, going forward, there must be at least three people on any call with this person. It was the only way to combat the opponent's misrepresentation that she had support that she did not have.

But this tactic also raises a cautionary note about backchanneling. Americans, especially women in the U.S., are more often socialized to use backchanneling: "Mmmhmm," "I see," "Go on." Especially on the phone, we may feel the need to fill the vocal vacuum. In this case, the expression of interpersonal support was being twisted into support for the opponent's positions. It is an instructive example of learning to keep quiet rather than allowing everyday communication norms to convey positions that we do not hold.

RQ10. How does manufactured agreement work?

RQ11. Can backchanneling result in misperceptions about agreement?

Principle 5: Take Your Time

One of the important lessons from hostage negotiation is the length of time it takes to resolve hostage situations. Phase models (Donohue, Ramesh, Kaufman, & Smith, 1991; Holmes & Sykes, 1993; Madrigal et al., 2009) have proposed that, in criminal hostage cases (e.g., when a convenience store robbery ends up in an unexpected hostage-taking situation), the resolution may last several hours. Domestic crises may take longer. Although the media tend to fret over hostage standoffs lasting more than an hour, crisis negotiation can take several hours to several days to reach an outcome. Nonetheless, 85% to 95% of hostage negotiations end successfully (Rogan, 2013), with all hostages and the hostage taker emerging from the standoff physically unharmed.

The association conflict took months to resolve. Emotions were high with anger, fear, and frustration. The stakes were high, with the association's survival on the line. At times, some of the key stakeholders thought it would be best to call it quits and just shut the whole association down—no one wins, we're finished—rather than to continue the battle. In organizational conflicts, when a heated conflict unfolds and persists over weeks or months, one of the most difficult challenges is keeping one's team from just giving up and giving in. Resilience sometimes comes down to a daily determination to keep working at the problem for one more day, with hope that perseverance will pay off in the end. Divorces, custody battles, hostage situations, and high stakes business negotiations require keeping in mind the long-haul process, even when no end is in sight and the outcome remains uncertain.

And then, when the end seems to be finally in sight, an important lesson from hostage negotiation is to slow down when the resolution seems close; do not speed up at the end. Negotiation is not a sprint to the finish. In international business, American negotiators are often taken by surprise when, on their way to the airport, their international counterparts suddenly ask for "just one more thing." This time-pressure tactic leaves the American having to decide if they should return to the negotiation table and miss their flight home. If unprepared for such a tactic, the inexperienced negotiator may be caught off guard and simply concede to the request rather than returning to the negotiation table. Instead, expect the unexpected and slow down as you near the finish line. Some examples of hostage negotiations that fell apart—either for the police or

for the hostage negotiators—are ones in which one side or the other let its guard down and rushed to bring the situation to a close (Fuselier et al., 1989; Mullins, 2002).

After months of difficult negotiations, we were close to an end, brought about in part by an impending change in leadership that was supposed to take place but was still tenuous. It was a time when there should have been a collective sigh of relief on all sides. Yet, the day before the scheduled hand off, the outgoing board members received new information about the association's finances: Suddenly the new leadership was being strapped with huge debt they did not know existed, along with an accelerating—rather than decelerating—conflict.

Being prepared for last minute surprises does not make them go away, but it does help provide the needed resilience to work through them. It would have been easier to say, "We're done," or "I resign," and let someone else try to figure it out. But a good team knows, especially in conflict, not to let down its guard, not to expect the conflict is over until the other party is fully constrained, contained, and restrained, and all agreements are signed and acted on in full.

RQ12. In a long-term conflict, how is resilience affected by focusing on short-term versus long-term goals?

RQ13. Does a process orientation versus an outcome orientation affect the ability and willingness to pursue a successful outcome in a long-lasting negotiation or conflict situation?

Final Comments

Hostage negotiation is a unique context of intense conflict in which lives—including the life of the hostage taker—are at stake and that requires skilled training on the part of the crisis negotiator to communicate with the hostage taker: To listen and know what to listen for, to build rapport and trust with the hostage taker, to express empathy as well as to manage multiple high-stake goals. It is a context that puts everything we know about communication in the context of negotiation to the test at the most difficult and consequential levels.

My upbringing is rooted in Midwestern values: Keep everything calm, do not allow disagreements to escalate, and avoid confrontational arguments—until they explode in venting and anger. I used to experience fear of escalating conflict: feeling nervous, ruminating over what someone said or wrote, worrying about what to do, wondering whether the situation will resolve itself or whether I would have to do something about it, and if so, what. Therefore, an important lesson for managing conflict has been to learn that many situations that we perceive as conflicts—because they involve conflicting goals and expectations—can be managed with ordinary conversations.

One thing experience has done for me is lower the emotional temperature of conflict situations. Keeping emotions in check, not getting worked up over what someone said—or how it was said—helps lower the perception that the situation is a conflict in the first place. If I anticipate that the other side may become angry, I consider ahead of our interaction the ways to diffuse the other side's anger or keep that person from feeling threatened. I still feel anxious walking into any interaction where I expect that the other side may be or will become angry. But if I don't expect the other person to be angry, then I feel less tense about handling it. As a result, I ruminate less about the situation both before and after the interaction, am less likely to work myself up over it, and therefore can be more focused.

Thankfully, most of my daily work does not involve conflict. Or perhaps it's just that the bar has been raised on what situations count as conflicts compared to those that just need a bit of attention: a faculty member questioning a decision, a student unhappy because she does not like how the teaching assistant graded her paper. The wide range of situations that used to feel like conflicts has narrowed significantly. For the most part, I find people to be quite reasonable; they want to be treated with respect and want to be provided with sound reasons for decisions.

After the 2016 election, I heard Hillary Clinton speak about the need for more women to run for elected office: "But if they run for office," she said, "they need to have thicker skin." To keep focused on the primary goals in difficult conversations, I have had to learn to develop thicker skin. Every difficult conversation makes the next one just a bit easier to handle. Now my skin is thicker, which makes it easier to let the person express emotion, even burst out and yell. It's never pleasant. But sometimes it is a necessary part of the conflict management process, either by getting people to the place where they will seek the help they need or by finding ways to prevent their behavior from harming others.

Learning the best strategies and tactics in crisis negotiation has been very helpful for managing less intense situations. Other chairs, associate deans, and administrators may draw guidance from other sources for managing conflict; I have found the hostage negotiation literature to be a useful and insightful guide to communication and conflict. The biggest lessons I have learned are how to do active listen, build rapport, and not be surprised when the process takes much longer than expected, and then to appreciate that each conflict managed is part of the process it takes to develop thicker skin.

References

Brown, P., & Levinson, S. C. (1987). *Politeness: Some universals in language usage*. Cambridge University Press.

Donohue, W. A., Ramesh, C., & Borchgrevink, C. (1991). Crisis bargaining: Tracking relational paradox in hostage negotiation. *International Journal of Conflict Management, 2*(4), 257-274. https://doi.org/10.1108/eb022701

Donohue, W. A., Ramesh, C., Kaufman, G., & Smith, R. (1991). Crisis bargaining in hostage negotiations. *International Journal of Group Tensions, 21*, 133-154.

Fisher, R., & Ury, W. (2011). *Getting to yes: Negotiating agreement without giving in* (3rd ed.). Penguin Books.

Fuselier, G. D., Van Zandt, C. R., & Lanceley, F. J. (1989). Negotiating the protracted incident: The Oakland and Atlanta prison sieges. *FBI Law Enforcement Bulletin, 58*, 1-7.

Gino, F. (2016, April 14). Are you too stressed to be productive? Or not stressed enough? *Harvard Business Review*. https://hbr.org/2016/04/are-you-too-stressed-to-be-productive-or-not-stressed-enough

Gladwell, M. (2000, August 14). The art of failure: Why some people choke and others panic. *The New Yorker*, 84-92.

Goffman, E. (1955). On face-work: An analysis of ritual elements in social interaction. *Psychiatry, 18*(3)*,* 213-231. https://doi.org/10.1162/15241730360580159

Grubb, A. R. (2010). Modern day hostage (crisis) negotiation: The evolution of an art form within the policing arena. *Aggression and Violent Behavior, 15*(5), 341-348. https://doi.org/10.1016/j.avb.2010.06.002

Hammer, M. R. (2007). *The S.A.F.E. model for resolving hostage and crisis incidents*. Praeger Security International.

Holmes, M. E., & Sykes, R. E. (1993). A test of the fit of Gulliver's phase model to hostage negotiations. *Communication Studies, 44*(1), 38-55. https://doi.org/10.1080/10510979309368381

Leight, W. (Writer), Martin, J. (Writer), & de Segonzac, J. (Director). (2012, February 8). Father's shadow (Season 13, Episode 13) [TV series episode]. In P. Jankowski, T. Kotcheff, W. Leight, & D. Wolf (Executive Producers), *Law & order: Special victims unit*. Wolf Films; Universal Television.

Lewicki, R. J., & Litterer, J. A. (1985). *Negotiation* (2nd ed.). R. D. Irwin.

Madrigal, D. O., Bowman, D. R., & McClain, B. U. (2009). Introducing the four-phase model of hostage negotiation. *Journal of Police Crisis Negotiations, 9*(2), 119-133. https://doi.org/10.1080/15332580902865144

Magaletta, P., Vanyur, J. M., & Digre, K. (2005, August). On the consequences of listening: Hostage incidents in the Federal Bureau of Prisons. *Corrections Today*, 90-92.

Malhotra, D. (2015, December). Control the negotiation before it begins**:** Focus on four preliminary factors that can shape the outcome**.** *Harvard Business Review*, 66-72. https://hbr.org/2015/12/control-the-negotiation-before-it-begins

Matusitz, J. (2013). Interpersonal communication perspectives in hostage negotiation. *Journal of Applied Security Research, 8*(1), 24-37. https://doi.org/10.1080/19361610.2013.738406

McMains, M. J. (2004). Competition refines skills. *Journal of Police Crisis Negotiations, 4*(2), 63-65. https://doi.org/10.1300/j173v04n02_09

Miller, L. (2005). Hostage negotiation: Psychological principles and practice. *International Journal of Emergency Mental Health, 7*(4), 277-298.

Mullins, W. C. (2002). Advanced communication techniques for hostage negotiators. *Journal of Police Crisis Negotiations, 2*(1), 63-81. https://doi.org/10.1300/j173v02n01_05

Nofsinger, R. E., Jr. (1975). The demand ticket: A conversational device for getting the floor. *Communication Monographs, 42*(1), 1-9. https://doi.org/10.1080/03637757509375871

Rogan, R. G. (2013, February 4). Expert says 85 to 90 percent of hostage negotiations are resolved nonviolently. *Newswise*. https://www.newswise.com/articles/as-hostage-situation-continues-crisis-expert-says-85-to-90-percent-of-crisis-negotiations-are-resolved-nonviolently

Rogan, R. G., & Hammer, M. R. (1995). Assessing message affect in crisis negotiations: An exploratory study. *Human Communication Research, 21*(4), 553-574. https://doi.org/10.1111/j.1468-2958.1995.tb00358.x

Rogan, R. G., & Hammer, M. R. (2002). Crisis/hostage negotiations: A communication-based approach. In H. Giles (Ed.), *Law enforcement, communication, and community* (pp. 229-254). John Benjamins.

Rogan, R. G., & Lanceley, F. J. (Eds.). (2010). *Contemporary theory, research, and practice of crisis and hostage negotiation*. Hampton Press.

Soskis, D. A., & Van Zandt, C. R. (1986). Hostage negotiation: Law enforcement's most effective nonlethal weapon. *Behavioral Sciences & the Law, 4*(4), 423-435. https://doi.org/10.1002/bsl.2370040406

Thompson, J. (2015, October 5). The 5 core skills of hostage negotiators. *Psychology Today*. https://www.psychologytoday.com/us/blog/beyond-words/201510/the-5-core-skills-hostage-negotiators

Wilson, S. R., & Putnam, L. L. (1990). Interaction goals in negotiation. *Annals of the International Communication Association, 13*(1), 374-406. https://doi.org/10.1080/23808985.2090.11678764

Womack, D. F., & Walsh, K. (1997). A three-dimensional model of relationship development in hostage negotiations. In R. G. Rogan, M. R. Hammer, & C. R. Van Zandt (Eds.), *Dynamic processes of crisis negotiation* (pp. 57-76). Praeger.

Zeigarnik, B. (1938). On finished and unfinished tasks. In W. D. Ellis (Ed.), *A sourcebook of Gestalt psychology* (pp. 300-314). Harcourt-Brace.

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Working Together: Bridging the Researcher-Practitioner Gap

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Abstract

In this article we share our professional experiences in bridging the gap between research and practice. These experiences are discussed from the standpoint of the roles of consulting analyst and conciliator. Five research-practice areas are viewed through the lens of the former role: alliance dynamics, issue re-framing, sources of conflict, procedural justice, and turning points. Three areas are discussed from the latter perspective: goals and motivations, cognitive and motivational biases, and relationship development. Each theme is organized into three parts that illuminate the value of research knowledge for practices at both a macro and micro level of analysis: research related to the theme, the type of assignment and the practical applications related to that assignment, and lessons learned for practice. Implications of this type of career for our view of social science are developed in a final section along with suggestions for graduate education.

Bartunek and Rynes (2014) argue that the traditional gap between researchers and practitioners stems from a variety of factors including their different logics about tackling problems, their tolerance of time horizons to solving problems, their communication practices related to connecting with one another, and their values about rigor and relevance. However, these authors also support the idea that these tensions can create dialectics, or contradictory elements that can serve as driving forces to enhance outcomes for both groups. For example, practitioners understand the complexity of the problems they face while the researchers bring a conceptual rigor to this complexity to highlight the essential elements of these problems.

As both researchers and practitioners who have conducted rigorous research and developed a more in-depth understanding of the complex phenomena, we have worked within this researcher-practitioner framework for several decades. We have lived simultaneously in two cultures as academics and as consultants. Our approach has been to strive for an integration of these cultures rather than to compartmentalize or treat them as being antagonistic.

We entered the world of practice as trained academic researchers. This training informed our perspectives on a variety of practices, in the role of analytical consultant or conciliator. But it was the specific types of practices that suggested where to find relevant research literatures. We were recruited to consult because of, rather than despite, our research contributions: For example, research on alliance dynamics informs the practices of multilateral negotiations; research on types of conflict informs the way that political actors deal with their competing interests and ideologies. These examples illustrate the different ways in which research and practice are bridged.

In this article we provide eight examples of how this type of career works. Our aim is to explore how research consulting is done and to derive lessons that may be of more general use. Concepts and findings were adapted to the problems we confronted. This is evident in the examples to be presented. In each example advice is based on research knowledge, usually in the etic or comparative tradition, that fits the case and setting, reflecting an emic or case study orientation.[1]

A first task was to immerse ourselves in the case by learning about its history, key actors, and sources for impasses. We did this about a variety of multilateral international negotiations on arms control, climate change, and the Law of the Seas as well as bilateral talks between the Philippines regime and a liberation movement. In counterpoint to these international settings, we provide examples from the domain of grievance counseling. The switch of setting gives the reader an opportunity to learn about how the research-practice nexus works across domains. All the examples retain the feature of mixing emic understanding with etic comparisons. By taking this approach, we seek to generate lessons learned for both practice and research.

We demonstrate this approach with five examples from the perspective of a consulting analyst and three from the experiences of a conciliator. After summarizing relevant research, we present the practical challenges that arise in various cases, illustrating the tensions between what research recommends and what works in practice. We conclude each section by closing the feedback loop with lessons learned or take-aways for practitioners from these applications. In a final section we reflect on how these careers were developed and how they shaped our views about the value of social science training and knowledge. These reflections lead to suggestions for graduate education.

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[1] An etic approach emphasizes breadth by analyzing large samples to evaluate hypotheses in a deductive tradition. An emic approach emphasizes depth by analyzing cases usually in an inductive tradition. (For more on these approaches see Druckman, 2005.)

Role of Consulting Analyst

This section provides five examples of the way that the analyst role was implemented in the context of complex problems on a world stage. In addition to being problem-driven, the analyst provides support from outside the process. The support often takes the form of written reports to the clients. Each example to follow starts with relevant research, shows how the research was applied, and generates lessons learned from a comingling of research and practice. These examples include a long impasse in conventional force reduction talks between the NATO and Warsaw Pact alliances, a walk out by the Soviet delegation in strategic reduction negotiations, a threat to an incoming administration in the post Marcos Philippines, how to achieve a consensus in global climate conferences, and bridging differences between the North and South on sea boundaries.

Alliance Dynamics

Research

Insights from research on multilateral international negotiation contribute to our understanding of the way alliances negotiate with each other. One insight comes from studies on responsiveness, showing patterns of reciprocation among negotiators representing delegations (Druckman & Harris, 1990). Another insight concerns tactics, notably the way different members of a delegation display hard or soft postures rather than presenting a unified front (Brodt & Tuchinsky, 2000). A third insight refers to the well-known hypothesis of ingroup (own alliance) cohesion in response to outgroup (other alliance) hostility (LeVine & Campbell, 1972). A fourth area of research deals with types of compromise highlighting the importance of trading on different preferences or log-rolling in order to construct an acceptable package (Raiffa, 1982). A fifth idea is negotiating for side effects rather than for getting agreements (Ikle, 1964). Each of these research-based insights was used in our consulting assignment performed for the US delegation participating with the NATO alliance on the Mutual and Balanced Force Reductions (MBFR) negotiations between NATO and the Warsaw Pact (from 1977-1980).

Consulting Assignment

We were asked to analyze the dynamics of the multilateral process. With regard to responsiveness, we found that three members of the Warsaw Pact responded to their Bloc leader (Soviet Union) with tough postures (refusal to concede) following concessions made by the leader in the previous round. This was interpreted as a tactic similar to the well-known good-bad cop routine often used to elicit concessions but also to confuse the other negotiating team by reducing predictability. Interestingly, we also found that when one alliance increased its toughness, the other increased its cohesion by showing more uniformity of response by each of the country member delegations. Most importantly perhaps we suggested a package deal in which the Warsaw Pact advantage in heavy missiles (ICBMs) would be traded for the NATO advantage in the lighter cruise missiles. This trade was a classical log-rolling deal that was reacted to positively by the US chief of delegation. It was not however a solution. It dawned on us (the analysts) that this was a negotiation that would serve the side effect of preventing unilateral reductions in conventional forces by appearing to negotiate in good faith for mutually agreed reductions. Thus, agreement was not sought by either alliance.

The alliance dynamics input, which also included an assessment of alliance objectives, led to a recommendation about a viable trade between weapons systems. This was well received by the U.S. Chief

of delegation, Ambassador John Dean. Despite its plausibility, the proposal was set aside in favor of continuing the talks to prevent unilateral troop reductions.

Lessons Learned for Practice

The lessons learned from this application should be helpful to a larger professional community, particularly those involved with large-scale conference diplomacy. Much of the work done by these negotiators and their support staffs involves monitoring the moves and communications made by other delegations. Our analyses provide guidelines that assist with the monitoring. First, it is useful to keep track of shifts in coalitions by noting how uniformity and divisions alternate at different times in the conference. But it is also important not to be fooled by apparent divisions. As shown in the case of MBFR these may be tactical ploys. Second, it is also important to be skeptical of tough rhetoric used by other delegations. Typically, this other-posturing fosters cohesion within a negotiator's own alliance reducing flexibility and increasing the chances of impasses. The goal is to focus on the content of proposals rather than the way they are communicated. Third, negotiators should look for log-rolling opportunities. To do this effectively, they will need to know the issue preferences of the other delegations. With that information in hand negotiators are ready to calculate a trading formula where the less-preferred issues are dealt in return for gains on the more-preferred (or their less-preferred) issues. This is easier said than done but well worth the effort. At least it sets a tone for fair bargaining**.**

Re-framing Issues

Research

In their research on turning points, Druckman and Olekalns (2013) found that negotiators frequently chose to reframe the issues when confronted with a crisis. The simulated crisis in their study consisted of the death of a president. Re-framing was the most popular choice among three possibilities: to abandon the talks, continue from where they left off, or reframe the issues. Another finding was that mutual dependence leads to reframing the issues when trust between the parties is low.

Types of reframing include the way issues are defined, the scope of the issues, the task of negotiating, assumptions about the other's preferences, and the mechanics of trading. With regard to defining the issues, one challenge is to move from an abstract or symbolic discussion (global climate change) to more concrete negotiable issues (carbon emission quotas). About the scope of the issues, the distinction between broad values and interests is relevant. A considerable amount of research has shown that when values or moral issues are addressed the talks typically break down (e.g., Harinck & Elemers, 2014). We discuss this research further in the next section.

Regarding the negotiating task, the way the talks are framed may create expectations for how the process will unfold. For example, Small et al. (2006) showed that when a negotiation is framed as a discussion, it is less intimidating or confrontational. Assumptions about the other party's credibility, about the risks of alternative proposals, and about how and when to bargain loom large during planning and have been shown to influence the process (e.g. Cutcher-Gershenfeld, 2011; Johnson, 1967). Gauging issue trades for equivalence and log-rolling opportunities are an essential part of evaluating alternative agreements (e.g., Larson, 1998; Moran & Ritov, 2002). These are some of the research-based insights, from an etic perspective, used in two emic-based consulting assignments, one performed for the US Arms Control and Disarmament Agency and the other for the State of Illinois Department of Mental Health.

Consulting Assignment

Progress in the bilateral Strategic Arms Reductions Talks (START I)—opening on June 30, 1982, in Geneva—came to a halt when the Soviet delegation walked out of the talks in 1983. They objected to the deployment by NATO of Intermediate-range nuclear weapons (INF) in Europe. Our assignment was to develop a plan that would encourage the Soviet delegation to return to the table. We proposed to learn about their negotiating objectives by performing a content analysis of the discussions. With access to the transcripts, we coded the issues discussed and the extent of commitment expressed on each of those issues. With measures of frequency and intensity, we inferred objectives.

In short, the Soviets were intent on balancing their advantage on strategic weapons with their disadvantage on intermediate-range weapons systems (INF). The US plan was to separate these systems by convening a separate negotiation devoted to INF, which occurred in 1987. This is an example of issue de-linkage. It entailed a reframing of the issues that would encourage them to return to the table in 1985. Their willingness to reframe may have been due to mutual dependence and low trust as shown in the research reviewed above. An agreement among them was reached in 1991 and replaced by New Start in 2011.

The re-framing input provided a rationale for getting the Soviets back to the START I table. This was considered by the ACDA director, Kenneth Adelman. The Soviets did return to the talks and we (the consultants) were rewarded with a lunch in the State Department dining room where we were introduced to Ambassador Paul Nitze.[2]

An earlier assignment consisted of reconciling differences among three mental health care professions working within the same outpatient center: clinical psychology, social work, and child psychiatry. The differences concerned training models, outpatient services, teamwork, and status. During a week-long workshop, it became increasingly clear that the issues were inchoate. The major contribution made by us was to provide a clear rendering of issues that were negotiable. A challenge was to separate or de-link the large issue of status from the negotiable issues of responsibilities, salaries, and benefits.

The key achievement was to identify four issues responsible for tensions between the clinical professions represented on the staff. These issues paved the way for negotiations that eventually eased the tensions. For example, instead of negotiating professional status within the organization, the workshop participants agreed to consider the composition and responsibilities of the different professions on training teams. To accomplish this reframing, we showed how equivalent trade-offs could be realized and implemented in a changed working environment that encouraged perceptions of credibility.

Lessons Learned for Practice

The lessons learned from these applications may be helpful to a larger practitioner community. First, attempts to reframe are likely to be useful when a negotiation has reached a critical juncture. Even more so when the negotiators have nowhere else to go and do not trust one another. Second, during reframing, the negotiators should separate the higher stakes issues from those that have less dramatic consequences. The latter are usually more easily negotiable. Third, for linkage possibilities, adding issues may bring underlying sources of the conflict to the surface. Subtracting issues may increase negotiability by shedding the more difficult intangible matters such as status. Fourth, de-link the values or ideological components from the interests' aspects of issues. Shared interests can be achieved in the context of different worldviews. Prioritize

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[2] Paul Nitze's famous "walk in the woods" was featured in a Broadway/West End show by that name. The Johns Hopkins School of Advanced International Studies bears his name, usually referred to as the "Nitze School."

the interests over the ideologies, a task largely unheeded by the US political parties these days. Informal workshops may be helpful for reframing the sensitive issues into a negotiable agenda.

Sources of Conflict

Research

Taking the lead from early theoretical work by sociologists on the interplay between values and interests (e.g. Aubert, 1963), we have pursued a program of research on how value differences influence negotiation over conflicting interests. Experiments have shown that when values are made explicit in a negotiation it is difficult to settle the interests (Zechmeister & Druckman, 1973).

More recently, various interventions have been shown to reduce the negative influence of value differences. These include de-linking the two types of conflict (Druckman et al., 1988)**,** conducting a pre-negotiation workshop discussion of the values (Druckman et al., 1988)**,** affirming the other (Harinck & Druckman, 2017)**,** and combining explicit affirmation with facilitative mediation (Harinck & Druckman, 2019).

In addition to the experimental research, we developed a theoretical approach that captures the dynamics of the interplay between the two sources of conflict (Druckman & Zechmeister, 1973)**.** The approach consists of a set of propositions that highlight how these sources of conflict play out through time and repeated interactions between the conflicting parties. These propositions were applied to an analysis of an important negotiation that came on the heels of a consulting assignment where we developed models of the stability of the Marcos regime in the years leading to its fall (Druckman & Green, 1986).[3]

Research-Based Consulting

To help the Philippines government work toward an agreement, the U.S. administration arranged a negotiation with the Communist insurgency known as the National Democratic Front (NDF) and its military arm, the New People's Army (NPA). Our negotiation analysis consisted of two parts, ripe conditions for getting to the table, and the negotiation process (Druckman & Green, 1995). The process analysis applied our framework on sources of conflict.

The analysis consisted of describing the negotiation process in terms of the theoretical propositions put forth earlier by Druckman and Zechmeister (1973). Those propositions captured cycles of cooperative and competitive interactions during the talks. We showed that moderate factions on each side (government and NDF representatives) effectively moved their more extreme delegates toward the moderate ideologies of the political center. In effect, the parties' contrasting values or ideologies were depolarized.

This depolarization enabled the negotiators to confront their different interests on the issues. However, the process broke down when a mediator's—a respected Philippines Senator—proposed formula failed to produce an agreement. The formula was sufficiently vague to call attention to shared goals, but it also masked the substantive differences that needed to be resolved for an agreement. Through time, the moderate factions within each party moved toward their more extreme members to return to a state of polarization leading to a more intense conflict. The fundamental issues of power sharing, an integrated military, and land reform remained in limbo. The NDF leadership encouraged the NPA to resume the armed

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[3] The results of our political stability modeling was "confirmed" by Imelda Marcos during a visit in her Manila apartment in 2002.

struggle when the cease fire expired. Prospects for reconciliation during the remaining years of the Aquino administrated withered.

Lessons Learned for Practice

The lessons learned begin with a suggestion that mediators and other conflict practitioners separate these sources of conflict. It is important to segment the issues into value (or ideological) components and interests. With confidence in making that distinction, parties can try several approaches for encouraging a settlement or a more lasting resolution. Settlement goals are within reach when the values are separated from the interests or when each disputant affirms the other's qualities. Resolution goals are more likely when they encourage an informal facilitated exchange that increases understanding.

The practical application discussed above shows that interactive dynamics are important. When interventions fail to reduce the intensifying effects of value differences, the conflict is likely to escalate out of control with increasing polarization as in the Philippines case. At this point a re-framing of the issues in the direction of shared goals, discussed in the previous section, may be helpful. In team negotiations, strengthening the moderate factions without risking further escalation within the teams could also be helpful.

Procedural Justice

Research

Considerable research has been done on procedural justice (PJ) in negotiation and mediation. Much of this work is reviewed by Druckman and Wagner (2016)**.** These authors organize their review in terms of negotiation stages. During pre-negotiation meetings, PJ principles are discussed, group boundaries or identities are defined, and issues are framed. These discussions structure the way a negotiation is managed (e.g., Mikula & Wenzel. 2000). During the negotiation process, PJ principles are strongly related to problem solving with an emphasis on equality rather than equity (Hollander-Blumoff & Tyler, 1988; Lind & Tyler, 1988). A group values orientation offsets negative effects of power asymmetries: more powerful negotiators with this orientation seek fair treatment and integrative agreements. The justice issues raised during pre-negotiation discussions and the negotiating process often surface in the outcome.

When adhered to during the process, the PJ principles of fair treatment and transparency increase the chances that the outcome will reflect the distributive justice principle of equality (Albin & Druckman, 2012) and high mutual benefits (Hollander-Blumoff, 2017). It will also be a more durable agreement when the parties comply with the terms through time (Pruitt et al., 1993), particularly when the principles are observed during implementation. In peace agreements, a key is trust and relationship building (Rosoux, 2013).

Another finding from justice research has a clear practical implication. This is referred to as compensation: An unjust process can be offset by a fair outcome just as the negative impact of an unfair outcome can be lessened by a fair process. Relationship building is helped by fair processes even when outcomes are unfair. More broadly, adhering to PJ is a step toward creating a culture of peace (Bar-Tal, 2008).

The research on justice guided our analysis of a multilateral global climate negotiation prepared for the Centre for Multilateral Negotiations. This application is discussed in a policy brief authored by Wagner and Druckman (2019).

Commissioned Policy Brief

Several useful suggestions emerged from Lynn Wagner's role as a participant observer in the UN Framework Convention on Climate Change (UNFCCC). Each of four principles was at play in the 200-delegation conference. She was instrumental in creating e-portals during the meetings to maximize transparency. She also advocated for fair representation in small contact groups and during the text drafting process. A third PJ principle, fair treatment, was evident by assuring that no cluster of UNFCCC delegations would "control the pen." A variety of perspectives were represented in the final document. However, a fourth PJ principle, voluntary agreement, was difficult to achieve. The conference president gaveled the conference to a close without considering objections raised by several delegations.

These principles are difficult to put into practice in large multilateral or global conferences. The most difficult principles to satisfy are fair representation and obtaining a consensus. Conference Secretariats must balance transaction costs with the benefits of integrative agreements. Typically, they settle on vague provisions crafted to satisfy the lowest common denominator.

Lessons Learned for Practice

The research reviewed and the application described offer several lessons for practitioners in a variety of service delivery pursuits. One lesson is to learn to implement the four PJ principles, particularly fair treatment and transparency. A second is to link the principles to problem-solving processes and push for integrative (joint benefits) agreements. Third, use the examples from the multilateral climate change negotiation application to find creative ways to move complex conferences toward solutions that serve the interests of all the delegates. And fourth, sustain the gains in trust that were achieved from a procedurally just process by building on the new relationship, for example, in the form of inclusive community activities.

Turning Points

Research

The concept of turning points (TPs) has been a fertile area of negotiation research over the last three decades (Druckman, 2020). Highlighted themes in this research include monitoring and adjusting moves, synchrony or matching, the role of crises, issue reframing, precipitants and departures, and institutional structures. A sampling of findings are the following. Adhering to a reciprocity norm, negotiators compare offers and demands in an attempt to sustain a synchronous pattern (Stoll & McAndrew, 1986; Patchen & Bogumil, 1995). The matching typically results in tough posturing on all sides leading to an impasse (Griessmair & Druckman, 2018). Turning points often occur in the context of crises or escalating conflicts. Realizing that there is no way out, negotiators often attempt to re-start the talks by reframing the issues, as discussed in an earlier section.

Other precipitating factors include internal (procedures and substance) and external (policy changes, third party interventions) events. Progress in negotiations over high–risk security issues was shown to depend on outside interventions (Druckman, 2001). On the other hand, Crump and Druckman (2012) showed that progress in multilateral trade negotiations depended on internal (procedural or substantive) precipitants: procedures were more important in the Ministerial-level WTO talks; substantive factors dominated in the committee-level GATT talks. Many of these findings contributed to practical applications in two quite different contexts.

Clinical Practice and the Law of the Seas

Turning points have been useful in clinical practice and in diplomatic negotiations. In his recent article, Laws (2020) described his experience with the way critical moments (turning points) facilitate negotiation in the context of his reconstruction clinics where disputants are encouraged to tell stories about their past experiences on joint projects. He illustrated the importance of transitions in the interactive story-telling process as moments of revelation. He took advantage of these moments by (a) being vigilant to or monitoring opportunities for recall, (b) making these moments accessible to the story-tellers, and (c) using them to sequence or structure the stories being told. The sequencing was helpful for generating additional details and putting into motion a string of other critical moments. In terms of the TP framework discussed above, he used the reflective stories to precipitate critical reflections (opportunities for recall) that reshaped the way the story unfolded leading to further moments of reflections or TPs. A key in this example was the clinical intervention that made the moment salient and created a path for relational progress to be made.

Another applied example of TPs comes from Ambassador Tommy Koh's work at the second UN Conference of the Law of the Seas (UNCLOS II) in the early 1980s. A first TP was Koh's appointment as President. He emerged as a compromise candidate that resolved a bitter dispute between the leading contenders. His work as president was critical in completing the treaty. Among other things, he crafted compromise language to resolve intractable differences between the developed and developing countries on defining a sea boundary zone and on the continental shelf, which became Article 74 in the treaty (second TP).

A more difficult conflict dealt with 32 amendments, many from the Reagan administration, that did not meet the established criteria for inclusion in the treaty. He called for a cooling off period followed by establishing a group of 12 medium-sized countries to play a bridging role between the developed and developing countries (third TP). Only Spain and Turkey held out from accepting the proposed solution. The key TP, however, may have been the way that Koh addressed the crisis by re-framing the purpose of the treaty as neither a product of the West (a colonial treaty) nor a codification of an existing treaty. The result was a treaty that satisfied both blocs, the developed North and the less-developed South. Similar to the clinical intervention example above, Koh's work initiated and sustained a string of TPs that built on each other.

Lessons Learned for Practice

For practitioners the TP research and applications suggest that there are opportunities to create TPs (a sense of agency) as well to react to circumstances not in their control (a sense of social determinism). Negotiators are both diagnosticians and influence agents. The diagnostics reveal moments for action or intervention as illustrated by Laws' and Koh's efforts to seize opportunities for change. Negotiating crises occur, at times out of the blue, demanding a re-thinking of the process or a re-framing of the issues.

Another challenge is to coordinate the re-framing or procedure changes during the crisis. Koh's cooling off period may be helpful. But it may only be a short-term remedy if the disputing parties disagree with the proposed changes. Procedural changes, such as organizing working committees, may be easier to implement than the substantive task of re-conceptualizing the issues. Getting the parties back to the table is a first step in resolving an impasse. Keeping them there is the larger challenge. Mediators and other third parties are particularly helpful when negotiators are keen to avoid the risks posed by alternative agreements on security (borders, arms control) issues.

Role of Conciliator

In this section we describe three examples of how the conciliator role, conducted in the context of interpersonal and intra-organization conflict, was informed by relevant research. A conciliator aids the parties in dispute by "systematically isolating disputed issues in order to develop options, consider alternatives, and reach a consensual settlement that will accommodate their needs" (Wenying, 2005). When counseling parties in a campus-supported dispute resolution program, the research on mediation was very helpful, as many college campuses have discovered (Bienstock, 2019). In fact, these programs have been run for years (Douglas, 1998), and often become a part of campus culture (Jameson, 1998). The three sections to follow show how this role was implemented in the context of a university faculty grievance office.

Goals and Motivations

Research

Much has been written about goals and motives in negotiation. In the field of communication, Wilson and Putnam (1990) differentiated between instrumental goals focusing on substantive outcomes, relational goals dealing with power and trust, and identity goals related to face management. They argue in this work that these goals function interdependently in a dynamic fashion as individuals negotiate all three goal parameters from utterance to utterance. Other negotiation research, summarized by Druckman and Robinson (1998)**,** explores the strategic value of pursuing either competitive/distributive or collaborative/integrative instrumental goals. The distributive strategies are aimed at emphasizing positions over issues and making concessions to reach an agreement, while the integrative strategies focus on information sharing to identify interests and priorities and inform positions aimed at addressing the key issues. Research cited by these authors also indicates that spirals of distributive behavior can be broken by either not reciprocating or by responding with more integrative behavior. Findings also reveal that quick agreements may be bad agreements because they limit information sharing causing the achievement of sub-optimal outcomes, also known as a "winner's curse." Tough postures may work when followed by softer behavior (Hilty & Carnevale, 1993).

Research discussed by Brett and Thompson (2016) and De Dreu (2004) also explores the underlying personal motivations driving goals. For example, De Dreu finds that three broad classes of motivation tend to influence information processing and strategic choice in negotiation: social motivations regarding the distribution of outcomes between the negotiator and the opponent, epistemic motivations aimed at gaining a rich and accurate understanding of the world, and impression motivations dealing with identity management. These studies reveal that pro-socially motivated negotiators try to maximize joint gains whereas pro self-motivated negotiators are more individualistic and competitive. Pro-social negotiators are still integrative regardless of whether opponents are pro-self or pro-socially motivated. Epistemically motivated negotiators, preferring structured strategies, are more likely to reach higher joint gains because they ask more questions about interests and priorities**.** While negotiators generally want to settle, it is important to ensure that motivation is reciprocated.

Practical Applications

An attempt was made to apply discoveries about goals and motivations to guide a general approach to working with faculty members who had grievances. Questions were aimed at determining which kinds of goals and motives were driving their case. Typically, faculty came to the office seeking justice for a perceived

administrator infraction (e.g. bad evaluation, low raise, improper teaching assignment). Rather than viewing these alleged infractions from a substantive or social motivation perspective, faculty viewed them primarily as affronts to their professional identity. In most cases these issues caught the faculty member by surprise and disrupted his or her personal and professional life. As a result, identity goals and impression motivations would dominate initial conversations. Their goal orientation was to bolster their own face as a competent, well-intentioned individual forced to deal with a perceived injustice.

A challenge was learning how to shift from the emotional identity-focused interactions to substantive goals aimed at problem solving. Perhaps the identity-driven reactions simply need to play themselves out while looking for cues that the client might be ready for a solution and a switch to substantive goals**.** In applying the literature, a first inclination was to encourage big picture thinking by exploring the larger context of the dispute. Clients were asked on many occasions to explore how the issue they were raising impacted their career trajectory. The goal was to determine whether the issue they were raising was ultimately productive or counter-productive to their personal career goals. Often this was a tough sell. They were focused on the immediate issues, even though resolving these issues would require a longer-term perspective.

Lessons Learned for Practice

The first lesson learned is that approaching a conflict from an integrative perspective is very challenging for individuals, particularly at the initial stage. Revealing personal interests displays a great deal of vulnerability and thus requires significant trust. Perhaps in economic negotiations where identity and justice issues are not intertwined individuals can be encouraged to take an integrative approach. But, when the issues are viewed as personal attacks, emotions are high and external attributions dominate, the conversion to a focus on longer-term interests rather than immediate solutions is not often welcomed. Even though ultimately addressing these interests was important the time needed to get to that conversation was underestimated. The lesson learned was not to assume that individuals want to explore personal interests even though this conversation might benefit them more than focusing on positions. This transition is difficult.

A second lesson learned from the practical application of this area of research focuses on the need to assess very early on whether individuals are bargaining in good faith. Are they really interested in solving the problem or continuing the conflict to retain the victim identity? An underlying assumption of most negotiation research is that individuals are motivated to bargain in good faith to reach an agreement of some kind. The most surprising insight learned during the faculty grievance experience was that many people who came to the office were not motivated to resolve substantive issues in good faith. A number of these individuals were drawn to conflict even though they professed distaste for it. They found it energizing to retain the victim identity and receive social support to address their victim status.

A third lesson is that practitioners must clearly understand disputants' many motivations and how they intersect with one another as the conflict emerges. The research reviewed above makes it clear that goals and motives are complex and often paradoxical. A stated substantive goal of resolving an issue might paradoxically conflict with an identity goal of continuing the conflict, for example. The lesson is clear that in future conflicts it is important to look first for the need to repair face, second to build a trusting relationship, and then finally to explore substantive concerns. These goals and motives must be aligned to have a chance at meaningful change.

Cognitive and Motivational Biases

Research

When individuals came to the Faculty Grievance Office, they were generally plagued by several common biases that impact their ability to move toward a resolution of their issues. As the summary by Brett and Thompson (2016) indicates, when parties frame their goals in terms of minimizing losses they make fewer concessions and obtain fewer agreements. In addition, when they display over-confidence, they are likely to resort to more rigid behavior. The fixed-pie bias creates the perception of incompatible goals which blinds people to their compatible interests (Thompson, 2015). Generally, these biases cause individuals to fixate on positions and not explore interests. In contrast, taking the perspective of the other person helps build value by moving beyond biases.

The emergence of these biases also creates a social climate problem for the ability to sort through tough issues. Negative framing and the fixed-pie bias, combined with the need to defend identity goals, creates the kind of emotional flooding and anger that impacts problem solving (Barry, 1999; Liu, 2009). Specifically, anger limits the generation of new information while reinforcing old slights, which ultimately reduces joint gains. Anger can generate retaliation and impasse since negotiators are more positional and less issue oriented. On the other hand, anger that provides new information about the negotiator's own higher limits motivates the counterpart to make concessions. Also, anger that is perceived as authentic provides useful information about the intensity of preferences, which may produce higher joint gains (Daly, 1991). In contrast, reflection on one's own role in the conflict has the opposite effect. It generally creates a positive tone that helps build rapport and creative problem solving which ultimately avoids impasse.

Practical Applications

When conversing with faculty members about their concerns a point was made about looking for biases that might impact their perspectives on the issues. In nearly every conversation with a faculty member it became apparent that most of them entered the conversation with a loss frame. They focused on protecting their reputation (e.g. I received a bad evaluation), or retaining a favorable situation (e.g. my chair wants to reduce my lab space) that was taken away for some reason. On many occasions an attempt was made to shift the conversation to a positive frame and discuss potential opportunities associated with the issues being addressed. In one case a faculty member was being asked to expand her teaching load due to the chair's opinion that she was no longer research active. She had no publications in many years. Instead of focusing on the teaching we explored the broader picture of her career trajectory. Did she want to be research active? Did she want to transition to different kinds of opportunities? Sometimes these conversations went well, but other times they were viewed as distractions.

Looking for evidence of a fixed-pie bias in conversations with faculty also proved to be helpful. They believed they were competing with administrators for the same outcomes, and the process for deciding how the pie should be sliced was unfair. In one dispute a faculty member and an administrator were fighting over the proportion of summer funding the faculty member might receive. Since they were unable to expand the pie and fold in other issues, such as research funds and teaching load, they reached an impasse which required a hearing. In addition, these discussions often became fraught with anger, exacerbating the fixed-sum bias.

Anger also played a role in interactions with disgruntled faculty. This may have been tactical in the sense of seeking support from the conciliator in order to confirm their views of justice. The risk for the conciliator was to lose credibility as a neutral facilitator by assuming the role of advocate. A way around this dilemma was to defuse the tension by repeating elements of the narrative that caused the anger, asking

questions and expanding information about their issues. It was vital to show understanding of these distressing events. Then it was also important to ask about the impact these issues were having on their family.

In most cases, the spillover was significant. Spouses became upset and the ripple effect was wide. When that was understood, it was important to empower the person to think broadly about issues. Exploring the issues and then developing strategies for addressing them became the priority. These conversations often took more than one session and included eliciting permission to talk with their administrators about the issues. It was important to move slowly and deliberately through the story, diffuse anger, and ultimately convert it to an issues-based conversation.

Lessons Learned for Practice

The first lesson for conflict practitioners deals with the impact of moving disputants from a loss to a gain frame particularly when the person is angry about their circumstance. The movement seems to happen best in three parts. First, it is important to listen to the client's plight and capture their story. This systematic listening process begins to expand information while demonstrating a commitment to help. Second, it is important to enable the faculty member to reflect on the issues being raised by sorting them out and understanding how they impact one another. The key is asking lots of questions and prioritizing the issues. Third, after priority issues have been established, it becomes possible to move toward a future orientation and ultimately to a gain frame. The question asked is: What is the better future and how can parties accomplish it? This sequence was executed with a faculty member who was asked to reduce her lab space and the number of guest scientists invited to the lab. The outcome was that she reframed the issues in terms of the way personal tragedies impacted on her productivity and how she needed to reconnect in a more deliberate way with her family. She ultimately decided to retire and move away to set up a business with her daughter.

The second lesson learned is that disputants must focus on the larger context associated with their dispute. Faculty typically begin with the belief that if the narrow problem they faced was resolved, life would return to normal. In most cases, the issues faculty are facing have been developing for years and finally reached a head in the form of a crisis. Now they must confront the crisis and the immediate problem that precipitated it and be directed to the larger picture surrounding the dispute. For example, rather than fighting about whether the faculty member should teach more or less, the larger issues at play are exploring different kinds of productivity, career trajectories, teaching and research support, and service activity. In most cases this was the first conversation held with a client about broader career objectives and how they should manage their productivity demands. Chairs rarely take these steps during evaluation meetings.

A third lesson learned is to not overreact to disputant anger aroused by their victim status. Those untrained in dispute resolution might want to believe that the faculty member's angry narrative of an injustice is the only perspective worth exploring. Adopting that perspective would cause the conciliator to be a faculty advocate rather than a neutral tasked with helping forge a resolution that impacted parties might embrace. In one case a faculty member brought her spouse to a meeting and the spouse began to yell and pound on the table. We were able to listen and then move through the steps outlined above to diffuse the situation, which required two hours to achieve.

Relationship Development

Research

Brett and Thompson (2016), like many negotiation scholars (e.g., Kimmel et al., 1980) focus extensively on the issue of trust. This research indicates that trust in a counterpart (often defined as bargaining in good faith or willing to be cooperative) facilitates information sharing, insight, and joint gains. **This** involves information sharing and question asking. Low trust causes distributive strategies and positional bargaining whereas high trust creates a more integrative bargaining context. Lewicki et al. (1998) **discuss** two types of trust, referred to as knowledge and identity trust. The former refers to a willingness to share information that helps parties predict the other's behavior with some accuracy. The latter emphasizes the recognition of similar interests and values and the acknowledgement of a shared identity.

A second relational issue impacting the dispute resolution context is power and status. In their introduction to a special issue of *Negotiation and Conflict Management Research,* Greer and Bendersky (2013) highlight some of the key findings associated with the benefits of enhanced power and status in negotiation. Among the findings they cite are the impact of power differences in negotiation. The research indicates that power differences tend to produce inequities and dissatisfaction with mediated agreements. In addition, when parties build a relationship in which status differences are large, the low status person tends to defer and show greater respect to the high-status individual. The lower status person also tends to have fewer opportunities to influence and contribute to the interaction, and when they do contribute, their views are seen less positively. On the other hand, it appears that deference to the higher status person creates expectations by that person for increased responsibility. They are expected to listen better and consider others' wishes more than low status negotiators. The key to this research then is understanding how perceived power and status differences impact a disputant's approach to a conflict.

Practical Applications

Applying the trust research in the role of conciliator led to an understanding that most faculty seem to have a knowledge-based, as opposed to an identity-based, foundation of trust with their administrator. When trust is not based on shared interests or a common identity, it seems easy for the faculty members and administrators to distrust the integrity of one another. On many occasions faculty have accused their administrators of lying to them about some commitment they made or did not make in the past. In academic institutions it is not uncommon for individuals to be peers one day, and boss-employee the next day. Chairs and deans are often selected from faculty ranks when vacancies arise. Even when individuals reported that their one-time peer "used to be my friend," the cooperative relationship seemed to vanish, or was greatly overestimated in the first place.

This lack of trust begs the question of how trust works in the context of seeking to restructure professional relationships. An observation is that trust under normal working conditions is primarily knowledge based and tends to be superficial. Sure, faculty do their jobs, for the most part, and the organization keeps moving forward. But, when a slight hiccup occurs in the system, the conversation becomes rules-based with little trust being exhibited.

Thus, the practical application of the research on trust makes it clear that the lack of trust, either knowledge or identity-based, leads to more positional bargaining. In several instances relationships between faculty and administrators sputtered quickly, which resulted in both parties digging in on their heels, even when integrative options were readily apparent. But the larger application issue relates to repairing the lost trust to the point of crafting some sort of deal to address the substantive issues. Attempts were made to try repairing or rebuilding a knowledge-based trust relationship with both disputants so that a deal could be

brokered. This strategy worked on many occasions because a great deal of time was spent communicating with both parties about the issues and how to address them. In other words, knowledge was increased.

The status and power issue in relationships also played an important role in managing cases. Universities are hierarchical workplaces with layers of administrators, professors, academic specialists, and a host of other titled individuals, each of whom is aware of his or her position in that hierarchy. As a result, power and status were generally an overt part of most conversations. Almost without exception the administrators were perceived as having all the power, and perhaps even more than they actually had. In one case an international faculty member came into the office and complained that chairs and deans "just don't care about us because they can do whatever they want!" Because of this proclamation, the faculty member was positional and confrontational. This stereotypical characterization of all chairs and deans made me wonder whether faculty tend to exaggerate the power of their administrators. This exaggeration negatively impacts problem solving as the research on power discrepancies suggests.

Lessons Learned for Practice

A key lesson learned about relationships in conflict is that they may drive the extent to which individuals are willing to see possibilities for settlement. Trust and power gaps were discussed early on in conversations with clients. The chair or dean was unfair, or said one thing and did something else. When this fundamental relational norm was compromised individuals often felt powerless, because predictability had just been removed from their employment, leading to frustration and a sense of despair.

A second lesson that presented itself deals with the issue of power and status in managing a dispute. Recall from the discussion of goals that individuals accompany substantive goals with relational and identity issues. The forces driving desired levels of power and status are identity objectives. Individuals seek to achieve power and status to fulfill their identity needs. The lesson is that, after assessing the relationship between the parties to determine the potential for settlement, it is vital to understand how identity needs for power and status are impacting those relationships. Ultimately, relationships must change when deals are struck; some level of trust is required to believe that the other will honor the deal. But those making the deal must first believe that they can live with it. They will not lose power or status, and perhaps even enhance it, when the deal is executed**.** A lesson learned is that a deal can be crafted to ensure that, at a minimum, a disputant's dignity is not compromised when the settlement is reached. This is an important lesson in working with disputants.

More generally, the dispute management process at the university was changed significantly by adding additional services to treat a wider variety of disputes beyond those focusing only on faculty members and administrators.

Working Together: Challenges, Achievements, and Education

The lessons learned for practice in each of the eight areas reviewed emerge from an approach that uses findings from research conducted in an etic tradition to make sense of a variety of cases typically understood from an emic perspective. By combining these perspectives, we shed the divisions between these approaches in favor of integration. The roads that we have travelled from academic research training to consulting and conciliation practices have resulted in lessons that apply across a swath of practices. In this section we reflect on how these careers were developed and how they shaped our views about the value of social science training and knowledge.

Our careers have featured efforts to bridge the "social" with the "science." We have attempted to bring the social to the science, not as two parts of a field but as an integrated whole. This article heralds an interdependence between social applications and the generation of knowledge. The examples suggest how

researchers gain and sustain collaborations with practitioners. They bring to light a sequence of challenges referred to as entry, credibility, and delivering. The entry challenge consists of gaining access to the practice. For the consulting examples this was done through the vehicle of long-term government contracts awarded to each of two Washington DC-based firms. The length of these contracts (five, two, and three years) helped in developing the needed relationships. For the conciliator examples, a university appointment as a Grievance counselor provided opportunities to experience a variety of conflicts that occurred within faculties.

The credibility challenge involves earning the right to work with the client and gaining their trust to convince them that we were working to achieve their best interests. This credibility objective was promoted from two directions. First, gaining credibility with clients requires active immersion in their case achieved by listening carefully to their perspectives, defining key issues, and sorting through them systematically to create clear goals and an action plan to accomplish these goals. Clients seek help because they are confronted by a series of challenges that obscures a clear path forward. Second, it was important to frame the client's needs using evidenced-based concepts that are commonly understood by conflict scholars. The use of these concepts brought clarity to the complex factors underlying the clients' dilemmas, which provided clients with confidence in the goals and action plans created for their case.

The delivery challenge is met by implementing these action plans. When actions were taken, such as contacting stakeholders involved in the conflicts, it was important to provide feedback to clients and readjust goals and action plans as needed. Creating this continuous feedback loop with clients affords everyone involved with learning opportunities, not only about their situation, but also about bigger-picture issues that went beyond the immediate conflict. This process continued until a final set of recommendations was formulated that served to resolve the conflict and create a new reality for the disputants and their situation. These recommendations also set the stage for further collaborations with the same or other clients.

The tension between our roles as scientists and consultants also has implications for graduate training. An important question is how to train aspiring social scientists to develop careers that merge research and theory with practice. The theory-action aphorism, coined by Kurt Lewin, has become a motto for many applied programs, particularly in social psychology: There is nothing so practical as a good theory. This is a good starting point for preparing students for the sorts of research-practice careers we envision. A next step is to provide guidelines for program design and implementation.

First and foremost, we are staunch advocates for thorough grounding in theory and research with a preference for multi-methods (Druckman, 2005).That said, we also have a preference for a particular approach to the way these subjects are taught. One hallmark of this approach is contextual learning, by which we mean grounding theories and situating methodologies in conflict settings. This is done by merging emic and etic perspectives. Theory-derived hypotheses are evaluated with detailed information about a case; the same hypotheses are evaluated with many cases in a comparative design. Students learn to move back and forth between the particular and the general. By doing so, they develop an appreciation for depth and breadth in the analysis process.

Another hallmark of the approach is problem-driven learning. The emic and etic analytical skills are applied in attempts to solve practical problems. Considered as the clinical stage of graduate education, this follows the contextual learning curricula. It exposes students to the entry-credibility-delivery consulting sequence discussed above. This stage can be packaged in the form of a practicum and internship during the third year of doctoral training. Students would be encouraged to make a transition from learning how to create valid knowledge to how to use the knowledge to solve problems. The transition entails a change in pace from a research grind that includes a peer review process to a fast turn-around that suits a client's needs. A capstone course that integrates science and practice would prepare students for the kind of social science career we envision.

Conclusion

The experiences discussed in this article have shaped our perspective on what it means to be a social scientist. That perspective consists of more fully integrating the social with the science. Rather than bifurcating research and practice, we advocate for careers that use the fruits of research to address problems faced by the practitioners in the consulting examples or by the faculty members that present issues in the conciliation examples. By doing so we integrate research-based insights with specific cases involving diplomats, professional negotiators or university faculty members. We learned the ropes later in our careers when given opportunities to provide advice to government negotiating teams or to faculty members caught in binds. Realizing that on-the-job learning is not ideal, we offered an approach to graduate education that gives students a head start and encourages them to contribute to the solution of problems faced by practitioners who work in complex social and political environments.

References

Albin, C., & Druckman, D. (2012). Equality matters: Negotiating an end to civil wars. *Journal of Conflict Resolution, 56*, 1-28. https://doi/10.1177/0022002711431798

Aubert, V. (1963). Competition and dissensus: Two types of conflict and conflict resolution. *Journal of Conflict Resolution*, 7, 26-42. https://doi/pdf/10.1177/002200276300700105?

Barry, B. (1999). The tactical use of emotion in negotiation. In R. Bies, R. Lewicki, (Eds.), *Research in Negotiation in Organizations* (Vol. 7, pp. 93-121). Emerald.

Bar-**Tal,** D. (2008). Reconciliation as a foundation of culture of peace. In J. de Rivera, (Ed.). ***Handbook on Building Cultures of Peace.*** (pp. 363-378). Springer.

Bartunek, J. M., & Rynes, S. L. (2014). Academics and practitioners are alike and unlike: The paradoxes of academic-practitioner relationships. *Journal of Management, 40*, 1181-1201. https://doi/10.1177/0149206314529160

Bienstock, J. E. (2019). Campus conflict resolution: The time has come for mandatory mediation. *Journal of Business and Behavioral Sciences, 31*, 36-47.

Brett, J. M., & Thompson, L. (2016). Negotiation. *Organizational Behavior and Human Decision Processes, 136*, 68-79. https://doi.org/10.1016/j.obhdp.2016.06.003

Brodt, S. E., & Tuchinsky, M. (2000). Working together in opposition: An examination of the "good-cop/bad-cop" negotiating team tactic. *Organizational Behavior and Human Decision Processes,* 81, 155-177. https://doi:10.1006/obhd.1999.2879

Crump, L., & Druckman, D. (2012). Turning points in multilateral trade negotiations on intellectual property. *International Negotiation*, *17*, 9-35. https://doi.org/10.1163/157180612X630910

Cutcher-Gershenfeld, J. (2011). Bargaining when the future of an industry is at stake: Lessons from UAW-Ford collective bargaining negotiations. *Negotiation Journal, 27,* 115-145. https://doi.org/10.1111/j.1571-9979.2011.00299.x

Daly, J. P. (1991). The effects of anger on negotiations over mergers and acquisitions. *Negotiation Journal,* 7(1), 31-39.

De Dreu, C. K. W. (2004). Motivation in negotiation: A social psychological analysis. In M. Gelfand & J. M. Brett, (Eds.). *The Handbook of Negotiation and Culture***.** (pp. 114-138). Stanford University Press.

Deutsch, M. (1971). Toward an understanding of conflict. *International Journal of Group Tensions, 1*, 42-54. https://psycnet.apa.org/record/1972-24854-001

Douglas, J. M. (1998). Conflict resolution in the academy: A modest proposal. In S. A. Holton (Ed.). *Mending the Cracks in the Ivory Tower: Strategies for Conflict Management in Higher Education*, (pp. 145-160). Anker Publishing Company.

Druckman, D. (2001). Turning points in international negotiation: A comparative analysis. *Journal of Conflict Resolution, 45*, 519-544. https://doi.org/10.1177/0022002701045004006

Druckman, D. (2005). *Doing Research: Methods of Inquiry for Conflict Analysi*s. Sage.

Druckman, D. (2020). Thirty-five years of research on turning points: Insights gained and gaps to be filled. *Negotiation Journal, 36*, 91-106. https://doi.org/10.1111/ncmr.12144

Druckman, D. & Green, J. (1986). *Political Stability in the Philippines: Framework and Analysis.* Monograph Series in World Affairs, 22 (3). University of Denver.

Druckman, D., & Green, J. (1995). Playing two games: Internal negotiations in the Philippines. In I.W. Zartman (Ed.). *Elusive Peace: Negotiating an End to Civil War.* (pp. 299-331). Brookings.

Druckman, & Harris, R. (1990). Alternative models of responsiveness in international negotiation. *Journal of Conflict Resolution, 34*(2), 234-251.

Druckman, D. & Olekalns, M. (2013). Motivational primes, trust, and negotiators' reaction to crisis. *Journal of Conflict Resolution, 57*(6), 966-990.

Druckman, D. & Robinson, V. (1998). From research to application: Utilizing research findings in negotiation training programs. *International Negotiation, 3*, 7-38.

Druckman, D., & Wagner, L. (2016). Justice and negotiation. *Annual Review of Psychology, 67*, 387-413. https://doi.org/10.1146/annurev-psych-122414-033308.

Druckman, D., & Zechmeister, K. (1973). Conflict of interest and value dissensus: Propositions in the Sociology of Conflict. *Human Relations, 24*, 449-466.

Druckman, D., Broome, B., & Korper, S. (1988). Value differences and conflict resolution: Facilitation or delinking. *Journal of Conflict Resolution, 32*, 489-510. https://doi.org/10.1177/0022002788032003005

George, A. (1993). *Bridging the Gap: Theory and Practice in Foreign Policy*. USIP Press.

Greer, L., & Bendersky, C. (2013). Power and status in conflict and negotiation research: Introduction to the special issue. *Negotiation and Conflict Management Research*, *6*, 239-252. https://doi.org/10.1111/ncmr.12021

Griessmair, M. & Druckman, D. (2018). To match or not to match: Reactions to turning points in negotiation. *Group Decision and Negotiation, 27*(1), 61-83.

Harinck, F., & Druckman, D. (2017). Do negotiation interventions work?: Resolving conflicting interests and values. *Journal of Conflict Resolution*, *61*, 29-55. https://doi.org/10.1177/0022002715569774

Harinck, F., & Druckman, D. (2019). Values and interests: Impacts of affirming the other and mediation on settlements*. Group Decision and Negotiation*, *28*, 453-474. https://doi.org/10.1007/s10726-019-09620-x

Harinck, F., & Ellemers, N. (2014). How values change a conflict. In C. K. W. De Dreu (Ed.). *Social Conflict Within and Between Groups* (pp. 19-36). Psychology Press. https://doi.org/10.4324/9781315772745

Hilty, J. & Carnevale, P. (1992). Black-hat/white-hat strategy in bilateral bargaining. *Organizational Behavior and Human Performance, 55*, 444-469

Hollander-Blumoff, R. (2017). Formation of procedural justice judgments in legal negotiation. *Group Decision and Negotiation*, 26, 19-43. https://doi 10.1007/s10726-016-9498-2

Holland-Blumoff, R., & Tyler, T. R. (2008). Procedural justice in negotiation: Procedural fairness, outcome acceptance, and Integrative potential. *Law & Social Inquiry*, 33, 473-500. https://doi.org/10.1111/j.1747-4469.2008.00110.x

Ikle, F. C. (1964). *How Nations Negotiate*. Harper and Row.

Jameson, J. K. (1998). Diffusion of a campus Innovation: Integration of a new student dispute resolution center into the university culture. *Conflict Resolution Quarterly, 16*, 129-146. https://doi.org/10.1002/crq.3890160204

Jensen, L. (1995). Issue flexibility in negotiating internal war. *The Annals of the American Academy of Political and Social Science, 542*, 116-130.

Kimmel, M. J., Pruitt, D. G., Magenau, J. M., Konar-Goldband, E., & Carnevale, P. (1980). Effects of trust, aspiration, and gender on negotiation tactics. *Journal of Personality and Social Psychology*, *38*, 9-22. https://doi.org/10.1037/0022-3514.38.1.9

Larson, D. W. (1998). Exchange and reciprocity in international negotiation. *International Negotiation, 3*, 121-138. https://doi.org/10.1163/15718069820848148

LeVine, R. A., & Campbell, D. T. (1972). *Ethnocentrism: Theories of Conflict, Ethnic Attitudes, and Group Behavior.* John Wiley & Sons.

Laws, D. (2020). What use is a critical moment? *Negotiation Journal* 36, 107-126. https://doi.org/10.1111/nejo.12323

Lewicki, R. J., McAllister, D. L., & Bies, R. J. (1998). Trust and distrust: New relationships and realities*. Academy of Management Review*, *23*, 438-458. https://doi.org/10.5465/amr.1998.926620

Lind, E. A., & Tyler, T. R. (1988). *The Social Psychology of Procedural Justice*. Plenum Press.

Liu, M. (2009). The intrapersonal and interpersonal effects of anger on negotiation strategies: A cross-cultural investigation. *Human Communication Research*, *35*, 148-169. https://doi.org/10.1111/j.1468-2958.2008.01342.x

Malik, J., Heyman, R. E., & Smith-Slep, A. M. (2020). Emotional flooding in response to negative affect in couple conflicts: Individual differences and correlates. *Journal of Family Psychology, 34*, 145-154. https://doi.org/10.1037/fam0000584

Manusov, V. (2017). Who's at fault in families? In D. Braithwaite, E. Suter, & K. Floyd (Eds.). *Engaging Theories in Family Communication: Multiple Perspectives* (pp. 89-112). Routledge. https://doi.org/10.4324/9781315204321

Mikula, G., & Wenzel, M. (2000). Justice and social conflict*. International Journal of Psychology, 35*, 126-135. https://doi.org/10.1080/002075900399420

Moaz, I., Ward, A, Katz, M., & Ross, L. (2002). Reactive devaluation of an "Israeli" vs. "Palestinian" peace proposal. *Journal of Conflict Resolution, 46*, 515-546. https://doi.org/10.1177/0022002702046004003

Moran, S., & Ritov, I. (2002). Initial perceptions in negotiations: Evaluation and response to 'logrolling' offers. *Journal of Behavioral Decision Making, 15*, 101–124. https://doi.org/10.1002/bdm.405

Olekalns, M., Brett, J. M., & Weingart, L. R. (2003). Phases, transitions and interruptions: Modeling processes in multi-party negotiation. *International Journal of Conflict Management, 14*, 191-211. https://doi.org/10.1108/eb022898

Patchen, M., & Bogumil, D. D. (1995). Testing alternative models of reciprocity against interaction during the cold war. *Conflict Management and Peace Science*, 14, 163-195. https://doi.org/10.1177%2F073889429501400203

Pruitt, D. G., Peirce, R. S., McGillicuddy, N. B., Welton, G. L., & Castrianno, L. M. (1993). Long-term success in mediation. *Law and Human Behavior, 17*, 313–330. https://doi.org/0147-7307/93/0600-0313507.00/0

Raiffa, H. (1982). *The Art and Science of Negotiation*. Harvard University Press.

Rosoux, V. (2013). Is reconciliation negotiable? *International Negotiation*, 18, 471-493. https://doi.org/10.1163/15718069-12341266

Sebenius, J. (1983). Negotiation arithmetic: Adding and subtracting issues and parties. *International Organization*, 37, 281-316. https://doi.org/10.1017/S002081830003438X

Small, D. A., Gelfand, M., Babcock, L., & Gettman, H. (2007). Who goes to the bargaining table? The influence of gender and framing on the initiation of negotiation. *Journal of Personality and Social Psychology, 93*, 600-613. https://doi.org/10.1037/0022-3514.93.4.600

Stoll, R.J., & McAndrew, W. (1986). Negotiating strategic arms control, 1969-1979. *Journal of Conflict Resolution*, 30, 315-326. https://doi.org/10.1177%2F0022002786030002005

Thompson, L. (2015). *The Mind and the Heart of the Negotiator* (6th ed.). Pearson.

Van Kleef, G. A., De Dreu, C. K. W., & Manstead, A. S. R. (2004). The interpersonal effects of anger and happiness in negotiations. *Journal of Personality and Social Psychology, 86*, 57-76. https://doi.org/10.1037/0022-3514.86.1.57

Wagner, L., & Druckman, D. (2019). Procedural Justice in Climate Negotiations: Outcomes and Implementation. Policy Brief, Center for Multilateral Negotiations, Hamburg, Germany.

Wenying, W. (2005). The role of conciliation in resolving disputes: A P.R.C. perspective. *Ohio State University Journal of Dispute Resolution, 20*: 421-450. https://kb.osu.edu/bitstream/handle/1811/77095/1/OSJDR_V20N2_0421.pdf

Wilson, S. R., & Putnam, L. L. (1990). Interaction goals in negotiation. *Annals of the International Communication Association*, *13*, 374-406. https://doi.org/10.1080/23808985.1990.11678764

Zechmeister, K., & Druckman, D. (1973). Determinants of resolving a conflict of interest: A simulation of political decision-making**,** *Journal of Conflict Resolution*, *17*, 63-88. https://doi.org/10.1177/002200277301700104

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A Turning Points analysis of Cross-Border Merger and Acquisition Negotiations

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Abstract

Despite the recent increase in Cross-Border Merger and Acquisition (CBMA) activity, research has repeatedly determined that over 70 percent of CBMAs fail to deliver the promised results, with evidence pointing to ineffective negotiation process management as one of the crucial factors explaining CBMA failure. We perform a turning points analysis of nine negotiations between automobile manufacturers. The findings indicate that negotiation outcomes are significantly influenced by substantive and strategic elements internal to the negotiation process. In addition, coalition building is shown to be a critical process leading to successful outcomes in the CBMA negotiations. Implications of the findings for negotiating practice are discussed, including how researcher-practitioner collaborations can be conducted.

The global automotive industry is a vital sector of the world economy; according to Forbes (2020), the combined revenue of the top 10 automakers amounted to $1.73 trillion in 2019. If the auto industry were a country, it would be the world's sixth largest economy, employing over nine million direct and almost 50 million indirect workers globally. Despite being a fundamental element of the global economy, the automotive industry has been experiencing several challenges over the past decades: chronic overcapacity, high product and technology development costs, regional business cycles. Original Equipment Manufacturers (OEMs) have engaged in Merger and Acquisitions (M&As) as the primary driver for attaining economies of scale and scope, entering untapped markets and new product lines, acquiring technology, design, processes, reducing costs and risks in new product development, and gaining fiscal advantages (Kang & Johansson, 2000). Global Automotive M&A activity accounted for $177 billion and approximately 1,650 deals in the two years 2018-2019, with an average deal size of $269 million. A wave of consolidation involving OEMs is even more likely today, advanced by the need to share significant investments required to meet regulatory changes and develop new mobility models and new technologies, such as electric engines and both connected and self-driving cars (Zaleski & Nespolo, 2020).

Despite the substantial deal value and volume, research has recurrently established that more than 70 percent of M&As and Cross-Border Mergers and Acquisitions (CBMAs) fail to deliver the desired outcomes (Distler, 2017; Joshi et al., 2018; Martin, 2016). Several studies have shown a relationship between the negotiation process and CBMA outcomes: a few contentious issues can lead to failure if not adequately addressed during the negotiation process (Hart & Schweitzer, 2020; Lander & Kooning, 2013). However, while the different stages of the Cross-Border Merger and Acquisition (CBMA) process have been extensively investigated, research on CBMA negotiations in the auto industry is limited (Lander & Kooning, 2013; Parola & Ellis, 2013; Welch et al., 2019).

International business (IB) negotiations are defined as interactions between companies from different countries to attain economic benefits (Dupont & Faure, 2002; Weiss, 1993). CBMA negotiations, regarded as a subcategory of IB negotiations, are usually complex because they involve multiple actors in a multiple-issue and multi-stage setting. Multiple actors lead to several potential dyadic relationships, greatly accelerating the negotiation process's complexity and subsequently rendering theory development problematic (Bazerman et al., 2000; Crump & Glendon, 2003; Gray, 2011). The complexity of CBMA negotiations is further exacerbated by the conventional involvement of second-level players such as political institutions and unions.

IB negotiations have been explored through two distinct levels of analysis, the micro-behavioral, centered on negotiators' behavior and relationships, and the macro-strategic, the focus of our study, mainly based on case studies that converge on structural, contextual, and process-related factors influencing the negotiation process and its outcomes (Reynolds et al., 2003; Weiss, 2006).

The Turning Points Framework

Druckman (1986, 2001) proposed that the concept of turning points could represent the foundation in developing a theory to define the negotiation process as it unfolds in the real world, explain negotiation outcomes, and present prescriptive models and practical guidance for negotiators. The turning points framework, based on the notion of departure (turning point), separated by a preceding contiguous occurrence (precipitant), and by a subsequent adjacent event (consequence) (Crump & Druckman, 2016; Druckman, 2001), provides answers to the three weaknesses of current complex negotiation models as suggested by Watkins (2002): simplicity, sterility, passivity. Above all, it employs a conceptual causal model that serves as a bridge between theory and practice, identifying a series of events shaping the negotiation

process and outcomes and offering practitioners the opportunity to identify specific precipitants significant in their knowledge area (Hall, 2017).

The framework identifies the type of precipitant that generates the discontinuity (turning point) in the negotiation process and establishes the direction of the negotiation as a consequence of the departure (Druckman, 2001). As a result, the model determines the causal relationship between process and outcome and offers both a retrospective and a predictive analysis of the negotiation process. The original turning points framework (Druckman, 1986, 2001) provides the following definitions and categorizations of the three variables. A turning point (referred to also as departure) is described as a distinct and apparent variation in the negotiation process regarding a significant decision by the player(s). Departures are differentiated between abrupt (substantial and sudden change in the negotiation process) and non-abrupt (expected and gradual transition from one stage to the next). A consequence is defined as the course of the negotiation process as a distinct and obvious result of a departure. Turning points can either move the negotiation in the direction of an agreement (de-escalatory consequences) or move it to an impasse (escalatory consequences). A precipitant is defined as a distinct and evident internal or external situation that generates a departure. Internal precipitants are further categorized into substantive and procedural. Substantive precipitants communicate the parties' interests and the issues involved (new ideas, offers, proposals, concepts, information, concessions). Procedural precipitants shape the negotiation structure and process (board meetings, intra-party negotiations, cross-functional teams, shareholders, creditors, structure, format, and venue of the talks). External precipitants are contextual factors over which the negotiation parties have little control (environment, regulatory, and industry-related variables).

Putnam & Fuller (2014) and Hall (2014) integrate the initial framework with two supplementary categories: An additional class of internal precipitant, strategic, defined as planned actions taken by the parties to achieve their interests and improve their position in the negotiation through other players (coalition building, talks with third parties acting as BATNA for one or both the parties). A further category of external precipitants, *actor*, defined as an individual or an organization such as a journalist, analyst, and judge, over which the parties have minimal influence opportunities.

Druckman (2001) proposed a link between sets of negotiations and categories of precipitants. The prevalence of external, substantive, or procedural precipitants seems to vary with the types of issues discussed. External events usually generate departures in security negotiations, such as those that concern arms-control issues. Both substantive and procedural (internal) processes cause turning points in trade, political and environmental negotiations. Substantive precipitants have been shown to trigger turning points in trade negotiations (Cameron & Tomlin, 2002; Crump & Druckman, 2012, 2016; Tomlin, 1989), although procedures are more prominent in labor talks (Llorente et al., 2013; Putnam & Fuller, 2014). Political negotiations present mainly procedural precipitants (Boyer, 2012; Dupont, 1989; Druckman et al., 1991). Environmental (Bach & Davidson, 2015; Chasek, 1997; Hall, 2014; Kinley, 2017) and business negotiations (Lindholst et al., 2018) display a roughly equal number of procedural and substantive precipitants.

Despite having been extensively employed in the analysis of different types of international negotiations (Donohue, 2017; Druckman, 2001; Hall, 2017; Putnam, 2017), the concept of turning points has been only occasionally adopted in cases of complex business negotiations (Lindholst et al., 2018). To the extent that CBMA negotiations can be considered similar to trade talks (Crump and Druckman, 2012, 2016; Druckman, 2001), despite the latter occurring under the umbrella of international organizations or conferences, it is expected that chiefly internal precipitants trigger departures in IB negotiations.

Research Questions

In this study, we focus on the role of precipitants in producing turning points in several cases of CBMA negotiations. We also step back by examining how coalitions increase the likelihood of certain kinds

of precipitants. Dupont (1996) suggests that by combining different players with common interests, coalitions reduce the complexity and shift the power balance of the negotiation process. Coalition dynamics within the turning points framework have been explored in trade (Crump & Druckman, 2012, 2016), political (Dupont, 2003), and labor negotiations (Putnam & Fuller, 2014). The results from trade talks indicate that coalitions generate turning points predominantly moving the negotiation toward agreement.

In addition, we distinguish between more and less critical precipitants. Irrespective of their frequency, more critical precipitants are those that make significant and often unanticipated changes during the process. These changes may have dramatic consequences in terms of either important agreements or impasses, which may be regarded as "boulders in the road." These objectives suggest research questions. The first research question concerns the frequency of internal (substantive, strategic, and procedural) precipitants in CBMA negotiations:

RQ1. Are internal precipitants the primary drivers of turning points in CBMA negotiations between automobile manufacturers?

The second research question concerns the timing of coalitions. The review above suggests that:

RQ2. Do early coalitions with government and unions trigger substantive precipitants that produce turning points that lead to agreements?

The third research question deals with critical turning points. We distinguish between those turning points, usually occurring abruptly, that lead to successful and those that result in unsuccessful outcomes.

RQ3. Which turning points are essential to the outcome of CBMA negotiations?

Method

The comparative case study is based on nine CBMA negotiations involving automobile manufacturers that occurred between 1998 and 2019. This section is divided into two parts, criteria for case selection and procedures for coding the parts of the turning points framework.

The Cases

To satisfy the requirements of a focused structured comparison, we selected cases that were similar in many ways (Faure, 1994; Druckman, 2005; George & Bennett, 2005). These included the following seven criteria: 1. Both negotiating companies are Original Equipment Manufacturers (OEMs) in the Automotive industry. 2. Both negotiating companies manufactured at least 50.000 cars in the year of the negotiations. 3. The negotiations involve CBMAs. 4. Negotiating companies originate from different countries. 5. The interests of the two parties can be identified. 6. The complementary relationship between the companies can be determined. 7. Adequate secondary sources are available to draw a detailed chronology of events. The cases are Daimler-Chrysler, Renault-Nissan, Fiat-GM/Opel, Fiat-Chrysler, Geely-Ford, Mahindra-Ssang Yong, PSA-Opel, FCA and Renault, and FCA-PSA. They differ only on the time period. The first two cases occurred during wave number one of the auto industry (1998-99). The second four cases belong to the second wave (2008-2011). The last three cases took place during the last wave (2015-2019). The sample also includes two cases (negotiations between Fiat and GM/Opel in 2009 and between FCA and Renault in 2019) that did not lead to an agreement.

Data collection for the case studies was based on secondary sources. Different pieces of information have been triangulated to outline a detailed chronology of each negotiation and to establish converging lines of events, facts, and results for all the cases (Rowley, 2002). Details and background were provided by the academic literature (journals articles, academic book chapters, case studies), newspaper accounts (periodical sources from the US, UK, France, Germany, S. Korea, India, Italy were used in English, Italian, and French languages), automotive industry magazines, and company reports. The automotive sector magazine chiefly accessed to retrieve information on the cases is Automotive News, a prominent source of industry information; other magazines used were The Economist, Fortune, Time, and Bloomberg Newsweek. The newspapers employed to establish a timeline of the negotiations are The Wall Street Journal and The New York Times in the US, the Financial Times and The Guardian in the UK, Le Figaro, Les Echoes and Le Monde in France, La Repubblica and Il Corriere Della Sera in Italy, Der Spiegel in Germany, the Economic Times and Business Standard in India and the Korea Times in South Korea.

For the first three cases (Daimler-Chrysler, Renault-Nissan, Fiat-Chrysler), the literature has provided sufficient peer-reviewed journal articles, academic book chapters, and case studies to develop a detailed timeline of events. Company reports and newspaper articles were used primarily to corroborate facts. Academic literature was also available for the negotiations between GM and Fiat and Ford and Geely. Still, additional sources from periodicals were required to build a comprehensive chronology of events. The timeline was entirely developed based on magazine and newspaper articles for the last four cases (SsangYong-Mahindra, GM-PSA, Renault-FCA, and PSA-FCA) because sufficient academic literature was not available.

Chronology and Coding

A four-step turning points analysis was performed on each case. The first stage determined a detailed chronology of the negotiations. The second applied specific coding rules based on the turning points framework to the timeline to identify precipitants and departures. The third stage determined the departures and classified them as more or less abrupt. The last step identified the precipitants within the categories of internal and external. The definitions supplement the original framework (Druckman, 2001) with two additional categories: Another class of internal precipitant, strategic, and a supplementary category of external precipitants, actor. Based on Hall (2014), a guideline with instructions and coding rules applied to the negotiation chronology was developed, as presented in Table 1. A second researcher, blind to the hypotheses, proceeded independently in the coding process. After the first round of coding, definitions and guidelines were upgraded to consider relevant examples occurring in the cases.

All the reliability scores, measured by Cohen's k, displayed a strong level of agreement between coders in all categorizations (with k scores between 0.78 and 1.00), other than the classification of turning points between abrupt and non-abrupt that presented only a moderate level of agreement (with k scores between 0.57 and 0.70). Amendments to these categories were made, which improved the coefficients (with k scores between 0.82 and 1.00). All disagreements were settled through consultation.

Table 1

Framework Categories and Definitions

Framework Category	Definition
Turning Point (Departure)	A distinct and apparent variation in the negotiation process.
Abrupt	A significant and sudden departure of the negotiation process from the previous pattern.
Non-abrupt	An expected and progressive transition from one stage to the next in the negotiation process.
Precipitant	A distinct and apparent situation/event/behavior that generates a turning point.
Internal Substantive	Internal to the negotiation, communicating the parties' interests and the issues involved: new ideas, offers, proposals, concepts, information, concessions.
Internal Procedural	Internal to the negotiation, shaping the structure and negotiation process: board meetings, intra-party negotiations, cross-functional teams, shareholders, creditors, structure, format, and venue of the talks.
Internal Strategic	Internal to the negotiation, strategic actions taken by the parties to achieve their interests and improve their position in the negotiation through other players: coalition building (unions, governments, key advisors), talks with third parties to develop an alternative course of action if no agreement is reached.
External Contextual	External to the negotiation: context, environment, regulatory, and industry-related factors over which the negotiation parties have little control.
External Actor	External to the negotiation: individuals such as journalists, analysts, and judges, over which the parties have minimal influence opportunities.
Consequence	The direction of the negotiation process as an evident and apparent result of the turning point.
De-Escalatory	A consequence that moves the negotiation process towards an agreement.
Escalatory	A consequence that moves the negotiation process towards impasse (away from an agreement).

Following Druckman (2001), Crump and Druckman (2016), and Hall (2014), we developed process traces for each of the turning points discovered in each of the cases. An illustration of process traces is shown for one case (Fiat-Chrysler) in Table 2. Percentages of occurrence for each coding category across the cases are shown in Table 3.

Table 2
Illustrative Process Traces

Turning Point #	Description	Sequence
2	September 2007: Chrysler co-President Tom LaSorda and Fiat's number two, Alfredo Altavilla, hold their first meeting in Detroit to discuss a partnership to share platforms and distribution networks in the US and Europe.	First meeting between Chrysler and Fiat: Internal/Substantive Precipitant (t-1) → Potential limited Partnership is discussed: Non-abrupt Departure → Toward Agreement Consequence (t+1)
4	September 2008: Chrysler CEO Bob Nardelli and co-President Tom LaSorda meet Fiat's CEO, Sergio Marchionne, and COO Alfredo Altavilla at Fiat headquarters in Turin, Italy. For the first time, Marchionne introduces the possibility of equity participation in Chrysler by Fiat, not through a financial investment, but by offering Fiat's engine technology in exchange for a minority equity stake in Chrysler.	Meeting in Turin, Italy, between the two CEOs and their deputies: Internal/Substantive Precipitant (t-1) → A potential alliance is discussed for the first time: Abrupt Departure → Toward Agreement Consequence (t+1).
12	June 1, 2009: Judge Gonzalez rules favoring the alliance between Chrysler and Fiat over more than 300 objections by dissenting creditors.	Judge Gonzales approves the alliance: External/Actor Precipitant (t-1) → The New post-bankruptcy Chrysler is created: Abrupt Departure → Towards Agreement Consequence (t+1)

Table 3
Summary of Coding Categories across the Nine Cases

Coding Category	Proportion of occurrence
Precipitant	
Internal	88.57%
External	11.43%
Turning Point	
Abrupt	57.86%
Gradual	42.14%
Consequence	
De-escalatory	67.86%
Escalatory	32.14%

The most frequent categories are internal precipitants, abrupt departures (turning points) with de-escalatory consequences. The first research question is tested by performing a non-parametric binomial one-tailed test for proportions to identify the type of precipitant most frequently leading to departures. A

qualitative analysis followed by a paired-sample t-test is used to test the second research question and assess whether early coalitions with government and unions trigger substantive precipitants. The third research question is addressed by providing examples of critical turning points in the nine cases. We turn now to the findings obtained for each of the three research questions.

Results

The results are organized by research question.

RQ1: Type of Precipitant Triggering Turning Points

The first research question asks whether internal precipitants are the primary drivers of turning points in CBMA negotiations between automobile manufacturers.

The results are shown in Table 4, where internal precipitants are divided into substantive, procedural, and strategic. External precipitants are classified as either being contextual or actor-related.

Table 4
Number of Precipitants Generating Abrupt and Non-Abrupt Departures

Negotiation	Internal Precipitants				External Precipitants			Total
	Substantive	Procedural	Strategic	Total	Contextual	Actor	Total	
Daimler-Chrysler	8	4	1	13	0	0	0	13
Renault-Nissan	5	4	4	13	2	0	2	15
Fiat-Chrysler	3	3	4	10	1	1	2	12
GM-Fiat	4	3	9	16	2	1	3	19
Ford-Geely	4	0	6	10	2	0	2	12
SsangYong-Mahindra	3	2	9	14	1	3	4	18
GM-PSA	3	2	8	13	0	0	0	13
Renault-FCA	4	3	10	17	2	1	3	20
PSA-FCA	9	4	5	18	0	0	0	18
Total	43	25	56	124	10	6	16	140

In all nine analyzed negotiations, departures were chiefly generated by internal precipitants. The total proportion of internal precipitants is 88.57%, with a minimum value of 77.78% and a maximum of 100%. Compared to external precipitants, internal precipitants are 7.75 times more likely to generate departures. The overall non-parametric binomial test across case studies indicates a p value = .005 for the 0.8 test proportion. Additionally, with p values ranging from .000 to .019, internal precipitants are the main originators of turning points (test proportion of 0.5) in each of the nine cases.

An additional analysis examined the type of precipitant that triggered abrupt departures. The results are shown in Table 5.

Table 5

Number of Precipitants Generating Abrupt Departures

Negotiation	Internal Precipitants				External Precipitants			Total
	Substantive	Procedural	Strategic	Total	Contextual	Actor	Total	
Daimler-Chrysler	5	2	0	7	0	0	0	7
Renault-Nissan	5	2	2	9	1	0	1	10
Fiat-Chrysler	2	1	3	6	1	1	2	8
GM-Fiat	3	2	5	10	1	0	1	11
Ford-Geely	2	0	5	7	0	0	0	7
SsangYong-Mahindra	1	2	5	8	1	1	2	10
GM-PSA	3	1	4	8	0	0	0	8
Renault-FCA	3	1	4	8	2	1	3	11
PSA-FCA	5	0	4	9	0	0	0	9
Total	29	11	32	72	6	3	9	81

In all nine analyzed negotiations, abrupt departures were mainly generated by internal precipitants. The total proportion of internal precipitants is 88.89%, with a minimum value of 72.73% and a maximum of 100%. Compared to external precipitants, internal precipitants are eight times more likely to originate abrupt departures. The overall non-parametric binomial test across case studies indicates a p value = .026 for the 0.8 test proportion. Additionally, with p values ranging from .002 to .011, internal precipitants are the main originators of abrupt departures (test proportion of 0.5) in six out of the nine cases.

RQ2: Coalition-Building

The second research question asks whether early coalitions with government and unions trigger substantive precipitants. An interesting distinction between substantive and strategic precipitants is shown in Table 6. When coalitions occurred in the early stages (cases 1, 2, and 9), 50 percent were substantive. However, when coalitions formed later during the process, strategic participants dominated: The number of strategic precipitants is significantly higher than either substantive or procedural precipitants (M = 7.67, SD = 2.25), t = 4,78, p = .005.

Table 6

Number and Proportion of Internal Precipitants in Two Sets of Cases

Negotiation	Internal Precipitants			Internal Precipitants		
	Substantive	Procedural	Strategic	Substantive	Procedural	Strategic
Set 1						
Daimler-Chrysler	8	4	1	61.54%	30.77%	7.69%
Renault-Nissan	5	4	4	38.46%	30.77%	30.77%
PSA-FCA	9	4	5	50.00%	22.22%	27.78%
Total	22	12	10	50.00%	27.27%	22.73%
Set 2						
Fiat-Chrysler	3	3	4	30.00%	30.00%	40.00%
GM-Fiat	4	3	9	25.00%	18.75%	56.25%
Ford-Geely	4	0	6	40.00%	0.00%	60.00%
SsangYong-Mahindra	3	2	9	21.43%	14.29%	64.29%
GM-PSA	3	2	8	23.08%	15.38%	61.54%
Renault-FCA	4	3	10	23.53%	17.65%	58.82%
Total	21	13	46	26.25%	16.25%	57.50%

As summarized in Table 7, if government and union support is manifested during the early stages of the negotiation, the departures (both abrupt and non-abrupt) are primarily substantive, focusing on the content of the negotiation and communicating the parties' interests and the fundamental issues at stake: new ideas, offers, proposals, concepts, information, concessions, and issue reframing. Early coalition-building allows the parties to assess their interests, fully explore the potential for synergies, and uncover challenges to post-merger integration. However, suppose government and union cooperation has to be secured later in the negotiation process. In that case, the main generators of departures (both abrupt and non-abrupt) are strategic, representing planned actions taken by the parties to achieve their interests and improve their position in the negotiation through other players: coalition-building (with unions, governments, key advisors), talks with other actors to develop an alternative course of action if no agreement is reached. As a result, crucial unresolved problems could lead to more intense post-closing integration challenges.

Table 7

Negotiation Stage and Type of Internal Precipitant (IP)

Stage in the Negotiation Process	Type of IP generating	
	Departure	Abrupt Departure
Early	Substantive	Substantive
Late	Strategic	Strategic

RQ3: Critical Turning Points

This research question asks about which departures are essential to the outcome of the CBMA negotiations. We address this question by providing examples of both failed and successful negotiations focusing, in particular, on the occurrence of abrupt departures. These qualitative analyses serve to provide insights into how the negotiations unfolded in several of the cases.

The first failed negotiation, case 4 between GM/Opel and Fiat, displays four de-escalatory consequences resulting from the first five departures. Departure #6, with the Opel workers' council raising concerns over Fiat, is the crucial departure, shifting the trajectory of the negotiations towards an impasse, resulting in ten escalatory consequences out of the last fourteen. Fiat's CEO, Sergio Marchionne, disregarded talks with the influential company's workers council, whose opinion was highly regarded by Germany's chancellor Angela Merkel due to the upcoming political elections.

The second failed negotiation, case 8 between FCA and Renault, presents six de-escalatory consequences from the first seven departures. Departure #9, with the Financial Times leaking the news of the talks, is the critical departure, altering the course of the negotiations towards no agreement. FCA's Chairman John Elkann, and Renault's CEO Jean-Dominique Senard, failed to involve the unions and Renault's primary partner, Nissan. After the news from the Financial Times, both the parties firmly opposed the merger, resulting in nine escalatory consequences out of the last twelve departures.

Case 9 between FCA and PSA is strongly connected to case 8 between FCA and Renault and presents four escalatory consequences resulting from the first seven departures. Departure #8, with FCA's CEO John Elkann withdrawing the merger proposal with Renault is the essential departure, shifting the direction of the negotiation towards an agreement, resulting in ten de-escalatory consequences out of the last eleven departures.

Case 6 between SsangYong and Mahindra displays two critical departures in shaping the negotiation towards an agreement. The first was departure #9 when SsangYong court-appointed CEO Lee Yoo Il visits Mahindra HQs in Mumbai, changing his perspective on the Indian company that now becomes a serious contender for SsangYong. The second is departure #16 when Mr. Goenka, CEO of Mahindra auto sector, meets Kim Kyu Han, SsangYong's union leader. Mr. Goenka outlines his plans for the Korean company, resulting in three de-escalatory consequences out of the last three departures.

These instances emphasize the critical role of coalition building, specifically with the unions, in generating abrupt departures essential to the ultimate direction of the negotiation.

Discussion

In this section, we summarize the findings, develop implications for practice, discuss a researcher-practitioner collaboration, and conclude with limitations and suggestions for further research.

Findings

The turning points analyses provided answers to our three research questions. Internal precipitants are the main generators of turning points in CBMA negotiations between automobile manufacturers both in terms of frequency (internal precipitants are 7.75 times more likely to lead to turning points than external precipitants) and impact (internal precipitants are eight times more likely to generate abrupt departures). External precipitants represented roughly eleven percent of the total number of precipitants generating abrupt and non-abrupt departures. These findings are consistent with earlier results on trade negotiations (Druckman, 2001; Crump and Druckman, 2012, 2016).

Regarding coalition-building, if government and union support has to be secured during the negotiation process, the main generators of abrupt and non-abrupt departures are strategic. Otherwise, if government and union support is manifested during the negotiation's early stages, the departures are generated mainly by substantive precipitants. Lastly, instances of critical departures underline the importance of coalition-building with the unions.

Implications for Practice

Weiss (2006) suggests that M&A negotiation research should answer three important questions: How should practitioners address the complexity of the negotiation? How does the negotiation process unfold? How should practitioners prepare for a negotiation and manage the negotiation process? Moreover, a number of studies maintain the significant relationship between the negotiation process and CBMA performance and failure (Hart & Schweitzer, 2020; Lander & Kooning, 2013). Each of these issues is addressed in the following paragraphs.

One of the main challenges for practitioners is understanding and managing the complexity inherent to the CBMA negotiation process. The findings not only support Dupont (1996), suggesting that successful coalition-building with political institutions, and above all, unions, is crucial in reducing the number of players and issues, and consequently, the intricacy of IB negotiations. They also provide an additional implication for practice: the timing of the coalition-building affects the type of precipitant triggering turning points. Suppose that the government and unions' commitment is obtained early in the negotiation process. In that case, the turning points are generated mainly from substantive precipitants. Consequently, the parties might have the time to investigate their interests and resolve the crucial issues that could derail the post-merger integration. On the other hand, the precipitants will be chiefly strategic when the government and unions' collaboration is not secured in the early stages of the talks because the negotiation process will be mainly committed to coalition building.

Concerning the negotiation process, the findings provide a second contribution for practitioners, retrospectively identifying the critical turning point essential to the ultimate direction of the negotiation. Critical turning points are departures that start an uninterrupted series of escalatory or de-escalatory consequences, eventually shifting the course of the negotiation process towards or away from an agreement. Out of the four critical turning points identified, three are again related to talks with the unions.

While early coalition-building could establish the foundation for successful post-merger integration, critical turning points may influence the durability of the CBMAs. Following studies on the durability of post-civil war peace (Albin & Druckman, 2012; Wagner & Druckman, 2017), the identified turning points plausibly

indicate that the substantive precipitants should adhere to the principle of equality in the outcomes, even in the presence of power asymmetries, to produce lasting merged entities. Equality provides the conditions for future constructive and amicable relationships (Beersma & De Dreu, 2003; Lander & Kooning, 2013; Welsh, 2004), leading to a straightforward implementation of agreements (Wagner & Druckman, 2017).

Out of the seven successful negotiations, the only merger that has been dissolved, as of today, is case 1, involving Daimler-Benz and Chrysler. We attempted to identify the crucial turning points that could explain the post-closing behavior of the merger, comparing the Daimler-Chrysler case to the only other negotiation that occurred during wave number one of the auto industry (1998-99), case 2 involving Renault and Nissan.

Case 1 between Daimler-Benz and Chrysler displays a critical turning point that could clarify the post-closing behavior of the merged company: in the last turning point, Chrysler's CEO Bob Eaton calls Daimler's CEO Jurgen Schrempp to confirm that the new entity's name would be ChryslerDaimlerBenz, as previously agreed during the talks, to underline that it is indeed a merger of equals. Schrempp replies that if Daimler is not in front, he is ready to cancel the deal, forcing Eaton to agree to the name DaimlerChrysler. The stance on the company's name is the first overt indication of Schrempp's strategy for the newly merged entity: he always envisioned the deal as an acquisition, deliberately disguised under the resemblance of a friendly merger to be accepted by Chrysler's shareholders and management. On the other hand, in case 2, between Renault and Nissan (turning point #12), Renault's chairman decided to improve his original offer by making a larger investment in Nissan. The intention was to increase the trust between the two companies.

The equality principle was also adopted in the Geely Ford case. The agreement safeguards Volvo production plants in Sweden and Belgium, its culture of safety and efficiency, and preserves the company's independence, outlining its potential development in China. Furthermore, the intellectual property rights issue, which is very contentious whenever Chinese companies are involved in an M&A, was settled (turning point #9), allowing Volvo to take advantage of all Ford technologies related to safety and environmental protection. At the same time, Geely is not permitted any access or property rights to those patents and technologies. A similar equality provision was established in the negotiations between PSA and GM over Opel (turning point #12) concerning GM's electric car technology's licensing and Opel's future access in the US and China.

While the Renault-Nissan alliance includes equality provisions related to brand identities, operations, and corporate culture, Renault has a theoretical control over the partnership owing to its 43.4% voting share in Nissan (compared with Nissan's 15% non-voting stake in Renault). In 1999, the partnership's governance was based on the equity principle, with Renault providing the cash needed to save Nissan from bankruptcy. Today Nissan is far larger than Renault, contributing to most of the profits of the alliance. Consequently, tensions between the two companies are mounting as Nissan requests Renault to relinquish some of its control over the partnership. An analogous issue could arise in the merger between PSA and FCA. While the two parties agreed on an equal evaluation of the two companies (even though the stock evaluation of PSA was higher than FCA), the new entity's board includes six members chosen by PSA, including the CEO, Mr. Tavares, and five members selected by FCA. In return, FCA shareholders will receive a larger special dividend.

In addition, the findings suggest that setting cross-company meetings at all levels (a procedural precipitant) to identify potential synergies and resolve outstanding issues could enhance the durability of the merger by increasing the perceived trust between the parties (Albin & Druckman, 2017; Hollander-Blumoff & Tyler, 2008; Lander & Kooning, 2013). Cross-company teams and regular meetings between top executives from the two firms secure fair and transparent procedures during the negotiations, generating trust even when parties are asymmetrical in power, that in turn fosters the development of equality provisions in the agreement (Albin & Druckman, 2012; Wagner & Druckman, 2017).

During the Renault-Nissan negotiations, after signing the memorandum of understanding, twenty-one teams composed of more than one hundred engineers and business specialists from both companies

explored areas for potential synergies (turning point #7). As a result, members of the teams exchanged information, learned the other company's processes, and established an initial trust-based relationship, greatly accelerating the post-merger integration phase. On the other hand, in case 1, potential synergies were only discussed on paper, but joint teams were not formed before closing the deal.

Regular meetings between the two companies' top executives were organized in the Mahindra & Mahindra and Ssangyong case. In turning point #12, the Mahindra & Mahindra's merger team led by the CEO Anand Mahindra and executive vice-president V.S. Parthasarathy regularly met with SsangYong court-appointed CEO Lee Yoo Il and his team over several dinners. The two groups created a bond while drinking Soju (a Korean liquor) and eating Korean spicy fish stew.

The findings suggest valuable implications for practice by providing a priority list to better prepare for CBMA negotiations in the automotive industry. Primarily, the preparation should prioritize the study of both substantive and strategic precipitants to build coalitions with political institutions and principally with the unions before or during the initiation phase of the negotiation. The preparation should then move to substantive precipitants, developing potential offers and proposals that follow the equality principle in the outcomes. Once the strategic and substantive precipitants have been fully explored, the negotiators can move to the primary procedural precipitants. Establishing cross-functional teams of managers from both companies and scheduling regular meetings between top executives before deal closure allows exploring hidden synergies, resolving outstanding issues, and developing post-merger integration strategies.

One final observation refers to confidentiality matters in the negotiations. Finding the right balance between building coalitions early in the process and maintaining the talks' secrecy is arduous. For example, preserving confidentiality during early encounters was crucial in moving the 2017 talks between Opel and PSA forward. On the other hand, the leaking of important information on the negotiations between FCA and Renault in 2019 by the Financial Times led to an adverse reaction by relevant players such as Nissan, the unions, and the Japanese government. These players were not involved in the initial stages of the negotiation process.

Researcher-Practitioner Collaboration

The collaboration between researchers and practitioners would be highly beneficial in moving our understanding of CBMA negotiations forward, with the former providing theoretical and methodological knowledge and the latter offering real-world experience and access to current practical cases (Burton et al., 2017; Posner, 2009). The partnership provides value to both parties. The researcher can substantiate the study's conclusions by observing whether the turning points progression uncovered by the case study analysis occurs in other CBMA negotiations. Besides, real-world cases can provide data to refine the predictive turning points framework and its categorizations. The practitioner is equipped with a roadmap to predict turning points during the negotiation process and levers to shape that process in real-world settings.

Taking the proposal one step further, we suggest a two-stage collaboration for an extended period of time. In the first stage, the researcher-negotiator team joins forces to prepare for an upcoming CBMA negotiation developing different scenarios of how the negotiation could unfold and identifying alternative futures as a consequence of specific turning points. Based on the priority list outlined in the previous section, the team first develops a strategy to build coalitions early in the negotiation process, assessing the interests and constraints of the government and the unions. Then it determines potential offers and proposals that follow the equality principle and identifies opportunities for synergies and crucial issues at stake that cross-company teams at different levels could examine in depth during the talks. Furthermore, the team identifies specific behaviors or actions that could trigger abrupt departures resulting in a sequence of de-escalatory consequences that move the negotiation toward agreement.

In the second stage, the researcher and the negotiator collaborate during the CBMA negotiation, organizing a continuous feedback loop that allows practitioners to adjust tactics without delay based on the research findings as the negotiation progresses. Either directly at the negotiation table, acting as the partner, or behind the scenes, the researcher feeds real-world data into the predictive model and supplies timely recommendations for negotiators to take appropriate decisions, overcome impasses, and shape the negotiation process towards the desired outcome (Schenke et al., 2017).

Limitations and Suggestions for Future Research

The research is subject to four main limitations, which we address. First, the researcher's subjectivity in applying coding rules founded on the turning points framework was mitigated by employing two independent researchers following a detailed instruction sheet, including definitions and guidance (Hall, 2014). Second, data collection is solely based on secondary sources. The construct validity threat was reduced by establishing a systematic literature review and triangulating distinct pieces of information from several sources to create a converging chronology of events (Rowley, 2002). A third limitation is the propensity of purposive sampling to be susceptible to researcher bias and lack of representativeness. A foundation for case selection was provided by eight specific predetermined criteria, leading to the nine final cases, similar in all conditions, except the period of the negotiations. Fourth, and perhaps most important, due to the limited number of failed negotiations, the study does not provide statistically significant results on the relationship between the timing of the coalition-building and the negotiation outcome. Expanding the number of unsuccessful cases would require access to primary sources because of the inadequate availability of secondary data for negotiations that did not lead to an agreement.

Three major areas deserve further exploration. The first concerns exploring the relationship between the timing of coalition-building and negotiation agreement. Of interest is the question of whether ineffective early coalition-building with the unions and political institutions produces turning points that shift the negotiation away from the agreement in failed negotiations. The second relates to the relationship between the timing of coalition-building and successful post-merger integration, investigating the role of substantive precipitants in resolving crucial issues. The third topic concerns the relationship between the negotiation process and the durability of the merger. Exploring this relationship would substantiate the influence of substantive precipitants that adhere to the notion of equality and the development of cross-company teams in building lasting relationships between the parties.

Moreover, further research would be required to extend the findings of the study to CBMA negotiations in other industries and other complex IB negotiations. This would substantiate the primary influence of internal precipitants and the critical role of coalition building, particularly with the unions.

Extending the Turning Points Framework

This study makes several important contributions to the turning points literature. While adapting the original framework to a particular set of cases, we also tweak it by adding strategic precipitants from inside the talks and distinguishing between contextual and actor precipitants from outside the talks. We learned that strategic thinking led to turning points during later periods while substantive ideas led to breakthroughs earlier in the process. Interestingly, the earlier substantive discussions often introduced justice concerns that paved the way for eventual agreements that embodied principles of equality conducive to strengthening agreements through time.

The analyses were performed on a set of cases not previously examined through the lens of turning points. These cases had long chronologies ranging from six to 36 months, accounting for the large number of turning points that ranged from twelve to twenty. These long chronologies afforded an opportunity to

discover variation in types of precipitating factors, departures, and consequences. A preponderance of these factors are internal, suggesting a strong sense of agency on the part of the negotiators. We also learned that these were mostly strategic and substantive rather than procedural. This finding is similar to the results reported by Druckman (2001) for a variety of international bilateral or trilateral trade cases and by Crump and Druckman (2016) for the multilateral General Agreement on Tariffs and Trade (GATT). A looming question is whether this finding is due largely to the issue area or to the insulation – in the sense of inward-looking -- of these types of corporate negotiations.

Another contribution made by our study is the distinction between more and less critical moments that occurred during the twists and turns of the negotiating process. These moments were abrupt departures that moved the talks from a sequence of escalatory to de-escalatory consequences for successful cases or from de-escalatory to escalatory consequences for failed cases. These abrupt switches challenge the idea of path dependence in negotiation where early events largely determine the course of the negotiation. The changes may be driven by outside events such as political elections or stories leaked to newspapers. Indeed, many high-profile negotiations turn on events out of the negotiators' control. An example is provided by Druckman's (1986) study of base rights negotiations, the first turning points analysis of a negotiation. But they can also be driven by internal processes such as the formation of coalitions. We have shown that early coalitions with outside actors that have a stake in the outcomes can place the talks on a de-escalatory trajectory toward agreement. Later coalitions with these types of actors can also be instrumental in encouraging a re-framing of the issues that liven the prospects for eventual agreement. These consequences may be due to a function served by coalitions, which is to manage the complexity of the issues (Crump and Druckman, 2012).

These contributions expand the turning points framework in several directions. They also have relevance for larger issues in social science. One of these issues is the role of agency in the form of strategic decisions that can move a process toward an endgame. But we also learned that external factors, largely out of the negotiators' control, can turn a promising path around by creating an impasse. So, then we are torn between the promise of agent-directed decisions and the threat of outside events. Critical turning points, whether produced by agent innovation or dampening events, were shown to abruptly turn a sequence of de-escalatory or escalatory moves in the other direction. In either case, the evidence on switching the course challenges the idea of path dependence in negotiation. Another important contribution is the role played by coalitions even in bilateral talks. They can serve a uniting rather than dividing function especially late in the process. These are some of the contributions made by this study. They enrich the turning points literature just as they engage the ongoing debates about larger issues.

Conclusion

The study identifies the key factors shaping the CBMA negotiation process in the automotive industry, providing valuable insights and a new perspective to explore IB negotiations. The findings supplement current theoretical knowledge and, importantly, have relevant implications for managers and practitioners involved in M&As. Further, the study outlines essential issues for future research, specifically to extend the findings to other industries and complex negotiations, substantiate the critical factors influencing negotiation outcomes, and explore the relationship between the negotiation process and the durability of mergers. Finally, the study suggests that a researcher-practitioner partnership should aim to allow practitioners to use research findings during the course of their negotiations.

References

Albin, C., & Druckman, D. (2012). Equality matters: Negotiating an end to civil wars. *Journal of Conflict Resolution*, *56*(2), 155–182. https://doi.org/10.1177/0022002711431798

Albin, C., & Druckman, D. (2017). Negotiating effectively: Justice in international environmental negotiations. *Group Decision and Negotiation*, *26*(1), 93–113. https://doi.org/10.1007/s10726-016-9509-3

Bach, T., & Davidson, R. (2015). Turning the corner in Lima: The language of differentiation and the 'democratization' of climate change negotiations. *Ethics, Policy & Environment*, *18*(2), 170–187. https://doi.org/10.1080/21550085.2015.1071012

Bazerman, M. H., Curhan, J. R., Moore, D. A., & Valley, K. L. (2000). Negotiation. *Annual Review of Psychology, 51*(1), 279–314. https://doi.org/10.1146/annurev.psych.51.1.279

Beersma, B., & De Dreu, C. K. W. (2003). Social motives in integrative negotiation: The mediating influence of procedural fairness. *Social Justice Research, 16*(3), 217–239. https://doi.org/10.1023/A:1026032628634

Boyer, B. (2012). Institutions as a cause for incomplete negotiations. In G. O. Faure (Ed.), *Unfinished business* (pp. 220–239). University of Georgia Press. http://www.jstor.org/stable/j.ctt46n7w4.20

Burton, J., Nasr, L., Gruber, T., & Bruce, H. L. (2017). Special section: Advancing customer experience and big data impact via academic–practitioner collaboration. *Journal of Services Marketing*, *31*(2), 142–147. https://doi.org/10.1108/JSM-01-2017-0020

Cameron, M. A., & Tomlin, B. W. (2002). *The making of NAFTA: How the deal was done*. Cornell University Press.

Chasek, P. (1997). A comparative analysis of multilateral environmental negotiations. *Group Decision and Negotiation*, *6*(5), 437–461. https://doi.org/10.1023/A:1008650903043

Crump, L., & Druckman, D. (2012). Turning points in multilateral trade negotiations on intellectual property. *International Negotiation*, *17*(1), 9–35. https://doi.org/10.1163/157180612X630910

Crump, L., & Druckman, D. (2016). Turning points and international environments: Multilateral negotiations in the GATT and the WTO. *International Negotiation, 21*(1), 1–42. https://doi.org/10.1163/15718069-12341323

Crump, L., & Glendon, A. I. (2003). Towards a paradigm of multiparty negotiation. *International Negotiation, 8*(2), 197–234. https://doi.org/10.1163/157180603322576112

Distler, J. (2017). *Acquisitions by emerging multinational corporations: Motivation and performance of transactions in Western Europe and North America.* Springer.

Donohue, W. A. (2017). Understanding relational turning points in negotiation. *Négociations*, (28), 55–62.

Druckman, D. (1986). Stages, turning points, and crises: Negotiating military base rights, Spain and the United States. *The Journal of Conflict Resolution*, *30*(2), 327–360. https://doi.org/10.1177/0022002786030002006

Druckman, D. (2001). Turning points in international negotiation: A comparative analysis. *The Journal of Conflict Resolution, 45*(4), 519–544. https://doi.org/10.1177/0022002701045004006

Druckman, D. (2005). *Doing research: Methods of inquiry for conflict analysis*. SAGE.

Druckman, D., Husbands, J. L., & Johnston, K. (1991). Turning points in the INF negotiations. *Negotiation Journal*, *7*(1), 55–67. https://doi.org/10.1111/j.1571-9979.1991.tb00602.x

Dupont, C. (1989). Negotiating a research project on negotiation: The fixed link (transchannel) prenegotiations. In F. Mautner-Markhof (Ed.), *Processes of international negotiations* (pp. 481–494). Westview Press. http://pure.iiasa.ac.at/3214/

Dupont, C. (1996). Negotiation as coalition building. *International Negotiation, 1*(1), 47–64. https://doi.org/10.1163/157180696X00287

Dupont, C. (2003). History and coalitions: The Vienna congress (1814–1815). *International Negotiation*, *8*(1), 169–178. https://doi.org/10.1163/138234003769590703

Dupont, C., & Faure, G. O. (2002). The negotiation process. In V. A. Kremenyuk (Ed.), *International negotiation: Analysis, approaches, issues* (2nd ed., pp. 39–63). Jossey-Bass.

Faure, A. M. (1994). Some methodological problems in comparative politics. *Journal of Theoretical Politics*, *6*(3), 307–322. https://doi.org/10.1177/0951692894006003003

Forbes. (May 15, 2020). Revenue of leading automakers worldwide in 2019 (in billion U.S. dollars) [Graph]. In *Statista*. Retrieved August 30, 2020, from https://www-statista-com.ezproxy.unicatt.it/statistics/232958/revenue-of-the-leading-car-manufacturers-worldwide/

George, A. L., & Bennett, A. (2005). *Case studies and theory development in the social sciences*. The MIT Press.

Gray, B. (2011). The complexity of multiparty negotiations: Wading into the muck. *Negotiation and Conflict Management Research, 4*(3), 169–177. https://doi.org/10.1111/j.1750-4716.2011.00078.x

Joshi, M., Sanchez, C., & Mudde, P. (2018). Improving the M&A success rate: Identity may be the key. *Journal of Business Strategy*, *41*(1), 50–57. https://doi.org/10.1108/JBS-08-2017-0115

Hall, W. E. (2014). *Turning points in environmental negotiation: Exploring conflict resolution dynamics in domestic and international cases*. Republic of Letters.

Hall, W. E. (2017). Turning points: A pracademic's view. *Négociations*, (28), 63–70.

Hart, E., & Schweitzer, M. E. (2020). Getting to less: When negotiating harms post-agreement performance. *Organizational Behavior and Human Decision Processes*, 156, 155–175. https://doi.org/10.1016/j.obhdp.2019.09.005

Hollander-Blumoff, R., & Tyler, T. R. (2008). Procedural justice in negotiation: Procedural fairness, outcome acceptance, and integrative potential. *Law & Social Inquiry*, *33*(2), 473–500. https://doi.org/10.1111/j.1747-4469.2008.00110.x

Kang, N.-H., & Johansson, S. (2000). *Cross-border mergers and acquisitions* (OECD Science, Technology, and Industry Working Papers No. DSTI/DOC(2000)1). OECD.

Kinley, R. (2017). Climate change after Paris: From turning point to transformation. *Climate Policy*, *17*(1), 9–15. https://doi.org/10.1080/14693062.2016.1191009

Lander, M. W., & Kooning, L. (2013). Boarding the aircraft: Trust development amongst negotiators of a complex merger. *Journal of Management Studies, 50*(1), 1–30. https://doi.org/10.1111/j.1467-6486.2012.01084.x

Lindholst, M., Bülow, A. M., & Fells, R. (2018). The practice of preparation for complex negotiations. *Journal of Strategic Contracting and Negotiation*, *4*(1–2), 119–140. https://doi.org/10.1177/2055563620907364

Llorente, A. A., Luchi, R., & Sioli, A. (2013). Kraft Foods' 2009 conflict in Argentina: Turning-point analysis of a labor–management negotiation. *Negotiation and Conflict Management Research*, *6*(3), 214–237. https://doi.org/10.1111/ncmr.12012

Martin, R. L. (2016). M&A: The one thing you need to get right. *Harvard Business Review*, *94*(6), 43-48. https://hbr.org/2016/06/ma-the-one-thing-you-need-to-get-right

Parola, H., & Ellis, K. H. (2013). M&A negotiation stage: A review and future research directions. In S. Finkelstein & C. L. Cooper (Eds.), *Advances in mergers and acquisitions* (pp. 33–57). Emerald Publishing Limited.

Posner, P. L. (2009). The pracademic: An agenda for re-engaging practitioners and academics. *Public Budgeting & Finance*, *29*(1), 12–26. https://doi.org/10.1111/j.1540-5850.2009.00921.x

Putnam, L. L. (2017). Turning point research: Advancing process analysis in negotiation. *Négociations,* (28), 47–54.

Putnam, L. L., & Fuller, R. P. (2014). Turning points and negotiation: The case of the 2007–2008 writers' strike. *Negotiation and Conflict Management Research, 7*(3), 188–212. https://doi.org/10.1111/ncmr.12032

Reynolds, N., Simintiras, A., & Vlachou, E. (2003). International business negotiations: Present knowledge and direction for future research. *International Marketing Review, 20*(3), 236–261. https://doi.org/10.1108/02651330310477585

Rowley, J. (2002). Using case studies in research. *Management Research News, 25*(1), 16–27. https://doi.org/10.1108/01409170210782990

Schenke, W., van Driel, J. H., Geijsel, F. P., & Volman, M. L. L. (2017). Closing the feedback loop: A productive interplay between practice-based research and school development through cross-professional collaboration in secondary education. *Professional Development in Education, 43*(5), 860–880. https://doi.org/10.1080/19415257.2016.1258654

Tomlin, B. W. (1989). The stages of prenegotiation: The decision to negotiate North American free trade. *International Journal, 44*(2), 254–279. https://doi.org/10.1177/002070208904400203

Wagner, L., & Druckman, D. (2017). Drivers of durable peace: The role of justice in negotiating civil war termination. *Group Decision and Negotiation, 26*(1), 45–67. https://doi.org/10.1007/s10726-016-9511-9.

Watkins, M. D. (2002). *Dynamic negotiation: Seven propositions about complex negotiations* (Case Study No. 9-801–267; p. 18). Harvard Business School.

Weiss, S. E. (1993). Analysis of complex negotiations in international business: The RBC perspective. *Organization Science, 4*(2), 269–300. https://doi.org/10.1287/orsc.4.2.269

Weiss, S. E. (2006). International business negotiation in a globalizing world: Reflections on the contributions and future of a (sub) field. *International Negotiation, 11*(2), 287–316. https://doi.org/10.1163/157180606778968371

Welch, X., Pavićević, S., Keil, T., & Laamanen, T. (2019). The pre-deal phase of mergers and acquisitions: A review and research agenda: *Journal of Management, 46*(6). 843-878. https://doi.org/10.1177/0149206319886908

Welsh, N. (2004). Perceptions of fairness in negotiation. *Marquette Law Review, 87*(4), 753–767.

Zaleski, J. & Nespolo (2020). *Global automotive deals insights: Year-end 2019* (p. 9) [PwC Deals]. PricewaterhouseCoopers.

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