Teaching Interpersonal Skills for Negotiation and for Life

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Students enrolled in the Negotiation Workshop at Harvard Law School during the past twenty years have participated in an innovative exercise called the Interpersonal Skills Exercise (IPS). Developed through a collaboration of therapists and instructors from Harvard Law School, the exercise uses role plays, videotaping, and certain aspects of psychodrama to help students practice interpersonal skills that they have difficulty performing. The exercise allows students to work in an intensive, safe, and interactive environment with feedback from peers and course instructors. This brief note describes the IPS exercise in more detail, outlining its origins, purposes, and structure.

Graduate-level negotiation courses typically approach their topic from a variety of perspectives. We might very broadly categorize these courses into three general groups. First, there is a conflict theory approach, which emphasizes a cognitive, concept-centered approach to the teaching of negotiation and dispute resolution. Second, there is the more skills-centered, workshop-oriented negotiation course. A third category blends the two approaches by presenting some theory through readings and lectures with several negotiation workshop-like simulations performed by students.

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Among the courses that focus primarily on negotiation skill development, most strive to give students an opportunity to practice a set of tactical and strategic moves that they will be able to use in their own negotiations. They focus on such issues as sequencing, opening lines, active listening, negotiation preparation, and how to deal with difficult bargainers. Others spend a fair amount of time teaching students how best to structure deals in order to create the most value. Still others will focus on developing process-level skills in their students.

Over the past 20 years, the basic Negotiation Workshop at Harvard Law School has endeavored to take these areas of skill development one step further through a teaching tool called the Interpersonal Skills Exercise, or IPS, for short. The exercise goes beyond the development of good negotiation skills. It is designed to help participants practice and work on an expanded set of deeper, interpersonal skills that are essential to negotiation but that are equally transferable to any number of domains such as conversations with family members, friends, work colleagues, etc. More importantly, however, the exercise often helps participants understand why they experience difficulty performing particular types of basic interpersonal skills like appropriate and skilled assertiveness or effective expression of empathy and emotion.

More than just demonstrating to students effective negotiation skills or showing them why Deal X is Pareto-superior to Deal Y in a particular negotiation simulation, the IPS Exercise often becomes one in which students can engage in self-discovery and self-examination about themselves. Through the supervised use of techniques found more often in psychotherapy and psychodrama, students in IPS often discover why they find themselves unable to perform sometimes objectively simple interpersonal moves that they cognitively know they should make but that they operationally fail at again and again.

The exercise itself was the product of a fruitful collaboration in the early 1980s between Harvard Law School Professors Roger Fisher and Frank Sander, Lecturer Bruce Patton and Dr. Richard Lee and Dr. Dick Chasin of the Family Institute of Cambridge. Ever since then, instructors at Harvard Law School, currently led by Professor Robert Mnookin, have continued to work with colleagues at the Family Institute every year to conduct the IPS Exercise with law and other graduate students in our winter and spring term courses as well as in our continuing legal education program. The exercise was inspired by a demonstration offered by psychodrama specialists Carl and Sharon Hollander in which participants were coached on their toughest conversations. Many of the ideas behind the exercise are based on the work of psychologist Jacob Levy Moreno, noted for his founding contributions to the fields of group psychotherapy, psychodrama, and sociometry. Much of Moreno's work deals with the notion of "roles" and how individuals come to see themselves as being assigned to particular roles or scripts that are formed by past experiences or cultural patterns in society. The IPS