
Editor's Note

Exactly one decade ago, *Negotiation Journal* published a special issue on critical moments in negotiation. It drew on work presented at a conference sponsored by the Program on Negotiation several months earlier. Some of us associated with this publication had a hand in organizing the event, including one of our associate editors, Daniel Druckman. I hope that he and other colleagues will be pleased to see that some articles in this issue extend the exploration of critical moments that we engaged in ten years ago.

Jessica Katz Jameson, Donna Sohan, and Jenette Hodge explicitly build on Dan's work in their piece, "Turning Points and Conflict Transformation in Mediation." They enlisted experienced mediators to take part in videotaped simulations that were then transcribed. The researchers coded the texts to identify turning point moments when interactions went beyond substantive problem solving to more fundamental repair of the relationship between the disputants. As the authors acknowledge, it is one thing to confirm transformative moments after the fact. The challenge for mediators is understanding in real time how best to precipitate them.

Robert Mnookin, Ehud Eiran, and Shula Gilad also examine critical moments, in this case when a critical moment is sparked unilaterally by just one party. They analyze a particularly noteworthy case in their article, "Is Unilateralism Always Bad? Negotiation Lessons from Israel's 'Unilateral' Gaza Withdrawal." Israeli Prime Minister Ariel Sharon (who died just as this issue was going to press) refused to negotiate withdrawal from the Gaza Strip, which Israel had occupied for decades. Instead, in 2003, he announced his plan to withdraw while also making clear he was not buckling in the face of a demand or engaging in quid-pro-quo trading. The authors contend that while this action may well have been in the interest of Israelis and Palestinians alike, paradoxically it was not likely to be achieved at the bargaining table, because the issue could have become entangled with other, nonnegotiable items.

Gilead Sher and James Sebenius provide thoughtful commentary on the article. Sher argues that unilateral — or as he calls them "independent" — moves, particularly in the context of Israel and Palestine, may be unavoidable, but that unilateralism need not preclude coordination, both with the opposing party and one's internal constituency. To achieve a viable two-state solution will almost certainly require that Israel take additional unilateral actions, he argues.

Sebenius largely commends Mnookin, Eiran, and Gilad's analysis, although he notes that unilateral moves necessarily sacrifice potential joint

gains that can come through direct negotiations. As Sebenius also observes, Gaza may be an unusual case. Often, it is not possible for a party acting alone to induce a mutually desired outcome.

Laura Keir and Saleem Ali's contribution, "Conflict Assessment in Energy Infrastructure Siting," brought me even further back to early work on environmental dispute resolution that I did with Lawrence Bacow and Lawrence Susskind. Kier and Ali take a fresh look at the themes that we explored decades ago, including the participation of key stakeholders and the building of trust. But they also sound a new note, as well: the value of focusing discussion on the particular project, rather than on broader policy issues. Whether this is feasible strikes me as an open question. (A friend of mine refers to public hearings as "watering holes for grievances.") But the authors' observation does not have to be an all-or-nothing proposition. Dialing down debate over the issues that parties have no control over and emphasizing instead practical actions that can be taken sounds like sensible decision making indeed.

I will admit to no middle ground, however, when it comes to the piece by Aparna Krishnan, Terri Kurtzberg, and Charles Naquin, the aptly titled, "The Curse of the Smartphone: Electronic Multitasking in Negotiations." On this point, I am unequivocally on board. A growing number of studies show that multitasking too often means simultaneously doing a number of things poorly, whether it involves driving and texting, or studying with the television on.

The researchers here had subjects negotiate a simulation in which joint gains were possible. In the mobile phone condition, one party worked with another who checked electronic messages during the exercise. For the control group, phones were off. Curmudgeons like me will not be surprised that the texters got worse substantive outcomes, and earned lower relational grades from their counterparts. ("Serves you right," we might say.) But the authors explain that it is more than divine justice. It seems that those who were messaging electronically were more likely to miss cues from the other party and less likely to generate creative solutions. And they were not the only casualties. Their counterparts did better substantively but left the negotiations less satisfied than those who were in the phone-free group.

This research also has implications for how we teach. Guests who visit my graduate school negotiation class often are surprised that the students do not have notebook computers up nor are smartphones visible. Those devices are not allowed. I want students fully engaged, listening to what their classmates say and alert for opportunities to contribute. Some colleagues from other schools are astounded by the audacity of setting such a rule (or my heartlessness in telling an earnest student that she cannot use her tablet to take notes). I am lucky in this regard as it is a school-wide policy. And our students quickly appreciate that the prohibition means that their own comments in class discussion will be seriously heard.

If I taught at a school that does not have such a policy, I wonder if I would have the backbone to say to a class, "I'm going to turn my phone off for the hour. So that we learn as much as we can in our time together, I'd like you to do the same."

Finally, the importance of focused attention and mindfulness is also examined in this issue's review essay by Gary Friedman. Friedman thoughtfully considers Erica Fox's new book, *Winning from Within: A Breakthrough Method for Leading, Living, and Lasting Change*. Fox's thesis is that to work effectively with others we must first manage the conflicts that occur between different aspects of ourselves. Friedman finds her model compelling, but wishes she had extended it further. Once we have managed our inner conflicts, what should be our next steps to becoming successful negotiators and conflict resolvers? That, Friedman hopes, will be the focus of Fox's next book.

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