
Teaching Note

In Search of Master Negotiators: A Negotiation Competency Model

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Over the last four decades, the field of negotiation has become a fully recognized academic discipline around the world and negotiation courses and competitions have become increasingly popular. Although it is believed that negotiators may be trained and that negotiation is a skill that can be taught and evaluated, the question of how to assess negotiation performance systematically and comprehensively remains largely unanswered. This article proposes a negotiation competency model for evaluating negotiation performance. The model includes a set of selected negotiation competencies together with proficiency levels and their behavioral indicators. Our goal is to help scholars design more effective negotiation courses and fairer negotiation competitions, improve negotiation pedagogy, and train negotiators who are well prepared to handle conflicts in our increasingly complex society.

Keywords: negotiation, competency model, behavioral indicators, negotiation competition, negotiation pedagogy

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Introduction

Since the early 1980s the teaching of negotiation and conflict resolution has become a fully recognized academic discipline (Greenhalgh and Lewicki 2015), thanks to Roger Fisher and William Ury's best-selling book *Getting to Yes* (1981) and the work of many other scholars. During that time the field has drawn great interest from scholars and academic institutions around the world, leading to a wide variety of specialized courses and programs focusing on mediation, reconciliation, arbitration, lawyering skills, and conflict and dispute resolution (Cobb 2000; Nolan-Harley 2003). These courses and programs emphasize the importance of joint problem-solving, aligning interests, and looking for mutual gains. The complexity of this interdisciplinary, dynamic, and interactive process has led many negotiation scholars (Menkel-Meadow 2009; Druckman and Ebner 2013; Bordone and Viscomi 2015; Greenhalgh and Lewicki 2015; Wheeler 2015) to ask questions about the effectiveness of negotiation pedagogy in terms of both the content of the offered courses as well as the pedagogical methods, and the extent to which they measurably improve students' negotiation skills.

The last decades also have witnessed the emergence and popularity of negotiation competitions, organized to test the abilities and skills of student negotiators in role-play simulations (Smolinski and Kesting 2013). The emergence of negotiation competitions stems from scholars' widely held beliefs that negotiation is a skill that can be developed through systematic training and that individuals' proficiency in negotiation can be measured and compared (e.g., Fortgang 2000; Patton 2009; Fisher and Fisher-Yoshida 2017). While research has shown strong evidence for stable individual differences in negotiation performance (e.g., Gist, Stevens, and Bavetta et al. 1991; Elfenbein et al. 2008; Herbst and Schwarz 2011), the key question remains: How can we systematically and holistically compare negotiation skills and evaluate negotiators' performance in negotiation competitions and other settings?

There is no general consensus among negotiation scholars on universally applicable evaluation methodologies for capturing a negotiator's performance in classroom settings and/or during negotiation competitions. Therefore, it is difficult to select and compare the pedagogical methods and approaches that most effectively help students become better negotiators. Although concepts such as value claiming, value creation, and Pareto efficiency can be measured on the basis of negotiated outcomes, the usefulness of such measures is limited to scoreable negotiation simulations and such numbers merely reflect outcomes rather than overall performance. Over the last decade scholars generally have agreed that students' quantitative negotiation outcomes

should not eclipse significant qualitative aspects of negotiation performance such as relationships, emotions, attitudes, and values (Coleman and Lim 2001; Movius 2008; Halpert et al. 2010). These factors cannot easily be measured and compared, but they certainly impact negotiation outcomes.

Thus, despite their importance, there is no sufficient method for systematically investigating the qualitative aspects of negotiation performance. Negotiation literature does provide some advice on improving qualitative skills (e.g., Malhotra 2008; Gates 2016), highlighting a set of behaviors that are important in negotiations, for example, “the fourteen behaviors that make the difference” (Gates 2016: 4). However, such guidance often lacks academic rigor and solid evidence of the effectiveness of suggested techniques.

Although more attention has been paid to quantitative rather than qualitative measures, only a few scholars have explored the connection between quantitative factors and how such connections impact negotiation performance (e.g. Poitras et al. 2015; Coleman 2018). Further research in this area holds much potential. Coleman (2018) put forward a conflict-resolution model involving two types of meta-competencies: the competencies to manage different types of conflicts and the competencies to navigate through systemic complexities to support constructive problem-solving. Poitras et al. (2015) designed a competency scale for mapping out the most important managerial mediation competencies from four perspectives—cognitive, emotional, behavioral, and attitudinal.

We have thus identified a gap between the existing scattered empirically derived negotiation guidance and a systematic, comprehensive, and rigorous framework for evaluating negotiation performance in both classrooms and competitions. To bridge this gap, this article proposes a negotiation competency model that places selected negotiation competencies in a framework to which scholars, practitioners, and students can refer, together with proficiency levels and observable behaviors along which individuals can be evaluated across various negotiation settings. Measuring and comparing negotiators’ performance with our model can help one design and test more effective negotiation courses and curricula and train better negotiators.

Theoretical Basis and Methodology

The term “competency” entered the field of applied psychology in the 1970s (e.g., McClelland 1973) and has gained much traction due to its cross-disciplinary application. The significance of competency models lies in the fact that they provide a systematic and holistic approach for assessing an individual’s skills in the context of a performance (Mansfield

2006). In “Testing for Competence Rather Than for ‘Intelligence,’” McClelland argued that competency tests should include “traditional cognitive [competencies] involving reading, writing, and calculating skills” and “what traditionally have been called personality variables” (1973: 10). Drawing on the definitions of other researchers (e.g., Parry 1996; Le Diest and Winterton 2005; Sampson and Fytros 2008), we define competency as a set of observable and measurable knowledge and skills that may be distinguished as more or less inferior, average, or superior when individuals are acting within the same performance context.

While various definitions of “competency model” may be found in the literature, scholars agree that it is a collection of competencies that are needed for effective performance when, for example, training or working (Mansfield 1996; Campion et al. 2011; Suhairom et al. 2014; El Asame and Wakrim 2018). It is worth noting that a competency model is not merely a set of competencies. First, a competency model is an instrument that allows organizational leaders to assess members’ skills systematically and dynamically (Parry 1996). Second, the competencies included in the model usually represent an organization’s objectives and strategies. Therefore, we started constructing our negotiation competency model with a definition of its goals and objectives. The purpose of the model is to help us comprehensively and consistently assess negotiation performance and train students and managers to become better negotiators.

Deriving Competency Models from Goals and Objectives

As noted, competency models are linked to the goals and strategies of an organization (Parry 1996; Drganidis and Mentzas 2006; Mansfield 2006). Hence, when it comes to negotiation pedagogy, the development of a competency model should start with a definition of the goals and objectives pursued by the relevant academic curricula and programs. As suggested by Campion et al., once the mission, vision, value, and strategy are made part of the core competency framework, “technical and leadership competencies can be derived and their measurable performance and metrics should have direct linkage to the top tier of goals and strategies” (2011: 232).

The mission and vision of negotiation pedagogy are typically to train negotiators who are equipped with the skills, self- and social awareness, and ethics necessary to create and claim value, while building sustainable relationships in complex business, legal, or diplomatic environments (Wheeler 2006; Bordone and Viscomi 2015; Ebner 2016). Therefore, our model must encompass competencies that not only demonstrate effective negotiation skills, but also promote attitudes and

values that help negotiators navigate complex processes with a high degree of integrity. The selection of competencies and/or behaviors for which proficiency levels are measured must align with the model's specific area of application and the goals and objectives that are most relevant to the particular context in which the negotiator is acting.

Top-Down Instead of Bottom-Up

Competency modeling should start with the gathering of information by an organization's top executives, who have the clearest vision of the organization's goals and its future direction (Campion et al. 2011). The following model was developed based on a review of relevant literature, feedback from experienced negotiation scholars and practitioners as well as organizers of negotiation competitions, and a review of the judging criteria used in selected international negotiation competitions. This top-down method ensures that the competency model captures the most essential aspects of effective negotiation, while clarifying and connecting the various terms and concepts of negotiation pedagogy.

Methodologies

According to Campion et al., competency modeling methods include the following:

multiple data collection methods such as observations, SME interviews, and structured brainstorming methods in focus groups to identify potential competency information; the use of clear construct definitions in the competencies and linkages to theory and literature; the use of survey methodology ...; the use of sampling techniques; the use of appropriate statistical analyses; [and] the assessment of reliability and other psychometric quality checks. (2011: 236)

Accordingly, our modeling process started with a review of negotiation literature for definitions of skills, tactics, and strategies as well as other aspects of negotiation performance. While we reviewed the literature, we conducted interviews with negotiation professors, professional trainers, and organizers of negotiation competitions, gathering suggestions on how to assess negotiation performance. We then organized these suggestions into competency categories. We included in our model only those categories which, according to the literature, influence the effectiveness of negotiations. If our model is valid, it will apply to classroom and competition settings regardless of the simulations that are used. We hope that the model serves as a jumping-off point

for further discussion by negotiation scholars and practitioners about the systematic assessment and comparison of negotiation performance.

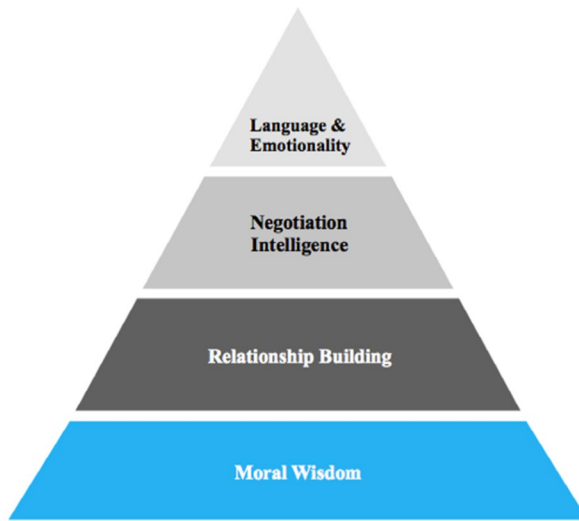
Defining the Competencies and Their Proficiency Levels

Having analyzed the data gathered from our literature review and interviews, the next task was to define each competency and its different proficiency levels. Proficiency levels measure how accomplished someone is in the development or performance of a competency (Parry 1996) and are essential for using the model in performance evaluations. When the levels are designed for training purposes, they can be defined in a way to motivate people by emphasizing how to advance and improve one's skills (Mirabile 1997; Rodriguez et al. 2002). Although we have observed the use of proficiency levels in the judging criteria of some negotiation competitions, the levels were not described in enough detail to allow for consistent judgments of proficiency within and between competitions. This is important because such detailed descriptions make it easier for observers such as teachers and judges to differentiate among performances and give more targeted guidance to students. Hence, we compiled a detailed account of behavioral indicators for each competency in our model based on the data gathered in our literature review and interviews.

The Negotiation Competency Model

We clustered a variety of negotiation skills and attitudes into four broader categories: language and emotionality, negotiation intelligence, relationship building, and moral wisdom. The logic of such an arrangement follows the ease with which one may observe these skills and attitudes during negotiations. Language and emotionality are the first and most easily observable part of negotiators' behavior and create a direct impression about negotiators' style and personality. This category is then followed by the concrete skills and tactics a negotiator uses, summarized in our model under negotiation intelligence. Finally, the third and last categories, relationship building and moral wisdom, are more difficult to observe because negotiators' motivations and values usually hide behind their various language patterns and skills. These four categories are distinct but complementary, together constituting our negotiation competency model. They draw a structured and comprehensive picture of categories of competencies in which one must excel to become a master negotiator (see Figure One).

Figure One
Categories of the Negotiation Competency Model. [Colour figure can be viewed at wileyonlinelibrary.com]



Language and Emotionality

As the first category and the top level of our competency model, language and emotionality refers to the language patterns and emotions that a negotiator exhibits and that we can evaluate from our observations. To start with, language patterns refer to how negotiators construct meanings of their interests, goals, identities, and relationships. Glenn and Susskind (2010) emphasized the significant role that verbal communication plays in negotiation by highlighting the methodology of conversation analysis and discourse analysis. Putnam (2010) conducted discourse analysis on negotiation talks in order to show the degree to which language can reveal a negotiator's identity, motivations, relationships, and values. Emotionality, as important as language, is the observable behavioral component of emotion, a measurement of a person's reactivity to a stimulus, especially in a social and cultural context (Reber 2001). Negotiators can greatly influence each other's emotions, positively or negatively affecting them, and thus significantly shaping the negotiation. Emotions can even determine whether or not the parties reach agreement (Olekals and Druckman 2014). The three most important negotiation competencies within the category of language and emotionality are quality of expression, active listening and questioning, and managing emotions.

Quality of Expression. In this competency, we mainly look at two aspects. The first is the clarity and logic of negotiators' expressions—whether they can express themselves in a clear, convincing, and logical manner. The second is the linguistic style of expressions, namely, whether demands and other communications are expressed in a positive (or at least neutral) and reasonable way even in intense situations, rather than in a threatening way that could hinder the parties from reaching an agreement. The focus of this competency is the actual speech of a negotiator, the “commonsense acquaintance with tacit conversational procedure” Maynard (2010). *Quality of expression* is the basis for other important competencies such as value claiming and value creation.

Active Listening and Questioning. Listening and questioning are important skills that help negotiators understand interests and gather relevant information. Negotiation scholars (e.g., Liss 2011; Miles 2013) have expounded on the importance of one's style of questioning and have provided guidance on handling a counterpart's potential resistance. In our model, this competency emphasizes a negotiator's ability to understand and elicit information by observing if he or she (1) exhibits patient and focused active listening behavior when the counterpart shares information in any form, such as stating interests or making an offer or a counteroffer, and (2) asks questions to elicit information proactively to avoid confusion and probe alternatives. Here, we value behaviors such as asking a combination of direct and indirect, open and closed questions, and tolerating silence after questions.

Managing Emotions. Managing and regulating emotions is the underlying competency supporting negotiators' performance (Olekalns and Druckman 2014). It is the ability to (1) take another's perspective and show empathy for, and understanding of, another's interests and emotional needs and behaviors, and (2) regulate one's own emotions so as to minimize the effect of those that are negative. Empathy enables negotiators to take the counterpart's perspective in order to discover opportunities for collaborative problem-solving that result in better negotiation outcomes (Kidder 2017). Different from empathy, self-regulation of one's emotions concerns the negotiator him or herself. It goes beyond simply suppressing one's emotional displays. Many scholars (Movius and Wilson 2011; Kim, Cundiff, and Choi 2014; Tng and Au 2014; Williams and Hinshaw 2018) have studied systematically the implications of different types of emotional expressions and recognitions, such as anger and gratitude. According to their findings, the effectiveness of leveraging these emotions

influences the counterpart's recognition and behavior.

Negotiation Intelligence

Intelligence is generally defined as “the ability to learn or understand or to deal with new or trying situations” (Gardner 2000). According to Gardner's theory of multiple intelligences, several types of intelligence are especially useful in negotiation: linguistic, logical-mathematical, interpersonal, intrapersonal, and existential (2000). Following Smolinski and Kesting (2013), we define negotiation intelligence as the ability both to recognize the characteristics of one's specific negotiation and the attitude of negotiation partners, and to apply efficiently the methods and techniques that optimize performance in such a setting.

To identify logically and practically the most consequential competencies in this category, we set up two structures. First, we divided fifteen significant negotiation skills into two broad types: value claiming and value creation. Value claiming skills are often referred to as distributive and competitive and related to insistence on one's position, while value creation skills are integrative and cooperative and involve information sharing, empathy, and seeking opportunities for mutual gains (Weingarten et al. 1990; Brown 2012b; Ingerson, DeTienne, and Liljenquist 2015). Second, we deconstructed a typical multi-issue negotiation process into phases—a preparation phase, an ongoing phase, and an agreement phase—and ordered the skills chronologically.

Understanding Interests and Options. Many scholars have recognized the importance of preparation in negotiations. As Fisher and Ury (1981: 179) noted, “Strategy is a function of preparation.” When teaching classroom simulations, we tell students that before a negotiation begins, it is essential to analyze and understand their own and their counterpart's interests, alternatives, and options. Such analysis is a basis for crafting a negotiation strategy. This competency can be observed during a negotiation's preparation and at the beginning of a negotiation and may be evaluated based on the negotiators' understanding of their interests, priorities, and BATNAs, and whether or not they have a plan for probing the counterpart's BATNA by, for example, asking prepared questions.

Stage Setting. Once they sit down at the negotiation table, skilled negotiators often start with a friendly conversation and gradually glide into the topic by clarifying issues at stake and proposing an agenda, indicating their interests and goals. McKersie and Walton believe that this “constructive use of power” can promote issue development and create a basis for “an accommodating relationship” (2015: 495). By setting the stage, the negotiators can not only better structure the

development of issues, but also gain an upper hand in the parties' power dynamics. Appropriate stage setting can also contribute to establishing a constructive atmosphere and building a positive relationship for cooperative joint problem-solving.

Making the First Offer. Most research finds that the advantage of making the first offer lies in its “anchoring effect” (Fisher and Ury 1981; Crump 2016). Fisher and Ury advise that by making a first offer, a negotiator tries to “‘anchor’ the discussion early around an approach or standard favorable” to him or her (1981: 82). According to Galinsky, “how we perceive a particular offer’s value is highly influenced by any relevant number that enters the negotiation environment” (2004: 3). The anchoring effect is hard to resist notwithstanding negotiators’ knowledge of it. However, there are limits to the first-offer effect. The effectiveness of a first offer depends on one’s preparation, confidence, and self-perception of power and control (Kim and Park 2017). An extreme first offer can be neutralized by a strong counteroffer, or by the counterpart’s questioning of the first offer’s validity and justifications (Galinsky and Mussweiler 2001).

Managing Concessions. A concession is usually a revision of a negotiator’s previous offer to the advantage of his or her counterpart (Thuderoz 2017). It could be a compromise, or a promise made in order to reach an agreement. “Systemic concessions”—the process of planned and controlled concessions or exchanging of offers—can have positive and negative impacts on various elements of the negotiation process and its outcome (Pruitt 1981). As suggested by Prietula and Weingart, concessions serve as “critical indicators” (2011: 78), revealing how negotiators communicate important information and achieve desired outcomes. Systematic concessions allow for a gradual revealing and refinement of important information regarding one’s interests and positions (Weingart et al. 1990). They also serve as psychological and moral signals of mutual reciprocity (Thuderoz 2017) that create preconditions for cooperative problem-solving. The interactive nature of concessions and the patterns of their progression shape negotiation outcomes and the relationship between the parties. Therefore, we believe that managing concessions is one of the significant competencies of a master negotiator. With this competency, we intend to capture the pattern, magnitude, and timing of concessions, investigating issues such as the effectiveness of concessions in facilitating an agreement, eliciting reciprocal counteroffers, and increasing satisfaction with the negotiation process; and the effect of concessions on the

quality of the relationship between the parties.

Searching for Trade-Offs. The simplest value creation mechanism in negotiation involves identifying the relative importance of issues and making reasonable trade-offs between them. Reasonable trade-offs are concessions made on relatively less important issues in exchange for gains obtained in more important areas. This mechanism has been known to economists since at least 1817, when David Ricardo offered his comparative advantage theory. According to Raiffa (1982), an essential prerequisite for value creation through trade-offs is a valuation of the negotiated issues during preparation for a negotiation. To find reasonable trade-offs, the parties need to explore their valuations of issues and make exchanges that create value and move toward the Pareto frontier.

Generating Creative Options. Once the parties have understood each other's interests, they can begin to identify value-creating options. This process can focus on dovetailing both parties' interests within the set of known options and/or creating new options that are beneficial for both parties (Fisher and Ury 1981). In many negotiations, we have observed how this competency alone can break an impasse and bring about out-of-the-box, win-win solutions. Generating creative options requires many skills, including the ability to take another's perspective. As Kidder noted, "perspective taking... can increase a negotiator's ability to arrive at a creative solution that meets both parties' needs" (2017: 257). Both in classroom settings and in negotiation competitions, we often observe that solutions that break impasses and serve both parties' interests are possible only when negotiators are cooperative and willing to share information.

Using Objective Criteria. Examples of objective criteria are precedent, market value, professional standards, efficiency, and costs (Fisher and Ury 1981). A deliberate search for, and adoption of, objective criteria can make the negotiation process fairer and thus help sustain good relationships among the parties. This competency involves the negotiator's ability to (1) justify his or her offers with criteria that are convincing to a counterpart and (2) use objective criteria to advance cooperative problem-solving.

Post-Settlement Settlement. Post-settlement settlement may be used by negotiators to increase the efficiency of an agreement that they have reached (Raiffa 1985). Raiffa believed that "an independent analyst would almost always be able to find ways of enhancing a deal, finding greater efficiencies, or suggesting to the parties smarter trades they could make

that would guarantee them more value than they had already secured” (Susskind 2017: 324). Therefore, we often encourage negotiators to reserve a few minutes at the end of a negotiation simulation to review together the agreement they reached, to see if there is any room to improve the outcome for one or both parties “without reducing in any way what everyone was already guaranteed” (Susskind 2017: 324). Again, this is only possible if the parties are committed to cooperative problem-solving and information sharing. If they cooperate with each other in seeking additional mutual gain, negotiators usually can add value to their agreement.

Strategic Adaptability. Strategic adaptability is a competency that enables a negotiator to apply, flexibly switch between, or combine his or her other competencies in value claiming and value creation. A skilled negotiator must demonstrate different negotiation strategies and styles in distributive, integrative, and multiparty negotiations. With the ability to distinguish and navigate between these paradigms, negotiators can generate better outcomes with positive long-term effects (Nisbett and Wilson 1977). In a move away from advising negotiators on skill improvement, researchers more recently have focused on understanding how negotiators’ styles, motives, and competitiveness/cooperativeness influence their strategy and outcomes. Many researchers (e.g., Weingart et al. 1990; Stuart 2011) believe that such adaptability is necessary due to the inherent tension between creating and claiming value in negotiation. Thus, we highly value the ability of negotiators to adjust their strategies and styles to the specific negotiation setting in which they find themselves and the behavior of their negotiation partner(s).

Team Performance. Many negotiations require team effort and turn on effective cooperation and leadership. In a discussion on the future of negotiation pedagogy, Susskind noted that one possible direction “would involve a shift away from individual decision making and emphasize, instead, facilitative leadership and group creativity” (2015: 462–463). Research has shown that negotiation teams generally outperform individuals, especially in integrative negotiations (Thompson, Peterson, and Brodt 1996; Morgan and Tindale 2002). One precondition for such performance is group consensus, which is important “for minimizing the effects of individual differences on negotiation outcomes” (Mohammed et al. 2008). Good leadership reconciles the disparate interests and motivations of team members so that they may work toward a common goal (Lamm 1973; Salacuse 2017). In addition, a well-

functioning team depends on defining clear roles for team members according to their strengths and weaknesses. Therefore, we aim to observe: (1) the quality of leadership and cooperation as demonstrated by a clear group decision-making process and a group's speaking in one voice, and (2) whether or not the group's members have clearly defined roles to facilitate collaborative decision-making.

Trust and Relationship Building

The third category of our competency model, trust and relationship building, is an action, a skill, an attitude, and a mindset. It may start when negotiators first meet and shake hands, and can be shaped further by many competencies described above. For example, the parties' degree of trust and the quality of their relationship are affected by whether or not issues are discussed in a structured manner and trade-offs are realized without hurting a party's interests. The strength of the relationship and the degree of trust between the parties influence the substantive outcomes of their negotiations. A wide range of research has contributed to the theoretical development of this category. Explaining the necessity for trust and strong relationships, Mouzas (2016) noted that the resources we need to solve problems are dispersed among parties within the network of business relationships. Trust and a good relationship are the keys to negotiating a successful outcome. Ingerson, DeTienne, and Liljenquist (2015) adopted a similar stand, proposing to look at negotiating behaviors through a relational approach—viewing negotiators as agents connected in a system of relationships and aiming to understand and act for the welfare of others. Katz (2015) noted that without a certain degree of trust, parties are trapped in the distributive fears of gains and losses, and therefore lack the ability to try out new options that could potentially generate larger benefits.

In this category, we emphasize the cross-cultural nature of trust and relationship building and recognize that cross-cultural negotiations are becoming the norm in the business world as well as in classrooms and competitions. As Salacuse (1998) noted, culture plays an essential role in negotiations. Other researchers in this area are Brett (2017), who explored the relationship between cultural differences and corresponding negotiation strategies; Lee, Brett, and Park (2012), who compared culturally influenced negotiation tactics from three Asian countries; and Bond (2013), who wrote about the conflicts and opportunities that cultural differences brought to an international competition.

Hence a good negotiator must be able to comprehend disparate behavioral norms motivated by different cultural mindsets. Many

competencies mentioned previously can already shape the quality of the relationships and the degree of trust. So, with this competency, we focus mainly on evaluating the attitudes shown by negotiators—whether they are aware of cultural differences and the resulting tactics and can deal with these differences with tolerance and respect.

Moral Wisdom

A negotiation competency model must also include a moral compass for negotiators. Therefore, as the last category and the most deeply imbedded competency in negotiators' behavioral patterns, moral wisdom reveals negotiators' ethics and values.

Ethics in negotiation is a well-researched topic centered on such aspects as deception, gender perception, power dynamics, and social awareness (e.g., Provis 2000; Hackley 2014; Lee et al. 2014; Gaspar and Chen 2016; Wertheim 2016; Tasa and Bell 2017). Although some negotiation scholars believe that deception or misrepresentation of information should be recognized as an acceptable tactic (Lewicki 1983; Strudler 1995; Faure 1998), others question the costs of deception both on a moral and substantial level, as it could undermine negotiation outcomes (Provis 2000; Schweitzer, DeChurch, & Gibson, 2005; Hinshaw, Reilly, and Schneider 2013). We are convinced that negotiation instructors have a moral duty to teach their students that it is possible to be an effective negotiator without compromising one's moral and ethical standards.

Another aspect of moral wisdom that we can observe in negotiation behaviors is empathy—the ability to consider a counterpart's feelings and give appropriate emotional responses (Cohen 2010). Literature on empathy in negotiation began to appear in the late 1990s. Mnookin, Peppet, and Tulumello (1996, 2000) addressed the tension between empathy and assertiveness and pointed out that the benefits of empathy lie in value creation and creative problem-solving. They also suggested that a balanced combination of empathy and assertiveness characterizes the most effective negotiators and is necessary for sufficient value claiming. Cohen (2010) demonstrated that an additional benefit of empathy is that it tends to deter unethical bargaining by a counterpart. Brown (2012a) looked at using value-based negotiation simulations to increase students' empathy.

We believe that unethical negotiating behaviors can harm mutual gains and disrupt the building of long-term relationships and that empathy increases the possibility of mutual gains and long-term relationships. In Table One below, we have defined two aspects that are central

to evaluating a negotiator's moral wisdom: (1) whether or not the negotiator manages information ethically, and (2) whether or not the negotiator is able to consider the interests, concerns, and feelings of his or her negotiation partner.

This category of our competency model is more difficult to observe than the competencies in previous categories. Still, we believe that it is beneficial to incorporate it into our model and to compile corresponding behavioral indicators. Ultimately, our underlying pedagogical objective is to help students and practitioners develop into negotiators with an inner moral compass that helps them to navigate a negotiation's complexities, to make sound decisions on many matters including how to allocate resources, and to treat others fairly (Coleman 2018).

Behavioral Indicators and Proficiency Levels

Our model includes a practical list of observable behavioral indicators that can be used to assess negotiators' performance. We examined each competency, deconstructed it into different levels of proficiency, and described the observable behaviors characterizing that level of proficiency. These descriptions build on negotiation discourse analysis, our experience in assessing the negotiators' performance, and observations from real-life and classroom negotiations. Discourse analysis scholars have revealed how language patterns and marked usage shape the collaborative interpretations of negotiating parties' strategies, identities, relationships, emotions, and issue development (Brett et al. 2007; Glenn and Susskind 2010; Putnam 2010). The use of sentence patterns, pronouns, verbs, and so on can be a key to distinguishing between various meanings, such as a threat, a suggestion, and a demand. These research findings influenced our identification and arrangement of behavioral indicators, which rely heavily on the communication between the parties.

We adopted a typical five-point scale to evaluate levels of proficiency, from significantly below average (- -), below average (-), average (0) to above average (+) and significantly above average (+ +). A five-point scale provides a wide enough range for performance differentiation while remaining manageable for the evaluators. As for the behavioral traits, after testing the model, we decided to compile only three levels instead of five for the proficiency levels. This is because three levels of behavioral traits per competency offer a manageable and practical amount of instructions for evaluators without the risk of overwhelming and confusing them with too much information.

Table One
Behavioral Indicators

Competency	Level	Behavioral traits
I. Emotionality and language		
1. Quality of expression	--	Lack of clarity and logic in naming issues and explaining interests; use of coercive or threatening expressions; excessive talking or insufficient explanation that hinders problem-solving; withholding relevant information
	-	
	0	Objective and convincing presentation of issues and interests; suggestive and flexible; information sharing based on the counterpart's reciprocal behavior
	+	Consistent use of objective, confident, and convincing language even in emotionally intense situations and under time pressure; information shared strategically
	++	
2. Active listening and questioning	--	Limited exchange of information concerning issues and interests; frequent interruptions; not asking enough questions; resistance to answering partner's questions
	-	
	0	Issues defined at the beginning and clear understanding of partner's priorities; active listening without interrupting; asking questions to elicit information and identify interests
	+	Clear understanding of issues and priorities results from asking questions and active listening; combination of direct and indirect questions, open and closed questions to elicit information; tolerance for silence; patience
	++	
3. Managing emotions	--	Negative emotions (frustration, anger, dissatisfaction) hindering problem-solving and relationship building; a lack of understanding of, or respect for, partner's emotions; inability to respond to partner's needs
	-	
	0	A regulated display of emotions, avoiding negative emotions; respect for partner's emotions
	+	Emotions are well-regulated and used strategically; partner's emotional core concerns are well understood and addressed appropriately
	++	

(Continues)

Table One (Continued)

Competency Level Behavioral traits

II. Negotiation intelligence

4. Understanding interests and options	--	Unclear about one's own interests, priorities, and BATNA; insufficient understanding of partner's interests, priorities, and BATNA
	-	
	0	Clear understanding of one's own interests and options; some assumptions regarding partner's interests and options
	+ ++	Clear understanding of one's own and a partner's interests and options; clear strategy and plan for achieving one's own negotiation objectives
5. Setting the stage	--	Going straight to business; focus on most obvious issues; no clear agenda
	-	
	0	Clearly stated issues and agenda
	+ ++	Clearly stated prioritized issues and agenda; indication of interests and objectives; first attempts to build a positive relationship
6. Making the first offer	--	First offer not ambitious or assertive enough; anchor too extreme with insufficient adjustment so that it hinders the negotiation progress
	-	
	0	First offer calibrated and made appropriately or an appropriate counteroffer
	+ ++	Assertive and confident presentation of an ambitious first offer, which is well justified and defended; effective in debiasing the anchoring effect if the counterpart makes the first offer
7. Managing concessions	--	Too large concessions without a clear plan; lack of adjustment that eventually leads to a deadlock
	-	
	0	Planned concessions made based on reciprocal information-sharing activities and possibility for trade-offs
	+ ++	Strong control over the timing and magnitude of concessions; the ability to elicit concessions without damaging the relationship
8. Searching for trade-offs	--	Issues discussed separately one by one;
	-	inability to differentiate between integrative and distributive issues; focus on value claiming

(Continues)

Table One (Continued)

Competency	Level	Behavioral traits
	0	Seeking Pareto efficiency; ability to identify integrative issues and make value-creating trade-offs
	+	Exploring interests and priorities for all issues
	++	and flexibly bundling issues to exchange the less important items for the more important ones
9. Generating creative options	--	Focus on value claiming; making and/or demanding concessions to reach an agreement; lack of brainstorming or any other form of joint problem-solving
	0	Understanding of both parties' interests and active search for potential solutions
	+	Engaging the partner in a collaborative problem-solving process; brainstorming effectively; proposing creative options that potentially enlarge the pool of benefits for all partners
	++	
10. Using objective criteria	--	Unable or unwilling to justify one's own demands/offers, or justifying them in a self-centered manner
	0	Using certain common knowledge or external market information as fair standards
	+	Taking partner's perspective to offer mutually fair standards to create cooperative problem-solving atmosphere
	++	
11. Post-settlement settlements	--	No attempts to look for Pareto improvements after arriving at a tentative agreement
	0	Some attempts to look for Pareto improvements after a tentative agreement has been made
	+	Creating value through Pareto improvements obtained through additional trade-offs identified and agreed on after a tentative agreement has been reached
	++	
12. Strategic adaptability	--	Either too cooperative or too competitive regardless of the issue type; inability to differentiate between integrative and distributive issues and/or cooperative and competitive partners

(Continues)

Table One (Continued)

Competency	Level	Behavioral traits
	0	Firm on distributive issues, and competitive under unfavorable conditions or facing tough opponents; cooperative and flexible on integrative issues
	+	Ability to recognize and match the strategy
	++	and methods to negotiated issues and partners; quick behavioral adjustments based on new information or changes in the situation
13. Team performance	--	Unclear role division among members; lack of leadership and cooperation in decision-making
	-	
	0	Some role division based on the strengths of each member; some cooperation in decision-making
	+	Clear and complementary role division among members; each of them contributes fairly to the progression of the negotiation; decisions supported by all team members
	++	
III. Trust and relationship building		
14. Trust and relationship building	--	Inability to build trust and create a working relationship with negotiation partner; inability to deal with partner's negotiation style
	-	
	0	Some attempts to build trust; some understanding of partner's negotiation style
	+	Active trust building; deliberate efforts to improve the quality of the relationship; understanding of, and the ability to deal with, partner's negotiation style
	++	
IV. Moral wisdom		
15. Moral wisdom	--	Little empathy for partner's interests; outright deceptive behavior
	-	
	0	Some empathy for partner's interests; avoiding commission but occasionally accepting omissions
	+	Appropriate level of empathy for partner's interests; honest and transparent approach toward disclosing and withholding information
	++	

Application and Discussion

We attended a major international negotiation competition for two consecutive years and tested the negotiation competency model based on a slightly modified version of the behavioral indicators set forth in Table One. The negotiations were conducted between teams of three based on an integrative, non-scoreable simulation. The judges used our evaluation model in their assessments and we interviewed them after they evaluated the negotiators' performance. Overall, the judges gave very encouraging feedback on our model. However, they raised three critical points related to team performance, adaptability, and ease of use, which we discuss below.

Team Performance

After testing our model in the competition, we added a competency for aggregated team performance to the category of negotiation intelligence, making it an integral part of our competency model. We added this competency both to respond to the increasing need to measure negotiation performance in team settings and to assess the level of cooperation and communication within teams. If the model is used to evaluate individuals, this competency is not assessed.

Adaptability to Different Types of Negotiations

Some judges noted that our model is better suited for assessing integrative negotiations than negotiations in which value creation is not possible. Indeed, the negotiation intelligence category includes competencies that assess both value claiming and value creation. Therefore, in highly distributive negotiation simulations, the judges using this model should adapt the behavioral indicator list, retaining the competencies that are especially relevant for value claiming and removing those that evaluate value creation, which is not possible in distributive negotiations.

Ease of Use

Some judges told us that it was difficult to assess over ten competencies in a sixty-minute negotiation. For this reason, we suggest that prior to assessing a negotiation that is neither lengthy nor complex, judges may select the competencies that are most applicable to the specific negotiation to be judged. Moreover, certain competencies for which the behavioral indicators are more difficult to judge—such as “relationship building” and “moral wisdom”—could be considered as “watch-out” competencies. Judges may choose to deduct from performance scores for negative behaviors such as outright lying rather than assess the competencies overall. Thus, judges could focus on more observable behaviors, noting only red flags in their assessment of “watch-out” competencies.

Conclusion

Professionals in fields as difficult to judge as dance and figure skating are assessed according to established criteria. Negotiation pedagogy lacks such standards. We hope that our negotiation competency model improves the teaching of negotiation by advancing a discussion about essential skills and behaviors; how to teach them; and how to evaluate them objectively, consistently, and efficiently. We are convinced that following a uniform set of comprehensive, systematic, and practical standards facilitates greater focus and innovation in negotiation pedagogy. We also hope that our model leads to a greater emphasis within negotiation pedagogy on factors such as relationship building and morality so that students receive training that is comprehensive and multifaceted.

Our model is a work in progress. We hope that others will use the model in classrooms, trainings, and competitions to determine if it omits essential competencies or contains redundancies, and how it may otherwise be improved. In addition to further testing of our model, it would be useful to develop a self-evaluation tool for negotiators and students to assess their own skill levels, strengths, and weaknesses. This would be especially valuable when there is no third-party observer or judge.

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