

“Missile Base in Turkey”
Scored Negotiation

**Instructor Notes
& Background**

Title

Missile Base in Turkey – Scored Negotiation

Skills Addressed

Negotiating

Target Audience

2Ls and 3Ls / professionals

Overview

This is a scored negotiation exercise intended for law students and professionals. The underlying scenario involves the negotiation of a possible American missile base in Turkey. The student negotiators receive points depending on which specific provisions are included in the final deal. A confidential “points grid” is provided to each side with a list of the points received for each item. The simulation is designed for use in one class session. The in-class time for the exercise is approximately two hours:

1. Instructions and introduction (1 minute)

2. Student preparation / reading the materials (9 minutes) (the materials are short enough so that students can read them in class - there is no need to provide students with the materials in advance of class)
3. Meeting between partners¹ (20 minutes)
4. Meeting with the other side² (75 minutes)
5. Collection of results and scores (5 minutes)
6. Reporting of results for the entire class (as part of the debrief). Traditionally, this has included drawing a large grid on the whiteboard with every possible option and marking each option that was a part of any deal (like a survey of deals) along with a scatter gram for each side of each final score (to show the range of scores).

Scenario Background

The United States has decided that it would like to build a missile defense base in Turkey. Negotiations will take place between Turkey's National Security Council and the U.S. State Department (through their respective counsel). Memoranda and letters are provided as background to the students. Issues include items such as leasing of the land for the missile base, the size of the base, the timing of construction, press coverage, and other issues germane to the construction of an American missile defense base in Turkey.

Each side has a grid of options for the final agreement, where each option equals a certain number of points for each side. Each side is only aware of the points they receive and communicating point totals with the other side is prohibited (although each side is open to sharing their general interests on each topic). If there is no final agreement, each side receives zero points.

The points grid contains some mutually beneficial issues (where each side has the same incentive for various options), opposed interests on issues (where each side has the opposite point value for specific options), and some issues where there is value only to one side. In addition, the level of value to each side on some issues is different on particular issues (some issues matter more to one side).

Learning Outcomes

¹ Traditionally, this simulation has had students work in pairs (two students on each side), but the simulation could easily work with different configurations.

² This simulation has been used in summer school programs where law students from Turkey co-enrolled in negotiation classes with American students. Mixing up the teams by national origin and debriefing the general subject matter of the simulation (i.e. American military bases in other countries, such as Turkey) led to stimulating discussions of a variety of cross-cultural assumptions and insights.

- ✓ Introduce and practice basic negotiation concepts and methodologies
- ✓ Understand the many layers of interest analysis (relationship of interests, importance of interests, e.g.)
- ✓ Appreciate the value of creativity and designing alternative approaches to reaching a deal (rather than getting “boxed in” by limited options and positions)

Teaching Notes

1. Set-up and assignments for the students (see Overview above for time schedule).
 - a. Introduction. Because the scenario is pretty straightforward, students will not require a lot of introduction, other than the logistics of the simulation (timeframe, assignment, e.g.).
 - b. Working with Partners. Encourage the students to prepare roles and responsibilities for each partner so that there is some coordination in advance of meeting with the other side. The students may also need a reminder that caucuses can be a useful technique for working with others during a negotiation.
 - c. Reminder on Rules. Students should be made aware that at the end of the agreement, both sides need to turn in one document explaining the agreement provisions and providing a score for each side.
2. Debriefing points for discussion.
 - a. Understanding Some Complexity about Interests. Students often think of interests in a very flat way. They may think of interests as the needs or wants or concerns of a party, but that is about as far as their thinking sometimes goes. The simulation is designed to point out at least a few of the distinctive elements of interests that are worth understanding as part of negotiation analysis. The basic elements explored here are i) the substantive interest (what exactly is the interest – e.g., more money, efficient use of time); ii) the importance of the interest (is it critical or not important – here the points are not all equal; some things matter more than others); iii) the relationship between interests (are the interests of the two parties the same, opposed to one another, or just different but not opposed).
 - b. Evaluating and Assessing Potential Agreements. How should students measure the value of a possible deal? Is a potential agreement preferable to the consequences of all deal (not just BATNA, but all of the consequences that may accompany no deal and the related harm to interests)? The simulation ties assessment to a specific points grid, which is obviously artificial and unrealistic but it begs the question – how would one assess potential deals in the real world? What criteria might be appropriate? Relating back to point 2.a. above, by carefully measuring interests and understanding the impact of proposal

components (in aggregate) on those interests, one can score (at least qualitatively) the value of a potential deal.

- c. The Importance of Creativity and Getting Beyond Positions. Asking the students to critique the exercise will eventually (and often happen quite quickly) lead to the complaint that there was no room to be creative (e.g., “you were limited to the few options on the points grid”). The easy point from this is that creativity is important in negotiation – inventing options to fit the situation, looking for creative solutions, and improving ideas to solve problems. The harder point is that people often get “stuck” on one possible way to address an interest or multiple interests. That single way, or position, will not lead to an agreement but moving someone from that position to other options can be challenging. Recognizing this phenomena (even within ourselves) is the first step to better problem solving and overcoming impasse.

Handouts

1. Background for the United States
2. Background for Turkey