

Negotiation is a strange thing in that a person can do it their entire life and not be aware they are awful at it. In fact, many full time/professional negotiators are some of the very worst. If I put you in front of a piano and you weren't able to play a song, you might suspect you are not good at playing piano. If you thought you could swim, but really couldn't, hopefully you would realize this the first time you jumped into a pool, and immediately sank to the bottom. The same is not true for negotiations and dispute resolution: a person can do these things every day of their lives, be dreadful at it, and actually believe they are fantastic. This is why so much of the tips and advice that get passed around about how to be a better negotiator are often ineffective (and sometimes downright harmful) – they are coming from “experts” who have no clue how bad they actually are at negotiations.

The point of modern negotiation studies is similar to the move towards evidence-based medicine. Rather than just relying on anecdotal suggestions of effective techniques, or the idea that this is the way we've always done it, researchers are observing and analyzing actual negotiations to determine what approaches produce the best results, and when negotiations fail, to determine what factors caused the negative outcome. It's basically a scientific method to determine the most effective negotiations techniques – observe negotiations, make theories, test the theories, and develop evidence based conclusions.

One of the top organizations working in this field is the Harvard Law School Program on Negotiation (PON); their website (<http://www.pon.harvard.edu/free-reports/>) has some excellent resources for anyone interested in learning more about effective dispute resolution techniques. Although the PON started as research project within the Harvard Law School, over the years, input has come from scholars in a variety of disciplines: business, government, economics, psychology, education, anthropology, and the arts. As a disclaimer – the author of this article has not only been extensively trained using Harvard PON resources, I have also helped teach law school students using many of the PON's ideas and simulations, so I may be biased in favor of the PON way. But that bias has been reinforced by years of professional work, where I have seen how effective these ideas and techniques can be.