

The Expeditionary Negotiator

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Abstract/introduction

Much descriptive negotiation theory has focused on transactional bargaining situations that is of limited utility to people whose work brings them to non-permissive environments. The resulting body of prescriptive theory has focused on how to optimize process and outcomes of such transactions. While it would not be fair to say that negotiation theory has avoided complexities, the prevailing assumptions that underlie both descriptive and prescriptive theory can be identified: 1) the possibility of a shared future relationship between the parties is the foundation stone of cooperation (the shadow of the future); 2) a rough symmetry exists between the parties in terms of bargaining power, access to useful information, will and capability to implement any agreement; 3) the parties are present willingly in the negotiation; 4) Pareto-optimal outcomes exist for all parties; 5) negotiators are, or are close to, the decision-makers; 6) the issues being negotiated are of strategic importance; 7) the consequences of non-agreement are trivial (parties will not be significantly worse off than they were prior to negotiations); 8) the parties can rely on others for information gathering, logistical and other support.

These assumptions are problematic in numerous kinds of negotiations. In the archetypical hostage situation, for example, none of these conditions may hold. Neither the hostage-taker, the hostage, nor the hostage negotiator will be enticed by a collaborative future together. The parties' relative power may be highly asymmetric; harm has been done or threatened by one side against the other already. The hostage and the hostage negotiator are compelled by circumstances to negotiate, rather than willing. Even the best of negotiated outcomes will result in some loss to some of the parties. The negotiating parties are not likely to be high level diplomats, heads of state or organizational leaders. The negotiation agenda will likely be a mix of demands and concessions of an immediate, rather than long-term or 'strategic' character. Non-agreement may cause further harm for at least some of the parties. Depending on the context of this situation, neither side may have any organizational resources to fall back upon. Since these are all factors thought to facilitate negotiation, it is no wonder that such negotiations are more challenging than situations where they are not present. It is well known that in the archetypical hostage situation, the hostage taker is definitely not looking to hold onto the hostage and this, at least, presents negotiators with a quasi-transactional opening. However, there are numerous hostage situations where the hostage taker does not articulate a demand at all.

Similarly, a team of humanitarians operating in a war zone, perhaps delivering food aid to civilians, may be stopped by one of the armed groups in their area of operations. There is a certain non-predictability in such situations. Demands by the armed group can range from a mere assertion of authority or verification of documents all the way to a demand that personnel be left in the custody of the armed group or that the humanitarians' home nations make some political concession far beyond the reach of the humanitarian operators. Again, neither party may be enticed by the promise of future cooperation. Humanitarians rarely threaten to coerce nor do they tend to carry weapons. A negotiation is forced upon the humanitarians and no agreement is fully satisfying to all the parties. On all sides, the participants are field-level personnel concerned with issues of immediate rather than long term strategic importance. The possibility that the parties will not reach an agreement is real, and chilling to the humanitarians, who are being threatened. Neither side has high-level guidance or support from headquarters. They are on their own. This paper will explore the resulting dynamics of negotiations in which the principal pillars of negotiated cooperation either vary or are distorted or completely absent from the negotiation situation.

The eight conditions :

Transactional Context	Expeditionary Context
Shadow of the future incents present cooperation	No shadow of the future
Rough asymmetry	Extreme asymmetry (perceived or actual)
Parties negotiate willingly	Parties coerced into negotiation
Pareto optimal outcomes can be created or envisioned	Demands are so extreme that either demandeur parties or the others may lose something in an agreement
High level decisionmakers	Front line personnel
Strategic issues	Tactical, field-level issues
Trivial consequences of non-agreement	Non-trivial consequences of non-agreement
Information, intelligence, logistics and other reach-back support are available	Little or no reach-back capabilities