

## Cultural Baggage When You “Win As Much As You Can”

*Julia Ann Gold\**

*Editors’ Note:* Gold uses a single, popularly taught exercise as a framework for examining how cultural value patterns are likely to affect what students hear – as distinct from what you were trying to teach. She suggests a number of different approaches to opening up the cultural assumptions at the heart of the exercise.

“He cheated.” “She lied!” “I just followed the rules!” “I feel stupid, as if I was being too fair.” Comments like these are typical from students after participating in the “Win As Much As You Can”<sup>1</sup> (WAMAYC) exercise, a popular activity used in negotiation skills courses, and one that often elicits strong emotional reactions from students. How does culture affect the ways students play the game and the lessons they take away from it? This chapter will briefly review cultural value patterns, highlight some of the cultural assumptions embedded in Western negotiation theory, and then discuss the ways these assumptions manifest in the WAMAYC exercise. The goal is to stimulate thinking about how negotiation teachers can become more culturally competent and to provide opportunities to make negotiation courses more culturally inclusive from the very first class. Specifically, my goal is to help teachers and trainers: 1) better understand the variances among their students that may be grounded in cultural differences; 2) broaden perspectives beyond the tendency to be ethnocentric – assuming that “everyone does it just like we do;” and 3) stimulate curiosity rather than judgment when reacting to an unexpected behavior or response by a student.

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\* **Julia Ann Gold** is director of the mediation clinic and a senior lecturer in law at the University of Washington School of Law in Seattle, Washington. Her email address is [julgold@u.washington.edu](mailto:julgold@u.washington.edu).

## **Cultural Value Patterns**

Since culture permeates all of our interactions, it is incumbent on teachers to be culturally competent.<sup>2</sup> Aspects of culture relevant to this discussion are values embodied by each culture that affect the ways people behave in particular social situations.<sup>3</sup> This chapter will briefly describe three cultural value patterns (individualism-collectivism; universalism-particularism; and power distance variations), as well as the low-context and high-context communication styles that correlate with individualist-collectivist cultural values. All four dimensions must be understood in order to consider the cultural assumptions underlying Western negotiation theory.

### ***Individualism-Collectivism***

The first, and most prominent, cultural value pattern is individualism-collectivism – the relationship between the individual and society (Hofstede 1997, 2001). In an individualist society, individual rights predominate and privacy, self-sufficiency, autonomy, and independence are highly valued. In a collectivist society, the needs of the individual are subordinate to those of the larger group and identity is tied to a primary group, usually the family. Survival of the group ensures the survival of the individual.

### ***Universalism-Particularism***

The individualism-collectivism dichotomy is reflected in the next value pattern, universalism-particularism (Hofstede 1997, 2001). This dimension captures how people balance obligations to their family and inner circle (referred to as the ingroup) with obligations to society at large (the outgroup). An individualist society typically adopts a universalist approach to the application of rules, meaning that everyone in society, regardless of status, is treated the same, and rules are applied uniformly to everyone without regard to relationships. Conversely, in a particularist society, personal feelings and relationships dictate how rules are applied. Those in the ingroup, like family members, are treated deferentially and exceptions are made for them.

### ***Power Distance***

This cultural value dimension refers to the extent to which the less powerful members of a society accept the unequal distribution of power (e.g., wealth, prestige, access to education and other benefits that enhance power) (Hofstede 1997, 2001). In a high power distance society, people tend to accept inequalities in power and status as natural. Those with power emphasize their status and avoid dele-

gating or sharing it; they distinguish themselves from those without power or with less power. Subordinates avoid criticism or disagreement with those in authority.

In a low power distance culture, individuals see inequities as man-made and largely artificial. Those with power tend to deemphasize it, minimize differences between themselves and subordinates, and delegate and share power to the extent possible. Subordinates take initiative and are rewarded for it. Informality is encouraged. In a low power distance culture, criticism of authorities is considered appropriate, and discussion and consultation are desirable.

### ***Low and High-Context Communication***

This communication pattern correlates respectively with individualist-collectivist values, and refers to how much of the meaning of a message comes from the surrounding context, as opposed to the actual words exchanged (Hall 1986). In low-context communication, people say exactly what they mean, rather than suggest or imply it. Being a “good speaker” is valued much more than being a “good listener.” People are not expected to read into what is *not* said or done to embellish the meaning. Low-context communication is more common in individualistic cultures, where there is less reliance on shared experiences as a basis for understanding.

In high-context communication, much of the meaning is already “programmed” into the receiver of the message as a result of the shared experience, connection and history of the sender and the receiver. The speaker is more likely to infer, suggest, and imply than to say things directly. Often no words are necessary to carry the message – a gesture or even silence is sufficient to communicate meaning – volumes might be spoken with a raised eyebrow. A critical component of most communication in a high-context setting is to preserve the relationship and save face. There is a strong correlation between high-context communication and collectivist culture.

These cultural values and corresponding communication patterns influence how people behave with one another, including how they negotiate. In turn, many cultural assumptions permeate Western negotiation theory.

### **Cultural Assumptions in Western Negotiation Theory**

Jeanne Brett and Michele Gelfand examined U.S. and northern European negotiation theory from a non-Western – primarily Asian – perspective, and identified five assumptions about negotiation that have cultural implications: 1) rationality versus emotion in ne-

gotiations; 2) motivation in negotiation; 3) attributions for negotiators' behaviors; 4) communication; and 5) confrontation (Brett and Gelfand 2006). Because assumptions are invisible to us, the authors analyzed the "artifacts" that exist in the field of negotiation – i.e., the topics that are written about, the research questions that receive the most attention, and the predictions that are seen as "given" (Brett and Gelfand 2006: 175). I will discuss those five assumptions, as well as egocentric bias and the metaphors we use to describe negotiation.

### ***Rationality***

Brett and Gelfand discussed the choice between rationality and emotion in terms of the negotiation task: "How do I get the other party to make concessions? Do I negotiate rationally or emotionally?" Rational negotiators rely on facts and reason to elicit concessions from the other negotiator and assume that their counterpart is also negotiating rationally, relying on a cost benefit analysis. Western negotiation theory is replete with assumptions about a rational approach to negotiating, including research about how to avoid the faulty heuristics and biases that cause negotiators to depart from rational thinking when negotiating (Birke and Fox 1999; Korobkin 2006). The *Getting to Yes* principle, "separate the people from the problem" (Fisher, Ury, and Patton 1991), is another example of the rationality assumption (for additional examples, see LeBaron and Patera, *Reflective Practice*, in this volume).

Individualistic cultural values underlie the rationality assumption. Rationality is "fundamentally self and not other centered, which is consistent with the individualistic cultural values that dominate many Western cultures" (Brett and Gelfand 2006: 177). Negotiators prepare by focusing on their goals, best alternative to a negotiated agreement (BATNA), bottom line, target, and aspiration levels; attention to the other side's goals is mostly in service to achieving the best possible outcome without leaving money on the table. Low-context communication is used in rational negotiation, emphasizing linear thinking, facts, figures, precedent and possibly even explicit threats.

In a collectivist culture, the focus is on the relationship and high-context communication that is more likely to elicit concessions. Until recently, there had been little research in the U.S. or Western Europe on the use of emotions in negotiation (Barry, Fulmer, and Van Kleef 2004; Fisher and Shapiro 2005). Not so in other parts of the world. For example, cross-cultural negotiation research has shown that Taiwanese negotiators use social roles and relationships in negotiation (Drake 1995). The Japanese use the three-part social

interchange, called *naniwabushi*. *Naniwabushi* relies on three stages including an expression of feelings about the relationship, a discussion of the events that made the situation or social relationship difficult, and concluding with an expression of sorrow or self-pity and a plea for leniency, which is intended to persuade the other to be benevolent (March 1989).

### ***Motivation***

Brett and Gelfand noted a major cultural distinction in what motivates negotiators: achieving economic capital versus social or relational capital (2006). Western negotiators, with individualistic values, focus on maximizing economic capital to claim and create value in negotiations. In contrast, non-Western negotiators, with more collectivist values, are more likely to place a higher value on the relationship, connections, and mutual trust than on purely economic outcomes. The negotiator with collectivist values may avoid hard bargaining to protect social capital, with an understanding that there will be reciprocation in the future. This dynamic is most relevant when future interaction between the parties is likely or possible.

### ***Attributions***

Attributions are our explanations for why an event has happened; these explanations have particular relevance in dispute negotiations. In the naming, blaming, claiming progression (Felstiner 1980/81), an injured party perceives an injury, identifies a responsible party, and makes a claim for redress. Whether or not an injured party perceives an event as injurious is related to how the injured party attributes meaning to the cause of the injury – was it “situational,” due to circumstances beyond the (other) actor’s control? Or was it “dispositional,” within the control of the actor? When an injured party views dispositional or personality traits as the cause of an injury, the injured party is much more likely to move from naming to blaming and then claiming by demanding redress, with the attendant feelings of anger and annoyance.

Researchers have found a tendency in Western cultures to underestimate situational factors, and overestimate dispositional factors, such as personality (Ross 1977). This is often referred to as the “fundamental attribution error.” On the other hand, research has shown that Asians make more situational attributions than Americans (Bond 1983; Morris and Peng 1994). This variance is tied to the cultural values of individualism and collectivism. Brett and Gelfand hypothesized that in collectivist societies, where behavior is highly

constrained by one's role within the group and the norms and constraints within that group, there is less autonomy or room for "disposition" to come into play. Attribution to dispositional factors also places more strain on relationships, which are so highly valued in collectivist societies.

### ***Egocentric Bias***

In a related cognitive bias, research has shown that egocentric bias, the tendency to be self-serving in judgments of one's own actions, is culturally variable. Americans tend to be self-serving; East Asian cultures are less so (Morris and Gelfand 2004). The likely cause of this variance is the discrepancy between the independent nature of individualist self-focused Americans, and the more relationship-focused nature of East Asians, who are required by cultural predisposition to take the other's view into account.

### ***Communication***

Research by Brett and Gelfand illustrated one way that low-context and high-context communication in negotiations may vary. Studies of Western and non-Western negotiations have found that the non-Western negotiators tended to gather information by exchanging multi-issue package proposals rather than by asking questions and exchanging single-issue offers back and forth. The proposal exchanges were part of a high-context communication pattern that very effectively transmitted information and allowed for high value tradeoffs and joint gains. The negotiators who were experienced in high context communication, with an ability to make inferences from complex and embedded patterns, were able to transfer complex information in a very sophisticated way, through the package proposals. They were able to reach agreements similar to the low-context negotiators, who negotiated in a more detailed, issue by issue approach, exchanging information through questions and answers.

### ***Confrontation***

Strong cultural variances exist regarding how to approach conflict – whether direct confrontation is preferred (Western) or whether a more indirect approach is preferred (non-Western). Brett and Gelfand noted that in the west, there is an assumption that explicit resolution of conflict is a good thing and that "direct confrontation" or "talk" is the preferred approach – using a low-context communication style.

On the other hand, in more collectivist cultures, direct talk can be a threat to the relationship, with repercussions throughout the

larger community. An indirect approach to conflict is the norm, either by involving a third party to act as a go-between, or by transmitting a message to a superior rather than to the person directly. Behaviors that would be termed “avoidance” by individualists are deemed effective in collectivist cultures. Non-Western cultures valued silence, as illustrated by Buddhist and Taoist religious practices where meditation and silence are the norm. Similarly, Heejung Kim’s research has shown that East Asians are more likely to believe that silence is superior for thinking and that parents encourage silence and nonverbal communication, whereas European Americans believe that talking is better for thinking and parents encourage verbal communication (Kim 2002).

### *Metaphors*

Finally, metaphors are full of cultural assumptions. Metaphors help make sense of the unfamiliar by mapping the unknown onto more familiar territory (Lakoff and Johnson 1999). Since culture creates what is familiar, metaphors are windows into a culture.<sup>4</sup> Discussion and writing about negotiation frequently use the metaphor that negotiation is a game or sport. As in a game, the goal is to win, there are rules of engagement that specify roles for each player, and strategy is linked to scoring well. Negotiation theorists have played out the game metaphor with advice to “win,” or find a “win-win” outcome. Culturally, game and sports metaphors typically reflect individualism that emphasizes self-interest and individual achievement.

### **Application to Win As Much As You Can**

WAMAYC is a popular negotiation game based on the Prisoner’s Dilemma problem (Axelrod 2006). There are many variations of the game. In one version players are grouped in teams of four and asked to play an X or Y over a series of rounds. The object is to score as many points as possible. If everyone in the group chooses X, then everyone loses points. If all choose Y, everyone scores points. If there is a mixture of X’s and Y’s, those that played X get more points and those that played Y get fewer points. Discussion is not allowed except during two or three bonus rounds, when players may discuss how they will play the next round.

WAMAYC is often used as an “icebreaker” to introduce many of the concepts taught in Western negotiation courses, whether executive short courses or semester-long law school or business school courses. Many cultural assumptions are embedded in this deceptively simple and powerful game, developed to illustrate economic

principles from game theory. Used early in a negotiation course, this activity provides an opportunity to discuss the ways culture affects our assumptions and to heighten students' awareness of how culture affects our interactions with others.

How do culture and cultural assumptions "play out" in WAMAYC? The most obvious is the use of a "game" to introduce many of the fundamental themes and concepts of negotiation theory. These include the tension between creating and claiming value, individual versus joint gain, trust, concessions, attributions, ethics, and multi-round negotiations (not an all-inclusive list).

The sports or game metaphor and the "game," with its title commanding the player to "win as much as *you* can"<sup>5</sup> reflect the values of self-interest and personal aggrandizement. The title, score-sheet and rules of the game also suggest a "fixed pie," leading to the assumption that there is no room for integrative bargaining. The game, however, is more complex than that, as players discover that single-minded pursuit of self-interest can backfire, and that a relationship between personal gain and joint welfare exists, particularly when there will be a continuing relationship.

The assumption that participants will be comfortable playing for themselves and directly negotiating with the other players to "win" is a Western, individualist one. The title and rules suggest that conflict may lie ahead. In a collectivist culture, direct talk would be avoided, and any negotiations would likely be conducted via a third party, such as a mediator or go-between. The individualist assumption that direct talk is the norm continues throughout most courses, when students are asked repeatedly to negotiate directly in one-on-one dyads.

The rationality assumption is called into question when emotions cause players to behave in ways that are counter to their self-interest, for example when trust has been broken and feelings override rationality. "Separating the people from the problem" is no longer possible when one player has broken a promise to play Y, and instead plays X. Negotiating emotionally may become part of the discussion rounds, when players make pleas to others in their group to honor promises, "stand by your word," or even make threats of punishment for past betrayals.

The point-scoring mechanism, whether denoted in dollars (as it often is) or numbers, suggests that players should be motivated to maximize economic capital rather than social capital. The importance of social capital, however, can become clearer in semester-long classes, because students have opportunities for "payback," both positive and negative, for actions taken on the very first day of class.



Attributions about another player's motivations in playing an "X" or "Y" are likely to be made during the exercise. Individualists are more likely to attribute moves that have negative consequences to themselves to dispositional factors or personality traits: she was "unfair," "selfish" or "dishonest," rather than to situational factors: "those are the rules of the game, she's just following them." These attributions can affect the future relationships of those players, with more impact in a longer course. The egocentric bias will likely play a role here as well, as Western players are more likely to characterize their own behavior during the game as "fair," while those from non-Western cultures may be less likely to do so.

The limited communication allowed during most rounds of the game may privilege a high-context communication style, in which players are required to note body language and other nonverbal cues to "read" the motives and intentions of the other players. Either a low-context or high-context communication style may be used in the discussion rounds – which is a particularly interesting topic to discuss when debriefing the game. The preference for direct talk in individualistic cultures makes the game more challenging for players with a low-context style during the silent rounds, when they are unable to discuss how to play.

The universalism-particularism continuum may explain players' motivations when rules and promises are "broken." Those taking a particularist approach to the game may decide to make up their own rules, perhaps in agreement with others in their group whom they see as allies. In a course that includes several people from a particular employer, cultural group, or other common background, those individuals may form an "ingroup" if placed in a small group with others they see as the "outgroup" and take a particularist approach to the game, more or less making up their own rules. Those taking a universalist approach are more likely to follow the rules as given.

Power distance also will affect how the game is played. Teachers are regarded differently depending on how the student views power distance. Those students from high power distance cultures are unlikely to question the teacher, and are more inclined to place the teacher "on a pedestal." Students from lower power distance cultures are more comfortable raising questions, challenging the rules of the game, and varying from the instructions. Power dynamics may also play out within the members of the group, for example in a short course for employees of a business or law firm, when players may be grouped with subordinates or superiors. Interactions during the game likely would be affected by the hierarchical relationships among group members.

## Conclusion and Advice for Teachers

What can teachers and trainers do with this information to create more culturally inclusive classrooms? First, it is critical to allow sufficient time to debrief the activity – both to address emotional reactions and to draw out the multiple lessons about negotiating that students have learned. On the first day of class, as preparation for the exercise, I suggest a quick writing assignment, to which you can return after playing the game. Ask students to complete the sentence “Negotiation is like \_\_\_\_.” Encourage them to come up with multiple responses. The goal is to learn students’ own metaphors for negotiation, before exposing them to the sports metaphors of *Win As Much As You Can*.

When introducing the exercise, teachers should refrain from referring to the activity as a “game” but use more neutral words such as “exercise” or “activity.” Students are then free to define their own relationship to the activity, and what it means to “win” rather than fall into the Western assumptions and behaviors that the “game” metaphor reinforces. In debriefing the game, teachers could discuss and explore other underlying cultural themes and assumptions, providing openings to explore the ways that culture plays out in every aspect of negotiations, whether with someone from across the street or across the globe.

For example, a question related to communication patterns might be: Which was more useful in achieving your goals – listening or talking during the open communication rounds? Posing this question early in the course highlights the importance for negotiators to listen well, in contrast to the predominant Western emphasis on speaking well. The game also provides a chance to discuss attributions – did students make the typical (“fundamental”) Western attribution error and overestimate the impact of dispositional factors and underestimate the impact of situational factors in the playing of the game? Teachers could discuss research concerning the tendency for individualists to make dispositional attributions rather than situational ones and ask students to think about whether this tendency applies to them. Teachers might also discuss the egocentric bias and ask students to consider whether they are overestimating their assessment of their own behavior when playing the game.

For teachers of negotiation, “getting a grip” (sports again!) on their own assumptions is the first step to reaching all students as well as preparing students to be culturally competent. Finally, awareness of personal cultural baggage and cultural assumptions may stimulate curiosity and inspire teachers to incorporate a greater understanding of culture into their courses.

## Notes

<sup>1</sup>A version written by Michael Wheeler is available from the Program on Negotiation at Harvard Law School. [www.pon.org](http://www.pon.org).

<sup>2</sup>The necessity for cultural competence was the topic of robust conversation at the Rome training event and, not surprisingly, is reflected in a number of chapters in this volume (particularly Abramson, *Outward Bound to Other Cultures*; Alexander and LeBaron, *Death of the Role-Play*; Bernard, *Finding Common Ground*; Kovach, *Interplay of Culture and Cognition*; LeBaron and Patera, *Reflective Practice*; Volpe and Cambria, *Negotiation Nimbleness*).

<sup>3</sup>For a fuller discussion of cultural value patterns and their effect on dispute resolution methods see Gold 2005.

<sup>4</sup>Brett and Gelfand discussed metaphors as a cultural artifact in an earlier draft of their 2006 book chapter, circulated in 2004. For a discussion of metaphors and how they affect the way we negotiate, also see Gadlin, Schneider, and Honeyman 2006.

<sup>5</sup>Teachers vary in how and whether they explain the “you” in the game’s title. Some are very explicit that “you” means the individual you, and others leave it to students to interpret the word for themselves. I prefer the latter.

## References

- Axelrod, R. 2006. *The evolution of cooperation*, rev. edn. New York: Basic Books.
- Barry, B., I. S. Fulmer, and G. A. Van Kleef. 2004. I laughed, I cried, I settled: The role of emotions in negotiation. In *The handbook of negotiation and culture*, edited by M. Gelfand and J. Brett. Palo Alto: Stanford University Press.
- Birke, R. and C. R. Fox. 1999. Psychological principles in negotiating civil settlements. *Harvard Negotiation Law Review* 4(1): 1-57.
- Bond, M. H. 1983. A proposal for cross-cultural studies of attribution. In *Attribution theory: Social and functional extensions*, edited by M. Hewstone. Oxford: Blackwell.
- Brett, J. M. and M. J. Gelfand. 2006. A cultural analysis of the underlying assumptions of negotiation theory. In *Negotiation theory and research* edited by L. L. Thompson. New York: Psychology Press.
- Drake, L. E. 1995. Negotiation styles in intercultural communication. *International Journal of Conflict Management* 6(1): 72-90.
- Felstiner, W. L. F., R. A. Able, and A. Sarat. 1980-81. The emergence and transformation of disputes: Naming, blaming, and claiming. *Law and Society Review* 15: 631-654.
- Fisher, R. and D. Shapiro. 2005. *Beyond reason: Using emotions as you negotiate*. New York: Penguin Group.
- Fisher, R., W. Ury, and B. Patton. 1991. *Getting to yes: Negotiating agreement without giving in*, 2nd edn. New York: Penguin Books.

- Gadlin, H, A. K. Schneider, and C. Honeyman. 2006. The road to hell is paved with metaphors. In *The negotiator's fieldbook: The desk reference for the experienced negotiator*, edited by A. K. Schneider and C. Honeyman. Washington, DC: American Bar Association.
- Gold, J. 2005. ADR through a cultural lens: How cultural values shape our disputing processes. *Journal of Dispute Resolution* 2: 289-321.
- Hall, E. T. 1989. *Beyond culture*. New York: Anchor Books.
- Hofstede, G. 1997. *Cultures and organizations: Software of the mind*. New York: McGraw Hill.
- Hofstede, G. 2001. *Culture's consequences: Comparing values, behaviors, institutions, and organizations across nations*. Thousand Oaks: Sage.
- Kim, H. S. 2002. We talk, therefore we think? A cultural analysis of the effect of talking on thinking. *Journal of Personality and Social Psychology* 83(4): 828-842.
- Korobkin, R. 2006. Psychological impediments to mediation success: Theory and practice. *Ohio State Journal of Dispute Resolution* 21: 281-327.
- Lakoff, G. and M. Johnson. 1999. *Philosophy in the flesh: The embodied mind and its challenge to western thought*. New York: Basic Books.
- March, R. M. 1989. *The Japanese negotiator: Subtlety and strategy beyond Western logic*. New York: Kodansha International.
- Morris, M. W. and M. J. Gelfand. 2004. Cultural differences and cognitive dynamics: Expanding the cognitive perspective on negotiation. In *The handbook of negotiation and culture*, edited by M. Gelfand and J. Brett. Palo Alto: Stanford University Press.
- Morris, M. W. and K. Peng. 1994. Culture and cause: American and Chinese attributions for social and physical events. *Journal of Personality and Social Psychology* 67(6): 949-971.
- Ross, L. D. 1977. The intuitive psychologist and his shortcomings: Distortions in the attribution process. In *Advances in experimental social psychology*, edited by L. Berkowitz. New York: Random House.