

# The Hidden Persuader: The Role of the Advisor in Negotiations and Group Decision Making—Perspectives from the European Union

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**Abstract** Theoretical models of negotiation and group decision making often overlook or at least do not fully account for the important role played by persons who advise negotiators and participants in group decision making. Sight unseen, advisors are often “hidden persuaders,” important but unrecognized sources of influence on the negotiation dynamic. This article explores the roles and methods of advisors in the negotiation process, drawing on survey research conducted in 2013 among approximately seventy advisors at the European Union Council of Ministers. Defining advice as “. . . a communication from one person (the advisor) to another (the client) for the purpose of helping that second person determine a course of action for solving a particular problem. . .”, the author considers the nature of advice and the range of relationships that may exist between advisors and their clients. He argues that advising is much more than the mere transmittal of information from advisor to negotiator and that for advice to be effective a relationship must exist between the two parties. The author identifies three models of the advisor–negotiator relationship. Model I is *the advisor as director*, wherein the advisor tends to take control of the negotiating process, directing the negotiator in actions that the negotiator should take to achieve success at the negotiation. Model II is *the advisor as servant* in which the advisor merely responds to the demands of the client for help and guidance in the negotiation. Model III is *the advisor as partner*, wherein advisor and negotiator jointly manage the advising

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process and together take co-ownership of the problem to be solved. The author then explores the factors that lead advisors and negotiators to adopt each of these three models, the various advising styles that advisors adopt, and the differing effects on the negotiation process that these elements may have, drawing on historical examples as well as survey data from the EU Council of Ministers. He concludes by offering advice about advising to three important professional groups—scholars, negotiators, and advisors—on ways to carry out their respective functions more effectively.

**Keywords** Advice · Advisor · Negotiations · Relationships · European Union Council of Ministers · Culture · Communication · Multilateral negotiations · Camp David agreement

## 1 Advice Matters

Theoretical models of the processes of negotiation and group decision-making often overlook or at least do not fully account for the important role played by persons who advise negotiators and participants in group decision-making. Advisors are overlooked because they are usually not visible to observers of the negotiation process and because historical records of negotiations may reveal little or no trace of their work. Indeed, advisors may not even be present at the place where the negotiation is happening. Yet through their advice, they can profoundly influence the negotiation and decision making processes and ultimately their results. Sight unseen, an advisor is often a “hidden persuader,” an important but unrecognized source of influence on the negotiation dynamic.<sup>1</sup>

Two examples illustrate the importance that advisors and advice can play in negotiations and group decisions. The first concerns the 1978 Camp David negotiations between Egypt and Israel. The second relates to the origins of the US policy on the use of torture to interrogate terrorist suspects. The Camp David negotiations between Israel and Egypt in 1978 leading to a peace agreement between two countries that had been at war for 30 years has, of course, had a major impact on geopolitics in the Middle East. The decision to hold those talks at Camp David in the hills of rural Maryland, rather than in Washington or Geneva, was an important factor that led to a successful result. The idea of holding negotiations at Camp David did not come from Egypt’s President Anwar Sadat, Israel’s Prime Minister Menachem Begin, members of their governments, or even from their host, President Jimmy Carter. No, the idea was advanced by one of Carter’s most trusted advisors—his wife, Rosalynn. During a quiet family weekend at Camp David in July 1978, as the President was lamenting with her the difficulty of doing anything positive to resolve the conflict between the Arabs and Israel, Mrs. Carter suggested that he bring Sadat and Begin to Camp David to talk through their problem (Wright 2014, p. 45).

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<sup>1</sup> The term “hidden persuader” was of course made famous by Vance Packard’s well-known book *The Hidden Persuaders*, first published in 1957, which explores the use of motivational research by the advertising industry to manipulate the expectations of consumers.

Imbedded in Mrs. Carter's suggestion were two key elements of advice: (1) that the president convene a negotiation between Begin and Sadat and (2) that the negotiation take place at Camp David. Her advice set in motion a process of negotiation that would yield a peace treaty between the two adversaries and would profoundly affect the Middle East for years to come. As one examines the history of that negotiation, the fact that it took place at Camp David clearly facilitated agreement in a way that more traditional diplomatic settings, like Geneva or Washington, would not. The nature of the site for a negotiation can greatly affect its results (Salacuse 2013, pp. 153–169).

A less positive example of an advisor's influence was reported by the New York Times in a front page story in December of 2014 (Risen and Appuzo 2014, p. 1). A few months after the terrorist attack on New York City on September 11, 2001, the US captured Abu Zubaydah, who was suspected of helping to plan the attack. At a meeting in 2002, officials of the CIA discussed who was to interrogate Zubaydah and how it would be done. A legal advisor at the meeting suggested the name of psychologist, a person he did not know, who had been a contract employee of the Agency's Office of Technical Services, working on the US Air Force Program to train American personnel to resist interrogation and torture if captured. In desperation to obtain vital information from Zubaydah and other prisoners, the CIA turned to this person, without actually vetting or evaluating him, for guidance on interrogation methods of suspected terrorists, and he would then developed a program of enhanced interrogation techniques employing torture. The legal advisor's advice, almost casually delivered in that meeting, ultimately led to the widespread use of notorious interrogation techniques that Senator Dianne Feinstein, the Chairman of the Senate Intelligence Committee, would label "a stain on our values and our history."

The moral of these two stories is that advice, no matter how earnestly or casually given, can have significant consequences, consequences that neither the advisor nor the recipient of the advice may foresee at the time it is given and that scholars and the public may be unaware of that fact until years later, if at all. It is therefore important that analysts of negotiation and group decision making, as well as negotiators themselves, routinely and systematically incorporate into their methodologies and strategies an examination of the role and impact of advisors involved those processes.

## 2 Advising at the European Union Council of Ministers

The purpose of this article is to explore the roles and methods of advisors in order to reveal the work of these hidden persuaders in the negotiation process. In doing so, it will draw on the author's prior studies of advisors (Salacuse 1994, 2000), as well as on new data obtained from survey research that he conducted among 71 advisors at the General Secretariat of the Council of the European Union in Brussels, Belgium, in June–July 2013. The Council of the European Union, informally known as the EU Council, is the institution where the heads of state and governments from each of the EU's 28 member states meet to adopt and coordinate the Union's policies. The Treaty on European Union, an EU constitutional document, states the basic function of the EU Council in Article 15(1): "The European Council shall provide the Union with the necessary impetus for its development and shall define the general political

directions and priorities thereof.” (Treaty on European Union 2010). Jointly with the European Parliament, it exercises legislative and budgetary functions of the Union (Article 16(1), The Treaty on European Union). As such, the Council is the site of intense, continuing, and complex multilateral negotiations and group decision making on a wide range of topics and issues. According to one observer, “...decision-making in the EU ...entails a large number of negotiations taking place on a daily basis with thousands of diplomats from different national ministries...” (Dijkstra 2010, p. 529).

The work of the EU Council is supported by the General Secretariat of the Council of the European Union, a supranational institution authorized by the Treaty on European Union [Article 235(4)] and consisting of approximately 3200 European Union civil servants. One of the important means by which the Secretariat assists the Council is through its advisors and the advice that they provide to the EU President and the representatives of EU member states attending Council meetings.

In June–July 2013, the author conducted a series of master classes on “The Art of Advice” for the professional staff of the General Secretariat (Schnickel 2013, p. 22). An important part of their professional duties was to provide various types of advice to representatives of member states participating in Council meetings. One Secretariat official described the participants in the class as “...all policy advisors, on the back seat (they are not on the front line of negotiation and decision making, meaning: they don’t make political decisions).” As part of those classes, the author administered a questionnaire, “Assessing Your Advising and Communication Style,” to 71 members of the professional staff of the General Secretariat. The survey instrument, a copy of which is reproduced in the “Appendix” to this article asked the participants, professionals from various disciplines who were nationals of 22 different EU member states, to rate ten different elements relevant to the advising process on five-point scale.<sup>2</sup> Thirty-eight (54.29%) of the respondents were male and 32 (45.71%) were female. Since culture and regional characteristics may affect advising styles just as it does negotiation,<sup>3</sup> for purposes of analyzing the results, the author divided the 69 respondents who specified their nationalities into three regional groups, Eastern Europe (19 respondents),<sup>4</sup> Northern Europe (25),<sup>5</sup> and Mediterranean Europe (25),<sup>6</sup> in hopes of identifying cultural or regional differences among advisors. The article will draw on their responses to the questionnaire to illustrate reflections on the role of advisors and advice in negotiation and group decision making.

<sup>2</sup> 71 Persons completed the questionnaire; however, two persons did not indicate their nationality on the questionnaire form. The countries of the nationalities represented and the number of persons of each represented nationality were as follows: Austria (1), Belgium (6), Cyprus (1), Czech Republic (3), Denmark (3), Finland (1), France (7), Germany (5), Greece (8), Italy (3), Ireland (1), Latvia (1), Lithuania (3), Luxembourg (1), Netherlands (2), Poland (5), Portugal (5), Romania (3), Slovakia (2), Slovenia (1), Spain (7), and Sweden (3).

<sup>3</sup> For an example of a similar approach applied to determining the influence of culture on business negotiators, see Jeswald W. Salacuse, “Intercultural Negotiation in International Business,” 8 *Group Decision and Negotiation* 217–236 (1999).

<sup>4</sup> Austria, Czech Republic, Latvia, Lithuania, Poland, Romania, Slovakia, and Slovenia.

<sup>5</sup> Belgium, Denmark, Finland, Germany, Ireland, Luxembourg, Netherlands, and Sweden.

<sup>6</sup> Cyprus, France, Greece, Italy, Portugal, and Spain.

### 3 The Nature of Advice and Advising

Advice to negotiators comes in many forms: background papers by consultants to government officials on negotiating with other countries over trade barriers; recommendations from corporate headquarters to executives in the field on strategies for making joint ventures; suggestions from a colleague—or a spouse—on how to resolve a dispute between contending parties. Despite differences in form, all advice is essentially *a communication from one person (the advisor) to another (the client) for the purpose of helping that second person determine a course of action for solving a particular problem.*

One of the defining characteristics of advice is that it is not obligatory. The client is free to take it or leave it. In this way, advice is markedly different from certain other communications, such as laws, contracts, and directives, whose contents are intended to impose obligations on the persons to whom they are addressed. On the other hand, because of the information asymmetry that often exists between client and advisor, a dependency relationship may develop over time between the two, making it often difficult in practice for a client to reject advice without another source of needed information on which to rely. Such dependency is often the situation existing between the advisors of the General Secretariat and those representatives of member states attending Council meetings. For one thing, due to their long-term involvement with the decision-making processes of the Council, the staff of the Secretariat, compared with member state political representatives, some of whom may be attending Council meetings for the first time, have vastly superior knowledge about the rules of the game and how to use them to achieve desired results in negotiations. In this connection, it is worth noting that the word “client” comes from the Latin word *cliens*—“a person who has someone to lean on.” Political representatives of EU countries who wish to achieve desired results quickly come to see advisors from the Secretariat as persons they can lean on in order to bring their negotiations to a satisfactory conclusion.

### 4 The Reasons for Using Advisors in Negotiations

Just as advice comes in many forms, advisors to negotiators have many guises. Some advisors, like those working at the EU Council, are officially designated as such while others, like Rosalynn Carter may have no formal role whatsoever. Some, like the anonymous CIA lawyer, are lone individuals, while others, like international consulting firms, may be substantial institutions. Regardless of form, negotiators use advisors for two principal reasons: (1) *expertise* and (2) *validation*.

#### 4.1 Expertise

One may explain the need for expertise from two perspectives: (1) the perspective of the individual negotiator and (2) the perspective of the negotiation system in which the negotiator functions. With regard to individualist explanations, the most common reason is that the advisor has expert knowledge that may improve the negotiator’s results in the negotiation in which he or she is engaged. The client negotiator is thus

in some way deficient and the advisor has the skill or knowledge to make up for the deficiency (Dror 1987, p. 170). That deficiency in knowledge may be about the *substance* of the issues under negotiation, the *process* of conducting negotiations in a way that will allow the client to attain his or her goals, or both.

From an organizational or systemic perspective, another purpose of advisors to negotiators, particularly in complex multilateral processes such as the ones that prevail at the European Council of Ministers, is to enable groups engaged in the negotiation to reduce the transaction costs of negotiation and group decision making. For example, the Secretariat to the EU Council is a source of expertise both with respect to substance and process. As such, one of its basic purposes in theoretical terms is to reduce the transaction costs of Council negotiations, cooperation, and group decision-making (Dijkstra 2010, p. 530). One important way in which the Secretariat delivers its support is through the advice that members of its professional staff provide to the chairs of the various councils and ministerial delegations from member states. Because of its central position in the EU Council, the Secretariat is generally agreed to know more about the legislation and policies of each of the EU member states than do experts from individual national ministries (Dijkstra 2010, p. 532). Moreover, due to its long-term involvement in EU matters, the Secretariat has a strong understanding of the historical preferences of member states as well as the status of their various ongoing negotiations, knowledge that can be vital in helping the member states reach agreement on policy matters. As a centralized, single receptacle and processor of this knowledge, the existence of the Secretariat reduces the transactions costs of concluding agreements and reaching group decisions, compared to the total costs that individual member states would have to pay to gain such expertise independently without the Secretariat's negotiation support.

## 4.2 Validation

In addition to acquiring substantive and procedural expertise, negotiators may use an advisor to *validate* a fact, policy, or intention either to the other side, to themselves, or their respective constituents. Sometimes, for example, a negotiator will select a particular advisor to send a signal to the other side in hopes of influencing a favorable action or response from that side. For example, in times of financial crisis, governments seeking economic assistance from international lenders in reforming their economies may choose as advisors distinguished foreign economists known for opinions acceptable to such international lenders, not only to gain their financial and economic expertise but also to encourage foreign governments and international organizations to provide aid. Similarly, candidates running for political office in the United States will select particular persons as advisors to reassure wealthy donors of the policies they will follow if elected so as to encourage those donors to finance their campaigns. And corporations engaged in merger negotiation may hire certain investment banks or law firms to serve as their advisors in hope of persuading their own shareholders or their counterparts at the bargaining table of the seriousness of their intent or the soundness of their negotiating positions. Such advisors have “reputational capital” that negotiators seek to invoke in hopes of persuading the other side to reach an agreement on favorable terms. Negotiators may employ this tactic in good faith or unscrupulously.

For example, several years ago, the shadowy Bank of Credit and Commerce International hired a prestigious Washington law firm as an ornamental advisor, primarily to increase the bank's legitimacy in government circles and improve its access to the governmental bureaucracy.

The selection of a particular person to advise a negotiator can also send positive or negative signals to the negotiator's own potential supporters and constituents. For example, selecting a well known-expert who in the past has expressed sympathy for or assisted an adversary may cause a negotiator to lose support of constituents who fear that the advisor will inhibit the negotiator from securing the best possible outcome for the country or organization he or she represents. Thus, an analysis of the role of an advisor in a negotiation requires an understanding of precisely *why* a negotiator has engaged that particular advisor and the specific potential or actual impact that such advisor may have on the negotiation. For example, the fact that US President Woodrow Wilson, a Democrat, refused to include any Republicans in his delegation to the Versailles Peace talks in 1919 sent a message to the Republicans in the Senate that their interests did not matter and would not be taken account of in the negotiation, an action that led the Republicans to refuse to ratify the agreements that Wilson would negotiate at Versailles (McMillan 2002). One might compare President Wilson's approach to dealing with political adversaries to that of President Abraham Lincoln during the US Civil War, who instead of isolating his political rivals included them as members of his cabinet (Goodwin 2013). It follows that in selecting a particular advisor, negotiators should consider the nature of the message that such an appointment will communicate both to the other side and to their internal constituents and whether that message will facilitate or complicate the negotiation process.

Finally, negotiators use advisors to validate their own inclinations, positions, and policies. For example, governmental authorities will often commission advisors, individually or as a committee, to provide expert advice on a proposed program or policy in order to give that proposal added legitimacy with potential opponents. And negotiators, during negotiations, may turn to an advisor to validate a proposal or action that the negotiator intends to make during the talks. For example, at the Reykjavik Summit of 1986, US President Ronald Reagan and Soviet Premier Mikhail Gorbachev engaged in what appeared to be promising negotiations leading to deep reductions in nuclear weapons. Reagan, however, insisted upon the US right to continue research on a space-based system, known as the Strategic Defense Initiative (SDI), to track and destroy incoming missiles during an attack. Gorbachev countered that such research should be limited to the laboratory, not performed in space. Reagan refused. In the midst of this stand-off between the two leaders, Reagan passed a note to US Secretary of State George Shultz, his chief advisor at the talks, asking: "Am I wrong?" Shultz whispered, "No, you are right." That whispered validation led Reagan to maintain his position on SDI research. He therefore chose to end the Summit without an agreement, saying to Schultz, his advisor, "Let's go George, we're leaving." (Stanton 2011, pp. 201–227). The next year, the two countries would sign the Intermediate-Range Nuclear Forces Treaty, which abolished an entire class of nuclear weapons but was not linked to the elimination of SDI.

## 5 Advising as a Relationship

One might consider the act of advising as essentially the delivery of information from one person to another—for example, where best to hold negotiations between Egypt and Israel or how best to interrogate suspected Al-Qaida prisoners. On closer examination, one sees that effective advising requires more than delivery of information: it also necessitates a relationship between the advisor and the client. As defined earlier, advising is a communication from one person to another person to help that second person solve a problem or chose a course of action. For that communication to be effective in the sense of actually influencing the actions of the negotiator to whom it is addressed, a relationship of some sort must always exist between the two persons concerned. A relationship is a sense of connection between two or more persons. A productive working relation between advisor and client entails to some extent a degree of trust and confidence between the two. If a negotiator is to accept and act on advice provided by an advisor, he or she must have confidence in the advisor's technical competence, integrity and loyalty. Effective advisors understand this dimension of advising and therefore devote efforts to building a productive relationship with their clients. They build relations through their communications with their clients. Thus, their individual communications may have one or both of two basic functions: to deliver information and to build and strengthen client relationships.

The survey of European Council advisors asked respondents the extent which their goal in giving advice was to deliver information or to build a relationship with their clients on member state delegations. Advisors who emphasized the information delivery aspects of their advising function rated that characteristic a 1, 1.5, or 2 on a five point scale, while those who stressed the relational dimensions gave that element a 4, 4.5, or 5 rating. Overall, the largest group of respondents (42.25 %) gave equal or nearly equal weight (rated between 2.5 and 3.5 on the five point scale) to both information delivery and relationship building in their advising style. And if one interprets a rating of 2 as recognition that some not insignificant amount of relationship building is involved in advising, then 65 of the EU advisors, that is, fully 92 % of the group surveyed, attached at least some significant importance to relationships in their professional work. Thus, it is clear that the EU advisors as a group did not see their work as advisors to entail the delivery of information alone.

While a similar proportion of male and female advisors (21.88 % for males and 18.42 % for females) tended to classify their advising goal as “building a relationship” (rating between 4 and 5), a larger proportion of male advisors (50 %) than female advisors (26.32 %) tended to emphasize the delivery of information over relationship building. This result would seem to accord with the findings of gender scholars who contend that women give greater weight than do men to relationship building in the process of negotiation (e.g. [Kolb and Coolidge 1991](#), pp. 261–277). With respect to the three cultural groups mentioned earlier, a larger percentage of Eastern European advisors (47.37 %) classified their advising goal as “deliver information” (1–2) than any other regional grouping, while only 40.74 % of North European Advisors and 28 % of Mediterranean Advisors chose a similar emphasis. On the other hand, a larger proportion of Northern European advisors (29.63 %) classified their advising goal as relationship building (4–5) than any other regional grouping, with only 5.26 % of



Eastern European advisors and 20% of Mediterranean advisors choosing similarly. Based on discussions with the advisors, it was clear that as a group they attached importance to creating a relationship with their clients because they believed that the existence of a relationship between advisor and client would lead clients to accept advisors' advice more readily and thereby influence client behavior more effectively in negotiations and policy making at the Council.

Relationship building takes time; consequently, one might hypothesize that advisors disposed to spend time might also have a tendency to build relationships. The survey of EU advisors asked them to assess their sensitivity to time in the advising process. Most advisors (69.01%) considered themselves to have a high time sensitivity, rating themselves on this element between a 1 and 2 on the survey. A higher percentage of Eastern European advisors (89.47%) considered themselves to have a high time sensitivity than did (Northern Europeans (62.9%) and Mediterranean European (60%) counterparts. As noted above, the Eastern European advisors were the regional group that attached least importance to relationship building in the advising process. Thus, it may be that Eastern European advisors' higher time sensitivity made them less disposed than advisors from other EU regions to invest time in relationship building. Conversely, for the group of advisors as a whole, a regression analysis of survey data found that advisors who emphasized relationship building as a goal were highly likely to characterize themselves as having a low time sensitivity.

Ideally, the relationship between advisor and client is one characterized by the client's sense of trust and confidence in the advice and behavior of the advisor. As Sir Francis Bacon wrote in his seminal essay *Of Counsel*, "the greatest trust between man and man is the trust of giving counsel." (Bacon 1982, p. 54). The development of a relationship of trust and confidence between advisor and negotiator is of course based first on a belief by the client in the technical competence of the advisor. Technical competence alone, however, is not enough to create the needed trust between advisor and negotiator. Impartiality of the advisor and unbiased nature of the advice is also important, especially in multilateral settings, like the EU Council, where the advisor is often playing the role of a mediator or "honest broker" with respect to contentious issues. Even more important is a negotiator's belief that his or her advisor is loyal and working in the best interests of the negotiator and the organization or country the negotiator represents. That position is important in influencing negotiators to accept advice offered by their advisors. For example, in the negotiation of the EU's Lisbon Treaty, the director-general of the Legal Service, a division of the Council Secretariat, took the initiative of a preparing an entire draft treaty, drawn from the experience of prior EU constitutional negotiations with some crucial modifications, and presented it to the June 2007 session of the European Council. That draft would become the basis of the negotiation leading to the Treaty of Lisbon, an agreement that would eventually serve as the EU's current constitution (Goebel 2011, p. 1190). The action by the director-general of the Legal Service reduced the transaction costs of negotiating a new constitutional basis for the Union compared to a process in which individual states would introduce their own separate drafts into the negotiation. The willingness of the Council, as a client, to accept the director-general's advice in the form of a draft treaty as a basis for negotiating the Treaty of Lisbon was crucially dependent on the member states confidence in his impartiality and technical competence.

For an advisor to preserve the necessary air of impartiality, it is important that he or she not be viewed publicly as the driving force in the negotiations, that he or she not be seen as overshadowing or usurping the work of the negotiators, who after all, are the political representatives of sovereign states. Thus in many instances, for an advisor to be effective, that advisor must remain, if not a “hidden persuader,” at least an unobtrusive helper. It is for this reason, for example, that in order to protect its status of impartiality, the General Secretariat of the EU Council of Ministers has carefully remained out of the limelight and has not publicly made its role evident in negotiations. Given the political sensitivities in many EU member countries about unelected EU bureaucrats making policy for member state populations, the Council advisors are concerned that they not be seen as preempting or overtly influencing the policy negotiations being conducted by national delegations at EU Council meetings. According to one observer, the Secretariat has preferred to be the “*eminence grise*” to the Presidency of the Union (Dijkstra 2010, p. 527), a term which one English language dictionary defines as “a powerful advisor... who operates secretly or unofficially.” The Council’s veiled presence from the public is also manifested in the relative paucity of academic scholarship on the Secretariat and its role in EU negotiations.

Many other kinds of advisors face a similar problem of not overshadowing or pre-empting their client negotiators. An advisor who becomes an overt persuader may ultimately impair his or her effectiveness in two ways. First, such action may damage his or her relationship with the client, who may resent being overshadowed and publicly diminished in status. Second, the legitimacy of the negotiated result may later be called into question by the negotiator’s constituents or organization as being not the authorized work of the negotiator but the unauthorized meddling of the advisor.

## 6 The Structure of the Advising Relationship

The nature of the relationship between advisor and a client can influence the results of negotiations and group decision making. It is therefore important for negotiators to understand their relationship with their own advisors as well as the relationship existing between negotiators and their advisors on the other side of the bargaining table. In certain instances, that knowledge may enable a negotiator productively to use the other side’s advisors as sources of information or as means to influence negotiators on the other side. For example, at the Camp David talks, President Carter, faced with Menachem Begin’s intransigence and rigidity, began conversations with two of Begin’s advisors, Ezer Weizman, Israeli minister of defense, and Moshe Dayan, Israel’s foreign minister, in hopes of better understanding and perhaps finding a way of softening the Israeli prime minister’s negotiating position (Wright 2014, pp. 185–186). Those conversations ultimately helped Carter to better evaluate Begin’s position. Later, Dayan would play a role in persuading Begin to accept the treaty that would emerge from the Camp David talks by suggesting to the Americans a formula to avoid a final obstacle raised by Begin to signing the treaty—his insistence on holding on to Egyptian oil in the Sinai. Dayan suggested that Carter propose that Egypt promise in the treaty to supply Israel with oil and that the U.S. guarantee Israel’s petroleum needs for 15 year (Wright 2014, p. 271). Dayan’s suggestion overcame Begin’s resistance and

the treaty was ultimately concluded. The lesson of these examples is clear: negotiators in developing their strategies and tactics must take account of the other side's advisors and not of that side's negotiators alone.

The structure of the relationship between negotiator and advisor has two basic dimensions: formal and substantive. Let's consider each one separately.

### 6.1 The Formal Elements of the Relationship

Advisors to negotiators may either be *official* or *unofficial*. Official advisors are those who have been designated as such by the organization or group on whose behalf the negotiator is to carry out negotiations. Thus all of the advisors employed by the EU Council Secretariat are official advisors, as was the CIA lawyer who participated in the discussions concerning interrogation techniques of terrorist suspects. On the other hand, various unofficial and unauthorized persons may seek to advise negotiators, either for altruistic or self-serving reasons. Rosalynn Carter was an unofficial, but nonetheless very influential advisor, to her husband Jimmy, and she clearly assumed that role out of a desire to help her husband solve a difficult diplomatic problem that was facing his presidency. On the other hand, some individuals may try to assume the role of advisor to a negotiator in order to influence the outcome of negotiations for self-serving reasons, a tactic often used by lobbyists for special interests. It can therefore be seen that the use of unofficial advisors in negotiations has potential benefits as well as potential costs. The principal benefit is that it may expose the negotiator to new and creative ideas that may lead to a successful conclusion of talks, as was the case with Rosalynn Carter's advice concerning the use of Camp David as a site for peace negotiations. In addition, in cases where the choice of a particular person as an *official* advisor may send an undesired message to the other side or to a negotiator's own constituents, using such person as an *unofficial* advisor may blunt or minimize such negative effects. On the other hand, in certain circumstances, the use of unofficial advisors can be seen as unjustified or improper interference in the negotiation, thereby subjecting the negotiator's efforts to attack and even de-legitimizing the entire process and ultimately its results.

### 6.2 The Substantive Elements of the Relationship

While the precise nature of the substantive relationship between advisor and negotiator may take many variations, it essentially tends to follow one of three basic structural models: the advisor as director; the advisor as servant; and the advisor as partner. Let's consider each briefly.

#### 6.2.1 Model I: The Advisor as Director

In this model, the advisor tends to take control of the negotiating process, directing the negotiator in actions that the negotiator should take to achieve success in the negotiation. In the advisor's mind (and sometimes in the negotiator's), the negotiator need only follow the advisor's directives in order bring about a satisfactory conclusion

of the talks. Here the client is an empty vessel to be filled with the advisor's wisdom. Indeed, advisors to negotiators sometimes see themselves as conducting negotiations through their clients. Of the 71 EU advisors surveyed, only 2 (<3%) tended to favor or to see themselves in a director relationship with their clients (rating between 4 and 5), a situation no doubt fostered by their status as international civil servants and the fact that their clients often have power derived from their political positions in their home countries.

### 6.2.2 *Model II: The Advisor as Servant*

Rather than act as a director in the advising process, the advisor may play the role of a servant, responding to the numerous demands of the client for help and guidance in the negotiation. Here the client remains fully in control of the negotiation and may limit the participation of the advisor to specific questions and issues. Sometimes, negotiators may have several advisors, particularly where the negotiation has special importance for an organization or nation. In such situations, the resulting competition among advisors for the negotiator's attention further underscores their roles as servants. Twelve (16.90%) of the EU advisors favored or saw themselves as servants in their relationship with their clients, perhaps a reflection of their status as international civil servants and of the Secretariat's formal institutional role as assisting the member states in their negotiations. On the other hand, the fact that the advisors represent a supranational organization with powers over many aspects of its member states' activities may have caused many EU advisors to resist the notion that they were servants of their clients, the member states, but instead to see themselves as servants of the European Union.

### 6.2.3 *Model III: The Advisor as Partner*

In certain situations, advisors and their clients may become partners in their conduct of a negotiation. The essence of any partnership is co-ownership and joint participation. When advisor and client function as partners, they jointly manage the advising process and together take ownership of the problem to be solved. At the same time, the negotiator has ultimate responsibility and decision-making authority for matters under discussion with negotiating counterparts. Here, as a result of mutual trust and confidence between the two, advisor and client draw on a common pool of knowledge and skills in order to resolve the negotiating problem at hand. Rosalynn Carter, who sometime attended cabinet meetings, certainly had a partnership relationship with her husband. Other examples of a partnership relationship between negotiators and advisors include President John F. Kennedy and his brother Robert during the Cuban Missile Crisis of 1962, President Ronald Reagan and Secretary of State George Shultz at the Reykjavik Summit in 1986, and President George H. W. Bush and Secretary of State James Baker during the Gulf War. On the other hand, at Camp David, Sadat clearly saw his advisors, not as partners, but as servants, and the members of his delegation recognized that fact. When one of the members of the Egyptian team complained that Sadat was keeping them in the dark and negotiating behind their backs, Boutros-Ghali, Egypt's minister of state for foreign affairs, who would later become

Secretary-General of the United Nations, reminded the team of their servant status, stressing that their only function at Camp David was to support Sadat. “We must offer *al-Rayyyis* our advice,” he said, using the Egyptian word for “the Chief,” “but the final decision is his.” (Wright 2014, p. 52).

Among EU advisors, the overwhelming preference (43 persons or 60.56%) was for a partnership relationship with the persons they advise. If one adopts the range of 2.5–3.5 as manifesting a strong preference for a partnership relationship, then the number of advisors in this category increases to 57 or 80.28%. The extent to which such partnership relationship actually exists between EU advisors and their member state clients or that negotiators from member states actually perceive EU Council advisors as their partners in negotiations is not clear. A constant theme during class discussions on “The Art of Advice” related to the problems and challenges faced by EU advisors in creating satisfactory working relationships with their clients.

The precise nature of an advisor–client relationship depends on a variety of factors, including the experience and personalities of the advisor and the negotiator, the nature of the issues to be negotiated, the organizational setting in which the advising and the negotiating take place, the personal and communication style of the advisor, and the type of social relationship existing between advisor and negotiator. Thus, the facts that Secretary of State James Baker and President George H. W. Bush were old friends, that John and Robert Kennedy were brothers, and that Jimmy and Rosalynn Carter were spouses were all important social foundations upon which to build a partnership relationship in the negotiations in which they participated. The relationship between advisor and client may change over time. For instance, an advisor to corporate negotiators may begin in the servant role and then, later, as the clients develop confidence in the advisor, attain the status of partner. Similarly, clients of a high powered, politically-connected advisor who arrives on the scene and assumes the role of director may eventually relegate that advisor to a servant if his or her advice or advising method proves to be unhelpful. EU advisors, particularly, face the problem of changing relationships because the composition and leadership roles of EU member state delegations at the Council are constantly subject to change.

## 7 Advising Styles

All advisors have a particular style in carrying out their tasks, and that style can have an impact on the way in which a negotiator perceives, evaluates, and uses the advice given. “Style” in this sense means *the way in which the advisor engages in the process of advising the client*. Among the factors that may influence advising style are the advisor’s (1) personal style, that is, the degree to which his or her interactions with a client are formal or informal; (2) communication style, that is, the degree to which his or her manner of communicating tends to be direct or indirect; (3) emotional expression, that is, the tendency to express themselves emotionally; and (4) propensity for risk taking, that is, the degree to which the advisor is willing to divulge information, try new approaches, and tolerate uncertainties. The survey questionnaire asked the EU advisors to rate themselves on each of these four elements. In addition, since advising usually takes place within an organization, the survey also asked the advisors for their

preference with respect to organizational leadership. The survey results shed further light on the role that advisors play in the process of negotiation and group decision making.

### 7.1 Personal Style

Personal style concerns the way an advisor talks, relates to, and interacts with other persons. Background and culture strongly influence personal style. In the survey, the EU advisors were asked to rate their personal style on a scale of five, with 1, being the most informal, and five, being the most formal. Of the seventy advisors responding to this question, 40 tended to rate themselves between 1 and 2 and therefore considered that their personal style was informal, while only 4 persons rated themselves as 4 and none were a 4.5 or 5. Twenty-six advisors rated themselves between 2.5 and 3.5, thereby considering themselves as having personal style mid-way between formal and informal. Thus the clear preference among the EU advisors was for an informal personal style in performing their advising functions, a preference that may have been influenced by their strong recognition, noted earlier, of the importance of the relational dimensions of advising and that an informal style would best enable them to achieve the desired relationship between advisor and client. A regression analysis of the survey data supports the conclusion that advisors who were likely to emphasize relationship building as a goal were likely to rate themselves as having an informal personal style.

### 7.2 Communication Style

Methods of communication vary among individuals and cultures. Some emphasize direct and simple methods of communications, while others rely on indirect and complex methods. The latter may use circumlocutions, figurative forms of speech, facial expressions, gestures and other forms of body language. The survey of EU advisors asked that they evaluate their communication on a scale of 1 (direct) to 5 (indirect). Of the seventy respondents, 55 (76.46 %) rated themselves between 1 and 2, thereby considering themselves to have a direct style of communication. Among the regions represented in the survey, more of the northern European (85.19 %) and Eastern European advisors (78.95 %) considered themselves to be “direct” than did Mediterranean advisors (68 %). With regard to distribution according to gender, more female advisors (84.21 %) seemed to classify themselves as direct communicators than their male counterparts (68.75 %). Here again, one might assume that advisors’ preferred communication style may have been influenced by the degree to which they emphasized their goal of building relationships in working with their clients. A regression analysis of the survey data appears to support this assumption since it reveals a strong correlation between an indirect communication style with a preference for building relationships. It also reveals that advisors identifying themselves as “directors” tended to see themselves as having a direct communication style while those considering themselves as “servants” tended to qualify their communication style as indirect.

An additional dimension of communication style concerns the communication medium that advisors prefer to use in communicating with their clients. Advisors

tend to employ two basic media forms in advising clients: oral and written. The survey therefore asked the EU advisors to rank their media preference on a scale of 1 (oral) to 5 (written). The majority (51 %) gave equal weight (2.5–3.5) to both forms, while 31 % tended to prefer oral communications (1–2) and 18 % tended to prefer writing (4–5). Although a regression analysis of the data showed that the preferences of regional subgroups and genders did not differ significantly from the group as a whole, it did demonstrate quite strongly that those who preferred a direct communication also tended to favor the oral medium while those favoring indirect forms tended to prefer the written medium for communicating with their clients.

### 7.3 Emotional Expression

Advisors, being human, may tend to express their emotions while engaged in advising their clients. They may also consider the appropriate expression of emotions as part of their communication style and indeed view such expression as contributing to their effectiveness as advisors in the negotiating process. In the Survey of Advising Styles, the EU advisors were asked to rate their tendency for emotional expression from 1 (high) to 5 (low). The seventy-one respondents were distributed among the five categories as follows: 1.0–2.0 (17), 2.5–3.5 (31), and 3.5–5.0 (23), indicating that the group was relatively normally distributed among those of high emotional expression (between 1 and 2, at 32.39 %), medium emotional expression (between 2.5 and 3.5, at 43.66 %), and low emotional expression (between 4 and 5, at 32.39 %). With respect to regional tendencies, almost half (42.11 %) of the Eastern European advisors classified themselves as having low emotional expression (4–5), while only 20 % of the Mediterranean European advisors ranked themselves similarly. In addition, a larger proportion (28 %) of Mediterranean advisors classified themselves as having high emotional expression while only 10.53 % of Eastern European advisors put themselves in that category. There is also a strong correlation between an advisor's goal of relationship building and his or her tendency to emotional expression since a regression analysis of the survey data on these points revealed that advisors apt to emphasize relationship building as an advising goal also tended to indicate that their communication style employed emotional expression.

### 7.4 Risk-Taking

The negotiation process nearly always faces negotiators and their advisors with risks—risks that arise out of the need to divulge information, to try new approaches to problems, to trust the other side, or to tolerate uncertainties in a proposed course of action. The willingness to take risks is therefore an important part of both the negotiator's and advisor's style of performing their respective functions. In the survey of advising styles, the EU advisors were asked to rate themselves on a five point scale with respect to their willingness to take risks, with one being a high inclination to take risks and five being a low risk tolerance. The risk preference among the 71 advisors was relatively evenly distributed. Nearly one third of the advisors (32.39 %) considered themselves to be high risk takers, ranking themselves between 1 and 2,

while an almost equal number (29.58 %) rated themselves as low risk takers (4–5). A higher percentage of female advisors (39.47 %) classified themselves as low risk takers than did their male counterparts (15.63 %). However, both men and women were almost equally likely to be high risk takers (31.25 vs. 34.21 %). Among the three regional groups, 42.11 % of eastern and 33.33 % of northern European advisors each rated themselves as high risk takers, but only 24 % of Mediterranean advisors gave themselves a similar rating.

## 7.5 Team Organization

Since advisors work as part of a team whose function is to conduct negotiations, the Survey asked the EU advisors their preferences with respect to the team's organization. Specifically, did they prefer a team based on one leader (ranking between 1 and 2 on the survey questionnaire), consensus decision making (ranking between 4 and 5), or some combination of the two (ranking between 2.5 and 3.5). Preferences among the 71 EU advisors were almost evenly distributed, with 22 (30.99 %) opting for one leader, 27 (38.03) favoring consensus decision making, and 22 (30.99) preferring some combination of the two. There were, however, significant differences among regional groups. Thus more Mediterranean Europe advisors (40.00 %) preferred a team structure with single leader (rating of 1–2), compared to 22.22 and 31.58 % from Northern and Eastern Europe respectively. On the other hand, substantially more Northern European advisors (55.56 %) opted for consensus team organization (rating of 4–5) than did advisors from Mediterranean Europe (28.00 %) or Eastern Europe (26.32 %).

## 8 Conclusion: Advice about Advice for Scholars, Negotiators, and Advisors

The purpose of article has been to better understand the role of advisors in the processes of negotiation and group decision making and to suggest ways that such knowledge may be useful to persons involved in negotiations and group decision making. The article therefore concludes with brief advice for each of the three groups particularly interested in these processes: scholars, negotiators, and advisors.

### 8.1 Advice to Scholars

Increased study by scholars of the role of advisors may enable them to gain new understandings of and insights into the dynamics of negotiations. Thus without knowledge of the advisory roles of Rosalynn Carter, Azor Weisman, and Moshe Dayan at Camp David, one cannot fully understand the reasons for the results of the Camp David talks. To focus only on the actions of the three principal protagonist—Begin, Sadat, and Carter—gives an incomplete and distorted picture of what happened in that negotiation. Similarly to focus on Reagan at the Reykjavik Summit without understanding the role Shultz or on John Kennedy in the Cuban Missile Crisis without examining the role of his brother Robert does not tell the whole story of those two important



negotiations. In proceeding to studying any significant negotiation, scholars should therefore include in their analysis not only of the content of the actual advice given but should also consider the following six elements: (1) the identity of important advisors and their relationships with negotiators in the negotiation and group decision making process under study; (2) the structure of that relationship; (3) the resources that the advisor brought to the negotiating table; (4) the means of influence that the advisor employed in advising the negotiator; (5) the nature of interactions between one side's advisors and the negotiators and advisors on the other side of the table; and finally (6) the advising style of the advisors in question. An examination of these six factors may lead scholars of negotiation to gain new insights into why negotiators behaved in particular ways and thereby yield a richer explanation of the reasons that a negotiation achieved the results that it did. Through increased study and scrutiny, scholars and practitioners may succeed in unveiling negotiation's hidden persuaders.

## 8.2 Advice to Negotiators

For practitioners of negotiation, incorporating knowledge of advisors into their preparation, strategies, and tactics may enable them to achieve improved results in their endeavors. Practitioners should therefore bear in mind the following questions:

1. What kind of advisors, formal or informal, should I use in this negotiation? What resources will they bring to the negotiation and how will those resources help me to achieve desired results?
2. What are the interests—personal, organization, and professional—of my advisors? How may those interests affect the way my advisors may help or hinder my efforts?
3. What kinds of messages, positive or negative, does my choice of advisors communicate to the other side and to my own constituents?
4. Who are the advisors of the other side? What is the nature of their relationships with the negotiators they advise?
5. What should be my strategies to get to know the other side's advisors? To what extent may I use the other side's advisors as channels of communication to that side or as sources of information?
6. Under what conditions would it be useful to delegate preparatory, procedural or technical issues to negotiations between advisors, rather than between the parties' formally designated negotiators?

## 8.3 Advice to Advisors

Like negotiation itself, advising is a process that achieves best results when the advisor consciously understands and analyzes the process in which he or she is engaged and applies certain principles in carrying it out. Based on the experience of advisors in many different contexts, the following seven simple rules are addressed to advisors who seek to help negotiators.

### **Rule 1: Know Your Client**

An effective advisor, like those at the EU Council, seeks to know the client negotiator from the very start. Knowing the client is important for two reasons—one concerns

*what* advice is given (i.e. substance) and the other affects *how* it is given (process). Thus good advice must always meet the client's needs, circumstances and values—vital information that the advisor must know before actually giving advice. Secondly, the effective advisor shapes the advising process to fit the client's abilities and backgrounds. In order to gain the information from the client negotiator, the advisor must build an appropriate relationship with the client—something which most EU advisors viewed as an important part of their work.

### **Rule 2: Help or at Least Do No Harm**

The fundamental purpose of the advisor is to help the client, something that inexperienced advisors sometimes forget. It is therefore important to understand in what way the negotiator being advised needs that help. When Hippocrates advised Greek physicians “to help or at least do no harm,” he knew that the practice of medicine had the capacity for both helping and injuring the patient. Advising has the same potential. Unskilled advisors sometimes fail to appreciate the extent to which their advice can cause damage to their clients. Thus, the CIA legal advisor who casually offered the name of a possible “interrogation expert” set in motion a program that did great damage to the international reputation of the United States. It is, after all, the client, not the advisor, who pays the price of bad advice. President John Kennedy, who received both good and bad advice during his political career, underscored the point when he remarked that an advisor, after giving advice, goes on to other advice, but the official whom he advises goes on to an election (Szanton 1981, p. 140).

### **Rule 3: Agree on Your Role**

The advisor has a particular role to play in a negotiation. As we have seen, he or she may be a director, a servant, a partner, or variations of these roles. The role that the advisor plays is a function of the relationship that the advisor has established with the negotiator. As was the case with the advisors at the EU Council, role definition is not a matter of telling clients what they can expect or of imposing their roles. Instead they realize that they must negotiate their roles with the negotiators they serve and that the nature of those roles can change with time and circumstances.

### **Rule 4: Never Give a Solo Performance**

Advising is rarely a one-person show or a solo performance. Experienced advisors know that effective advising requires the active participation of the client. One of an advisor's great challenges is to secure from the client the maximum contribution to the advising process. Two principal reasons argue for client participation. The first is that the client has valuable knowledge that the advisor does not and that the advisor cannot be effective without that knowledge. Thus while the EU advisors may be experts in their respective domains, they often lack vital knowledge about the domestic political imperatives that may constrain the negotiating position of a particular EU member state delegation, knowledge that the advisor must have in order to formulate effective advice. A second reason for the advisor to involve the client in the advising problem is that the problem to be solved is ultimately the negotiator's, not the advisor's. It is ultimately the client negotiator who must make the decision on what to do and to bear the consequences of that decision.

**Rule 5: Make the Process Clear and Constructive**

To be effective, advice must be clear and constructive. Clarity in this sense means that the negotiator client understands the advice that is being delivered, a task which necessitates that the advisor adjusts his or her advice to the background, experience, and expertise of the negotiator being advised, a result that can only take place if the advisor knows his or her client. A skilled advisor also endeavors to be constructive throughout the advising process, particularly in understanding the negotiator's problems and in recommending helpful solutions. Being constructive does not mean being overly optimistic or telling clients only what they want to hear. But it does mean avoiding unnecessary negative criticism and seeking to offer helpful options to solve problems. Early in his career as an advisor to presidents, Henry Kissinger learned that a president is often surrounded by people telling him what he cannot do but that "it is better to become one of those telling him what he can do or at least offering preferable alternatives." (Isaacson 1992, p. 113).

**Rule 6: Keep Your Advice Pure**

In stressing the advantage of good advice, Sir Francis Bacon wrote: "... certain it is that the light a man receiveth by counsel from another is drier and purer than that which cometh from his own understanding and judgment, which is ever infused and drenched in his affectations and customs." (Bacon 1968, 285). In theory, by virtue of their detachment and experience, advisors are able to give objective, independent counsel that is unaffected by the client's own biases, fears, and blind spots. In practice, however, an advisor's light can sometime also be impure. Advisors may give impure advice to negotiators when they fail to fulfill either of two fundamental obligations to their clients: their duty of care and their duty of loyalty. The advisor's duty of care means that he or she will look after the interests of the negotiators that advise carefully. The duty of loyalty means that the advisor will not place his or her own interests above that of the client negotiator. Accordingly, not only will the advisor refrain from advancing his or her material interests at the expense of the client but that he or she will not satisfy certain psychological interests—such as the ego demands for public recognition for the advice given. In furtherance of keeping their advice pure, advisors at the EU Council have expressly resisted the limelight and taking credit for the results of EU Council negotiations.

**Rule 7: Have a Vision of the End and Know When to Stop**

The purpose of advice is to support negotiation and group decision making. Advice is not an end in itself. Consequently, an advisor must know when to cease advising so that negotiating may take place. A final rule is therefore that advisors must know when to stop. That is valuable knowledge not only for advisors, but for the writers of academic articles as well.

**Appendix****Assessing Your Advising and Communication Style**

*Instructions* Listed below are ten important traits of a person's communication style and approach. Each trait demonstrates a wide range of variations, which can be organized along a continuum, as has been done below. With respect to each trait, indicate

with an X where your own communication style and approach to advising *tend* to fall along each continuum.

Trait

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		Deliver Information		Build Relationship
1.	Goal	_____i_____i_____i_____		
		1	2	3
		4	5	
		Informal		Formal
2.	Personal Style	_____i_____i_____i_____		
		1	2	3
		4	5	
		Direct		Indirect
3.	Communication Style	_____i_____i_____i_____		
		1	2	3
		4	5	
		High		Low
4.	Time Sensitivity	_____i_____i_____i_____		
		1	2	3
		4	5	
		High		Low
5.	Emotion Expression	_____i_____i_____i_____		
		1	2	3
		4	5	
		Details		General Principles
6.	Detail/General Focus	_____i_____i_____i_____		
		1	2	3
		4	5	
		Servant	Partner	Director
7.	Advisor/Client Relation	_____i_____i_____i_____		
		1	2	3
		4	5	

	One Leader	Consensus
8. Team Organization	_____ i_____ i_____ i_____  1      2      3      4      5	
	High	Low
9. Risk-Taking	_____ i_____ i_____ i_____  1      2      3      4      5	
10. Medium	Oral	Written
	_____ i_____ i_____ i_____  1      2      3      4      5	

Nationality \_\_\_\_\_

Gender      M\_\_\_\_\_      F\_\_\_\_\_

Occupation/Position \_\_\_\_\_

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