

A HISTORY OF ROGER FISHER'S SINGLE NEGOTIATING TEXT AND ITS  
APPLICATION BY PRESIDENT JIMMY CARTER TO THE  
EGYPTIAN ISRAELI CONFLICT

By

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## THESIS ABSTRACT

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Single negotiating text, also known as the one text method, is a method of mediation created by Roger Fisher which allows a mediator to easily bring parties involved in complex and contentious issues toward a solution. This method has been described most famously in Fisher and William Ury's book, *Getting to Yes*, and was used in 1978 by President Jimmy Carter at Camp David to broker the lasting successful peace treaty between Israel and Egypt. In this paper, I will trace the history of the method itself through an in-depth analysis of Fisher and others' texts about international conflict resolution as well as interviews from various colleagues of Fisher himself who have also used the single negotiating text method in their own work in international conflict resolution. All of these sources have pointed to how successful the one text method might be for complex negotiations, demonstrating that it should be used as a prominent tool in international mediation.

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## I, INTRODUCTION

This paper seeks to explore the history of Roger Fisher's single text method and its success in international mediation. First, I will explain a general overview of alternative dispute resolution and move into the specific tools a conflict practitioner can utilize in order to make conflict management easier; one of these tools being the single negotiating text. I will then explain the creation of the method and detail its importance for international conflict management by exploring its role in one of the most successful international peace talks of the Israeli-Palestinian conflict.

### *The Basics of ADR*

Before diving into the details surrounding the tools inside an international mediator's toolbox, it's best to have a solid foundation of general conflict management strategies. ADR or alternative dispute resolution is a blanket term for all of the strategies that are used to address conflict outside of the regular judicial system and without resorting to violence. There are four main approaches to addressing and resolving conflict: Arbitration, mediation, conciliation, and negotiation.<sup>1</sup> Arbitration is a method of resolving conflicts with the help of a third party—an arbiter—who hears each party's perspective, looks over the facts presented and then makes a decision about the conflict for the parties. Arbitration is often legally binding and the burden of proof is on the parties in order for the arbiter to decide the case.<sup>2</sup> Arbitration is often used in settling contract and workplace disputes before litigation.

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<sup>1</sup> Carrie Menkel-Meadow, "Mediation, arbitration, and alternative dispute resolution "(ADR, 2015), 1.

<sup>2</sup> Ibid.,

Mediation, like arbitration, is the act of bringing parties in conflict together with the help of a third party in order to manage said conflict. Unlike arbitration, mediation doesn't have as big of an emphasis on the legal system, though recently there has been a push to incorporate mediation into the judicial process. Examples of this are mandatory eviction and divorce mediations designed to help people find a resolution between themselves before seeking litigation. The goal of mediation is for a third party—the mediator—to help the parties reach a solution to their conflict on their own terms. The mediator aids the parties involved in the conflict and is ideally a trusted and experienced conflict manager, who holds no stake in the conflict itself and who is dedicated to helping the parties reach an agreement that can satisfy all involved.<sup>3</sup> This is commonly juxtaposed with negotiation, a practice often without third party intervention, in which two or more parties who hold stake in a conflict come together to discuss their issues and reach a remedy on their own.<sup>4</sup>

Finally, conciliation, like mediation, brings parties in conflict together with the help of a third party in hopes of reaching a solution. Unlike mediation, which attempts to find a resolution while the parties are present with each other at the table, conciliation is a process in which the third party, or conciliator, meets with the parties together and separately in order to help them reach a solution to their conflict.<sup>5</sup>

These four pillars of ADR can be practiced independently of each other but more often than not they are treated as a sliding scale of practices. A mediator might take on more of a conciliator role if they decide that the parties would benefit from meeting

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<sup>3</sup> Ibid.,

<sup>4</sup> Ibid.,

<sup>5</sup> Ibid.,

separately. An arbiter might take on a mediator role if they bring the parties in conflict together in order to help them think about various options they could use to address the conflict independently. Since all these practices are so closely related, the tools used by an arbiter or a mediator are similar, if not the same as the tools used by a negotiator or a conciliator. Oftentimes a practitioner of one will also work intimately with the other three forms as well making them familiar with the various tools and methods of all ADR practices.

### *The International Mediator's Toolbox*

It's important to be familiar with the prominent tools that help international mediators such as separating interests from positions, reframing, perspective sharing and expanding the pie, to understand where a tool like SNT fits in among them. Mediation and other forms of ADR pull from a similar set of tools that enable the parties to address the conflict in productive ways. The first key tool is the ability to separate the interest from the position.<sup>6</sup> Generally, parties come together in conflict ready to fight for their position. A person's position is the stance they've created through their interpretation of the events that led to the conflict. People often defend their position because it is their lived truth. The ability to separate a person's underlying interest from their presented position is key to working with them toward a solution. Though it is usually an inherent reaction to deny someone's position when it doesn't align with your own, this tool teaches the mediator and the parties involved to dig deeper, look past positions and find the underlying interests that need to be addressed in order to remedy the situation. Distancing

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<sup>6</sup> Roger Fisher William L. Ury, and Bruce Patton. "Getting to yes: Negotiating agreement without giving in" (Penguin, 2011), 7

themselves from their feelings enough to understand the other party's argument and analyze it through their own lens is not an easy thing to do, especially when their position directly contradicts the other party's position. This tool is a skill that can be practiced, refined and accompanied with other useful tools like reframing, perspective sharing and expanding the pie.

Reframing<sup>7</sup> and perspective sharing are tools that hinge on the idea that the parties are working together to find a way to address their conflict. In order to do this, proper communication and understanding of their interests are needed. Reframing is a simple and well-practiced tool used by mediators. After listening to a party talk about their positions and interests, a mediator can then repeat back to them what they understand the parties' interests to be with different words or examples. Sometimes parties get locked into seeing the conflict through their own perspective and once they are presented with a similar narrative in a different light, the situation makes a little more sense. Similarly, perspective sharing is when a mediator has the parties view the conflict through a different perspective than their own in order to shine more light into the situation and possibly even uncover shared interests or unknown options.

Expanding the pie,<sup>8</sup> or being creative with options,<sup>9</sup> is a useful practice that relies on the fact that people's interests and value in perceived rewards are flexible and multidimensional, the world is not simply black and white and conflicts are not all or nothing. With the right determination and creativity, a solution can be reached in any conflict that seeks to address the interests of all sides. This is usually done by finding

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<sup>7</sup> Christopher Sheesley, "Reframing: A Conflict Resolver's Superpower."

<sup>8</sup> William Ury, "Getting past no: Negotiating in difficult situations" (Bantam, 2007), 83

<sup>9</sup> Ibid.,

value and options that were not originally thought of when the conflict began. For example: a painting can be a priceless piece of art to one person, or a cheap picture to someone else who would likely get rid of it at a yard sale. People find value in different things and this can be used to satisfy different interests within the same conflict. If the conflict is about who should get a painting after the artist dies and party A sees it as a cherished remembrance of their friend while party B sees it as a quick buck this means there can be different options to satisfy both interests. Party A could purchase it from Party B. Party A could take a picture of the painting to keep while party B sells the original. Party B could buy a museum, charge people to see it and place a placard under it saying it belongs to Party A. These are merely examples of options the parties could pursue but the point is that value is subjective and creative solutions help satisfy different interests simultaneously. Once a conflict manager understands the interests of the parties, creativity and reality are the only things stopping them from finding the right option.

The single negotiating text method, like all of the other tools mentioned above, is a helpful addition to the toolbox by Roger Fisher. I will go much more in depth about this method as we progress but in short, SNT is a form of conciliation in which the third party helps those involved in a conflict separately. The intervenor compiles a list of interests and limits from the parties and uses that to create numerous drafts to show each party in iterations, while asking for feedback on the drafts presented. After many drafts, a final one is reached that details a solution to the conflict.<sup>10</sup> Once this final draft is crafted it is presented to the parties for their approval. This method builds off of all the tools mentioned before. In order to successfully use the one text method, the practitioner

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<sup>10</sup> Roger Fisher William L. Ury, and Bruce Patton. "Getting to yes: Negotiating agreement without giving in" (Penguin, 2011), 57

should have a good understanding of interests over positions, reframing, expanding the pie, and perspective sharing. A solid ability to investigate and understand the interests of the parties and reframe perspectives will help the conflict practitioner draft the text, while expanding the pie and creative option generation will aid in their ability to propose solutions to the parties when a stonewall occurs. Most importantly though, the practitioner needs to be well adept at reframing, as the single text process is one of continuous change and adaptation until a draft which illustrates each parties' interests and limits adequately is created.

All of these tools outline various ways parties can address conflicts—with or without the help of a third-party intervenor—on their own terms and without the need to resort to violence or combative means. These methods can be used in all conflicts from small interpersonal disputes to heavily contentious international conflicts and there is definitely a benefit to using them in all aspects. As we explore the benefits of using ADR in international conflict resolution, the single negotiating text should stand out as this is the area of conflict for which it was designed to be used.

### *ADR and International Conflict*

Internationally, there are a multitude of methods used to address and solve conflicts. There are violent methods like war, threats of military force and economic sanctions, less violent methods like litigation and arbitration and non-violent methods like negotiation and mediation. Aside from the obvious downsides of war like loss of life, and economic and environmental devastation, military intervention is and should always be regarded as the last resort in a self-defense effort. The lasting impacts on international relationships and alliances are also strong deterrents for carelessly going to war. Instead,

‘peace talks’ or international conventions, where the use of mediation, conciliation and other ADR tactics are often employed, has been increasingly popular.<sup>11</sup> From climate change summits to international peace talks, world leaders have been making an effort to address international conflicts in a less violent way. While the use of negotiation, arbitration and mediation in these international conflict resolution efforts vary greatly, these actions are more common now than they were just 50 years ago due to their efficiency, and cost-effectiveness.

I will explore a form of conciliation that utilizes all the tools we've talked about in a methodical way that is easy to reproduce and successfully addresses the interests of all parties involved. The one text method, as developed by Roger Fisher, allows the mediator to bring even the most contentious parties ‘together’, strip the issue down to just the interests and then meticulously work towards a satisfactory solution through written drafts of a potential agreement. The success of this method has been demonstrated internationally at Camp David by President Carter, though it has also been used countless times by individuals, organizations and nations since its conception. This paper seeks to explain the history of the one text method, its use in international conflict resolution and whether it should be a staple practice in international conflict resolution.

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<sup>11</sup> Carrie Menkel-Meadow, "Mediation, arbitration, and alternative dispute resolution "(ADR, 2015),8

## II, BACKGROUND

It's important to have a solid understanding of common ADR tactics and their uses in international conflict management before embarking on the next sections of this paper. The following sections detail what international conflict resolution is like currently, who Roger Fisher was and what the one text method is. The answers to these questions will explain how the SNT method originated and how it could be an important tool in international conflict resolution.

### *International Conflict Practices Today*

In order to really understand what the one text method is to international conflict resolution and conflict resolution as a whole, we need to look at how most conflicts have been managed and resolved in the last 50 years.<sup>12</sup> Generally, when we think about international conflict, or conflicts between states or other multinational organizations, we picture large scale and violent conflicts. War has historically been the go-to method in ending disputes between nations and while it has certainly not been abolished, there has definitely been a conscious shift toward non-violent means of international conflict resolution.<sup>13</sup> This shift is happening for many reasons because of how economically, environmentally and socially devastating war is. There are also less violent means of conflict management utilized internationally like threats of force, or economic and political sanctions. While these are intended to be less violent ways of addressing conflict, they often have incredibly violent impacts on targeted nations causing trauma,

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<sup>12</sup> Jacob Bercovitch, Theodore Anagnoson, and Donnette L. Wille. "Some conceptual issues and empirical trends in the study of successful mediation in international relations." (Journal of Peace Research 28, no. 1, 1991), 8

<sup>13</sup> Ibid.,

economic downfall, and medical and resource scarcity as well as damaging lasting relationships between the quarreling nations.<sup>14</sup> Lastly, there are also International Criminal Courts, which seek to address international conflict from a punitive legal perspective, although these courts famously don't have enough power to punish larger nations like the US.<sup>15</sup> The issue of international relations is also at stake here, when nations get to a point where the ICC needs to step in for the sake of the people involved, this can cause relationships between the nations involved to be strained to the point of lasting impact if not properly addressed.

Finally, there are methods that aren't as combative, punitive or violent as the other methods I have mentioned above. Like we explored earlier, Alternative dispute resolution tactics share a collaborative perspective of conflict. There have been many uses of ADR techniques in international relations that range from successfully utilizing the methodology and underlying theory to more coercive use of the practices. The range in success of these practices is largely due to the practitioners understanding of the underlying principles of conflict resolution and their competency carrying out the methods. There is no set way to mediate an international dispute, and countries and international organizations often just do their best when it comes to intervening or negotiating disputes. Conflict managers have been looking for the most effective way to address and resolve disputes at any scale, this is something Roger Fisher and his colleagues were passionate about and which led him to create the one text method.

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<sup>14</sup> Roger Fisher, "Dear Israelis, dear Arabs: A working approach to peace." (Harper & Row, 1972), vii

<sup>15</sup> Jack Goldsmith, "The self-defeating international criminal court." (The University of Chicago Law Review 70, no. 1, 2003), 96

## *Who was Roger Fisher?*

Roger Fisher was a renowned professor at Harvard University of Law and the Founder and Director of the Harvard Negotiation Project. Having fought and suffered great loss during the second World War, he was a man accustomed to the worst consequences of conflict. This experience would greatly influence his decision to teach nonviolent forms of international conflict resolution. As explained by his former student and fellow international conflict manager, Michael Moffitt, “He could often be moved to tears when talking about his friends and colleagues lost in the war.”<sup>16</sup> Damage caused by war left lasting impacts on him personally as well as influencing his work internationally. Immediately out of Law School, he began his career at Harvard University focusing his research on international restoration efforts in Europe by working on the Marshall plan.<sup>17</sup> Roger continued teaching at Harvard, while working internationally as a distinguished mediator and negotiator on conflicts in the Middle East, Latin America, and Russia. He even produced a public access television show that encouraged the public to take part in broader political discussions and eventually enact change.<sup>18</sup> In the early 1980s he founded the Conflict Management Group (CMG) in Cambridge, Massachusetts, which still exists with his memory as the CMPartners at the Roger Fisher House.<sup>19</sup> His work as a professor and conflict consultant drew in many inspired students and mediators who continue to use and teach his methods today. Andrea Schneider, a former student of his

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<sup>16</sup> Moffitt Interview, Appendix

<sup>17</sup> Moffitt Interview, Appendix

<sup>18</sup> GBH Openvault. “The Advocates” <https://openvault.wgbh.org/collections/advocates/full-program-video>

<sup>19</sup> CMPartners. 2022. History, <https://www.cmpartners.com/about/history/>

and conflict resolution professor described Fisher as a powerful character. He was an incredibly “established”<sup>20</sup> man whose reputation was both inspiring and intimidating.

Fisher had an insatiable drive to help people. There are many accounts of him starting his day off with the New York Times and a list of solutions ready to be brainstormed and acted on. Another former student of his and conflict practitioner, Rob Ricigliano, described his work with Fisher, “[While working] things were always exciting. Roger couldn't sit still; he was always looking for something to throw himself at.”<sup>21</sup> His drive to find solutions through nonviolent means was never stunted by the occasional mistake or wrong answer. His motto, “choose to help” has shown his determination to do good. He knew through his methods that had been demonstrated time and time again that with the right open mind and a lust for resolution, one could be found.

### *What is the One Text Method?*

Roger Fisher’s work as a negotiation professor allowed him to experiment with theories he had been developing during his work internationally. The duality of his work allowed him to run his class like a lab and his students were equal participants in his tests of negotiation.<sup>22</sup> Testing theories about mediation bias and negotiation tactics, Fisher was ultimately looking for a formula that would ensure a successfully negotiated resolution to any conflict. The one text method was born out of this exploration. Since its conception, the method has been utilized by Fisher, his students and colleagues, eventually becoming grandfathered into the toolbox of ADR techniques.

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<sup>20</sup> Schneider Interview, Appendix

<sup>21</sup> Ricigliano Interview, Appendix

<sup>22</sup> Roger Fisher, “Dear Israelis, dear Arabs: A working approach to peace.” (Harper & Row, 1972), 2

The single text method goes by many names like the one text procedure, the single negotiating text, etc., and has been used widely by many conflict practitioners in all areas of the field. A former student and international conflict consultant, Elizabeth McClintock, explained, “I still use this method in my work today. Once you bring nations together, it’s helpful to use the method in order to outline what goal they are working towards.”<sup>23</sup> Fisher’s method has influenced countless students and continues to be utilized by them today. The single negotiating text is a method of mediation in which a mediator listens to the parties’ perspectives on the issue separately, drafts a list of interests and points of resolution, then creates a draft of potential solutions and presents it to the parties for suggestions. The draft presented to the parties is merely an attempt to find common ground between them and create solutions on which they could agree. The mediator needs to know how the parties feel about each section and what changes—if any—need to be made. They then take the feedback provided by the parties and create a second draft. This second draft has been altered by the suggestions of the last round and is again presented to the parties for suggestions. This process is repeated over and over until a draft is finally produced which satisfies the interests of both parties and they can happily agree.

The role of the mediator in this instance is best described by Howard Raiffa in his book *Art and Science of Negotiation* in this text, Raiffa a contemporary of Fisher and a colleague of his at Harvard, details the single negotiating text from the perspective of a mathematician. Not only is this a unique perspective to analyze conflict resolution methods, but it is also invaluable in showing how the logical, meticulous steps of the

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<sup>23</sup> McClintock Interview, Appendix

single negotiating text work towards a mutually beneficial agreement. One that often generates Pareto optimal outcomes,<sup>24</sup> or in other words, one that can reliably create agreements that satisfy most mutually beneficial interests of the parties that can mathematically exist. Raiffa refers to the mediator in a single negotiation text process as a “contract embellisher”,<sup>25</sup> someone who is not fully a mediator or an arbiter but who knows the interests and constraints of the parties intimately and is able to then aid them in seeking an efficient contract that both sides would prefer to the original draft of the SNT.<sup>26</sup> The single negotiating text is merely a vessel that allows the mediator to guide the parties toward an agreement. Nowhere in the process do the parties hold the pen or offer specific rewording to the document, they just inform the mediator or contract embellisher what they are okay with and what they are not. Through meticulous repetition of the written different drafts and presenting them to the parties for feedback, the mediator is able to develop a solid understanding of what the final contract should include and what it will be able to do for the parties.

The one text method is unique in that it doesn't need the parties to discuss the conflict face to face. The solution is reached through a series of drafts written by the mediator or negotiation team, and then handed to the parties for feedback. The mediator only presents the final draft for approval once they have exhausted every conceivable option and they are prepared to make the parties decide whether to accept it or not. This method allows the mediator to ensure the conflict is being solved in a collaborative way but also in a way that gives the parties the space they need in contentious situations.

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<sup>24</sup> Howard Raiffa, *The Art and Science of Negotiation* (Harvard University Press, 1982), Figure 36, page 216

<sup>25</sup> *Ibid.*, 221

<sup>26</sup> *Ibid.*, 221

The SNT method ensures that the mediator and the draft are the only points of contact between the parties, becoming a useful tool in highly contentious or even long-distance conflicts. It is up to the mediator to formulate various drafts that meticulously move the parties toward a resolution, this is done through the power of reframing. The mediator's ability to reframe the positions of the parties is what drives the drafting process and allows the mediator to keep the parties separated while they work towards a solution. "The one text is like a hammer, and you could have an unskilled regular person use the hammer or a carpenter. Depending on the situation you might prefer one over the other."<sup>27</sup> The mediator needs to skillfully reframe the conflict either by rewording a phrase, reordering the draft or even re-imagining options presented in order to fully utilize this method and depending on the level of contention, it might not be very easy to master. "The one text is the art and science of creating order out of disorder. Step back and order what you're talking about, it can show that you're only in a little bit of a disagreement."<sup>28</sup> Often regarded as an art, the one text method balances carefully between logically guiding parties toward a mutually beneficial solution and the art of finding the right words to lead the parties down that path. The creative process behind this method allows for it to take many forms and look differently from one practitioner to the other. While the one text method works great when the parties are separated, it can, however, work when they are together and are talking. Fisher was a big proponent of coaching both sides openly. The biggest indicator of this is his book *Dear Arabs, Dear Israelis*.<sup>29</sup> In this text, Fisher outlines in detail the way for peace to be made between

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<sup>27</sup> Interview with McClintock

<sup>28</sup> Interview with Ricigliano, Appendix

<sup>29</sup> Roger Fisher, "Dear Israelis, dear Arabs: A working approach to peace." (Harper & Row, 1972)

Arabs and Israelis. This was written before Camp David, though it aims to do many similar things the camp attempted to address. Fisher outlines exactly what should happen by either side in order to satisfy each parties interests and ultimately the conflict as a whole. Not only is it an incredible feat to attempt to bring peace to nations through the use of letters, but Fisher takes this a step further by including word for word written speeches and press releases each government could use as they follow his instructions. All of this information contained in the same book, with no hidden information. He gives advice to all parties involved openly for the others to read. A true solution to a conflict will satisfy both parties simultaneously, so it should be able to be reached openly and collaboratively with them, though sometimes it is easier to consult the parties separately. Fisher and the many individuals he influenced over the years have used and continue to use this method in international conflicts. Most notably, however, was the use of this method by President Carter at Camp David, in order to successfully create the treaty between Israel and Egypt.

### III, USE AT CAMP DAVID

Camp David was the name and location of the summit President Carter invited President Sadat of Egypt and Prime Minister Begin of Israel to attend in order to reach a peace agreement. The summit, held at Camp David spanned an extremely contentious thirteen days in which all three world leaders were cut off from the rest of the world and forced to focus on a resolution. While this summit had countless flaws one of its redeeming qualities was the use and success of the single negotiating text by the American negotiating team used to create the lasting agreement between the nations.

#### *Overview of the Conflict and the Events at Camp David*

The use of the Single Negotiating Text Method at Camp David is arguably the most famous example of this method in action. The Camp David accords were largely successful and the summit itself was an unprecedented event.<sup>30</sup> The thirty years leading up to these talks had been a tumultuous time for Israel and the surrounding Arab states to say the least. This summit was the first time an Arab leader, one of the most powerful Arab state at the time, acknowledged the existence of the State of Israel and attempted to make peace with the state.<sup>31</sup> Anwar Sadat, the then-president of Egypt had previously flown to Israel and asked the Prime Minister, Menachem Begin, and the rest of the Knesset if they would be willing to engage in peace talks with Egypt and the rest of the Arab world. While the initial meeting didn't go very well, much of the world was shocked it had even happened.<sup>32</sup> President Carter, already preoccupied with bringing peace to the

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<sup>30</sup> Ian Bickerton and Carla L. Klausner “A history of the Arab–Israeli conflict” (Routledge, 2018), 220

<sup>31</sup> Lawrence Wright, “Thirteen Days in September: Carter, Begin, and Sadat at Camp David.” (Simon and Schuster, 2014), 39

<sup>32</sup> Ian Bickerton and Carla L. Klausner “A history of the Arab–Israeli conflict” (Routledge, 2018), 220

Middle East, saw this as his chance to broker some sort of agreement. Carter connected with Sadat, whom he had a friendly relationship with and asked if Egypt would be willing to take part in peace talks with Israel, to which Sadat agreed. Carter then asked Begin if Israel would be interested in attending a summit at Camp David and he hesitantly agreed.

Once the talks began, Carter had hoped to just let the men work things out verbally but that didn't end up well. Israel, unwilling to give up occupied land in the West bank and Gaza, remove troops from the Sinai and even talk about Palestinian sovereignty was a major barrier for Sadat, who had hoped to gain Palestinian independence, remove Israeli troops from the Sinai and end illegal settlements in the West Bank and Gaza. Not only was the situation heated, but none of the men could see any signs of a solution.<sup>33</sup>

After three days of attempted conversations and worsening international relationships, Carter and his negotiating team decided to do things a different way. Carter had two very prominent men on his negotiating team, Cyrus Vance and William Quandt who both had years of international negotiation experience, and who were both former students of Roger Fisher. After the first tumultuous week, when the American negotiating team began replanning their strategy, Vance visited his old professor to ask him for advice. Fisher gave him a copy of a book he was working on at the time, *International Conflict Resolution for Beginners*, which was based on information gathered from his classroom laboratories and detailed the one text method. Fisher suggested that it might be helpful for them to give it a try.<sup>34</sup>

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<sup>33</sup> Lawrence Wright, "Thirteen Days in September: Carter, Begin, and Sadat at Camp David." (Simon and Schuster, 2014), 61

<sup>34</sup> Ibid., 152

Carter created a list of interests the parties held and the negotiating team went to work drafting a document they could give to each side for suggestions.<sup>35</sup> The first draft was met with disdain from both sides as both leaders needed to get used to this new process. Begin felt that America had sided with Egypt and Sadat felt that America went too easy on Israel. After a lot of consolation from Carter, both men were assured this was not a final proposal, but a draft that would be modified to fit their needs. This was a new strategy the leaders had never seen before, now they weren't allowed to dictate what would and wouldn't be in the final agreement, they needed to fully hand over the pen to the negotiators and open up honestly to them about their interests and limits. Over the course of the camp, the negotiating team wrote 23<sup>36</sup> different drafts that allowed them to slowly whittle it into an acceptable solution for both sides by constantly reframing the parties' perspectives and even altering basic word choices. Before this point, the negotiations had reached a stalemate, no side was willing to concede to the other and threats to end the talks had been made repeatedly from each nation.<sup>37</sup> The one text method allowed the negotiating team to distance the parties from each other while working intimately with them to ensure their interests were met. The American negotiating team decided they would not create the first draft too close to the efficient frontier to appear more neutral.<sup>38</sup> As the process continued, the mediators were starting to see an area of joint agreement form and decided to inch the parties toward that zone of agreement through numerous iterations of drafts.<sup>39</sup> As they had suspected from the

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<sup>35</sup> Ibid., 153

<sup>36</sup> Ibid., 285

<sup>37</sup> Ibid., 257

<sup>38</sup> Howard Raiffa, *The Art and Science of Negotiation* (Harvard University Press, 1982), 215

<sup>39</sup> Ibid., 221

beginning, most discrepancies came down to mere word choice, the process would prove to be tedious. Without their ability to reframe certain seemingly simple phrases like “Palestinian autonomy” and move the parties away from semantic issues to more substantive interests, the negotiating team would be doomed to the same stalemate reality that had plagued the talks at the beginning of the camp.

While the execution and success of the method, and of the camp as a whole aren't perfect, they are still a good example of what should be done more in addressing international conflict. The method was not used to the T by Carter, as he had his own ways of negotiating that he preferred. Carter's need to create face to face dialogue between the parties and himself, and trap the parties at the camp, made stress high at times and easy for things to escalate. Carter did, though, have some redeeming qualities as a mediator. He had an incredible attention to detail and a great amount of empathy, but his undying desire to find a solution and ability to work closely with both parties in order to find one was key in allowing him to create such a monumental agreement. While he did prefer to do things his way, he also listened to his experienced team and this helped him make great progress through the use of the single text method. Most importantly though, he had clout. Not only could he as a mediator make suggestions on what each nation should do, he also had the power to support these suggestions with large amounts of military and economic aid, which both countries desperately needed.<sup>40</sup> Once the American negotiation team decided to go full force into the single negotiating text method, Carter was forced to scrap face to face dialogue for a more conciliatory

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<sup>40</sup> Lawrence Wright, “Thirteen Days in September: Carter, Begin, and Sadat at Camp David.” (Simon and Schuster, 2014), 116

approach. As the mediator, he was constantly shuttling between each party, clarifying language and flexing his political clout when needed.

This is the most famous example of this method's use and while it wasn't perfectly followed, it was still a groundbreaking step in the right direction for the time. The peace this method brokered between Egypt and Israel was a cold one, and the issue of Palestinian sovereignty was never addressed. The one text method is not without flaws but compared to the traditional methods of international conflict resolution at the time—war—it was an optimistic turn of events for the conflict. "Roger wouldn't have cared that it wasn't perfect, it worked and that's what mattered."<sup>41</sup> The agreement reached between Begin and Sadat with the help of Carter and his team has been a lasting treaty between the two nations and has largely been considered a success. Since its signing in 1979, the treaty between Israel and Egypt has not been violated.<sup>42</sup> This was an unprecedented success for both nations as well as Carter and his negotiation team as no other president had been able to broker an agreement between these two nations, nor have they been willing to risk their political careers doing so. Not only did Carter and his team have the grit and dedication it took to come to a conclusion, they also had the skills and techniques of the single negotiating text passed down to them from Fisher. This bolsters support for the one text method as a viable option for international conflict resolution and shows that it can be utilized by anyone even in extremely contentious conflicts, as long as they have patience and faith in finding a resolution.

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<sup>41</sup> Moffitt interview, Appendix

<sup>42</sup> Lawrence Wright, "Thirteen Days in September: Carter, Begin, and Sadat at Camp David." (Simon and Schuster, 2014), 288

## IV, CONCLUSION

ADR techniques have been increasingly utilized as a way for nations and intergovernmental organizations to solve disputes nonviolently. Though the switch towards nonviolent means of conflict resolution has been gradual and imperfect. There is no blueprint for handling international disputes, and nations are left to experiment with a variety of methods. The single negotiating text was created by Roger Fisher as a means to find a foolproof method of international mediation. Fisher pulls on aspects of conciliation and mediation while relying on the basic tools of ADR, most notably, reframing, in order to create a method of conflict resolution that can logically and meticulously bring the parties as close to a mutually beneficial solution as possible.

SNT is an incredibly useful tool to help parties move toward an agreement in even the most contentious conflicts, as shown by its use in creating the highly acclaimed Camp David Accords. It can and has been used in any range of conflict management situations. This method is a versatile and reliable form of conflict resolution and it should definitely be used to address conflicts in international relations today. Through my interviews with former scholars and colleagues of Roger Fisher, it is evident that this method is well beloved and continues to be taught. While war and sanctions are the primary methods of international conflict resolution, other, less violent means of conflict resolution live on and are evolving into more effective forms. By removing the pen from the parties who would likely dictate their own agreements in a messy way and tediously moving the parties toward a mutually agreed solution, the single negotiating text has been shown to be an effective method of conflict resolution from its use internationally at Camp David to its continued use by colleges of Fisher today. Due to the meticulous way in which this

method leads the parties involved toward a solution, this method should be embraced by more nations as they attempt to solve conflicts internationally.

## APPENDIX, INTERVIEW NOTES

### *Interview with Michael Moffitt*

Michael is currently a professor of Law and Conflict Resolution at the University of Oregon. Prior to coming to Oregon Law, he served as the clinical supervisor for the mediation program at Harvard Law School and taught negotiation at Harvard and Ohio State. After a federal judicial clerkship, he spent several years with Conflict Management Group, consulting on negotiation and dispute resolution projects in about twenty countries around the world. He recently served as the Roger D. Fisher Visiting Professor in Negotiation and Conflict Resolution at Harvard Law School, where he led the Negotiation Workshops for two years.<sup>43</sup>

- Can you describe your relation/affiliation to Roger Fisher?
  - How long did you know each other?
  - What did you work on together (if anything)?
    - Michael was a student at Harvard, decided to go because of him and the negotiation project.
    - Reached out to Harvard and the negotiation department as a prospective student and dedicated himself to going.
    - Started meditating fall term of 1991 and took first class with Roger in January of 1992.
    - Before taking the class, he was a research assistant for Roger for the book *Beyond Machiavelli* and worked closely with Andrea who was at the time, a third-year student at Harvard Law

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<sup>43</sup> “Michael Moffitt.” School of Law. <https://law.uoregon.edu/people/directory/mmoffitt>

- Later in 92 he also became a teaching assistant for the negotiation class, something he would do 8 to 10 times in the future. Coming back to help teach even after he graduated.
  - Worked in his nonprofit while he was a law student. Also worked in Canada because of his ability to speak French.
  - Didn't always work directly with Roger himself, usually worked under his general guidance. He did work with Roger in the Soviet Union/Caucuses
  - He then came back to Harvard to teach for a bit as an inaugural visiting Roger Fisher professor [to teach the very same negotiation class he learned from Roger]
- Camp David isn't a perfect example of the one text method. Did you work with Roger using the Single negotiating text method? Or can you provide another example of using it in the real world.
  - Yes, he did with Roger in Georgia in [South Ossetia](#) / southern Caucasus
  - But he also uses the one text method whenever the conditions are right:
    - Multiple issue conflict
    - There are reasonably identifiable and empowered partisans on both sides.
    - There is or could be a risk of sequencing.
    - There is or can be a mediator with clout, whose presence matters to both parties.

- Moffitt did not directly work on it but the Maclean's effort in Canada (their coverage on the attempt split Quebec from Canada in the 80s.) This was good coverage of the use of the one text method. Whereas Moffitt's work with Roger in Georgia was largely confidential and didn't get much attention for obvious reasons.
  - Camp David wasn't a perfect use of the method but Roger wouldn't have cared. Because it worked in the variation that was used. He wasn't an academic purest. He was focused on pragmatic solutions to conflicts happening in real time.
  - Roger believes you can't "fix" international conflicts like you can't "fix" a marriage. You can only make positive choices in the direction that benefits an ongoing relationship.
- How was it created? Did he mention its origin?
  - Can't be solely credited to Roger. Howard Raiffa was also included.
  - Is a product of his work from international conflict resolution for beginners.
- Do you still use this method?
  - Yes. I have a mediation I am currently working on that uses the one text method. I also teach it all the time and use it every time I can
- Why did you keep coming back to help teach or work with Roger?
  - Roger was just different
  - "More creative than anyone I had ever worked with"

- He had an extraordinary capacity for being wrong and making mistakes. Because although he was wrong a lot, he was right sometimes.
- Intoxicating to work with, he always had the New York Times in his hand and wanted to tackle a new world problem. He always assumed there was a way to affect a conflict.
- He was a Harvard man through and through, from the northeast. He lost a lot of his friends to the second world war.
  - The loss the war created impacted his drive to address conflicts and prevent future loss from wars. He could easily be brought to tears talking about the colleagues he had lost from WWII. He also left Law school and decided to start working on the Marshall plan in Europe.
  - His first academic piece was a large book on how to comply with international law. It was horrible. Unreadable. Getting to yes was an attempt at popularizing the original work.
  - Roger was not some lovey hippie type
  - He was a very hard nose negotiator, people who don't know him usually don't know that.
  - One text can't be singly credited to Roger, there is some input from Howard Raiffa. They should both be credited to it.
    - Roger and Cy Vance are the reason why Carter Used it at camp David though.

- For Moffitt: You are mentioned in the acknowledgments on *Beyond Machiavelli*, what was the research process like under Roger? What did you research for that book?
  - He didn't do much with the content of the book itself. This was before Google and he was tasked with correcting little mistakes, spell checking and organization

*Interview with Andrea Schneider*

Andrea is a professor at Marquette University Law School. She teaches ADR, Negotiation, Ethics, and International Conflict Resolution. She is the inaugural director of the Institute for Women's Leadership at Marquette University and also serves as the Director of the nationally ranked ADR program at Marquette University Law School. She currently serves as the co-editor of the ABA Dispute Resolution Magazine and on the Board of Advisors for the Saltman Center for Conflict Resolution at UNLV School of Law. Professor Schneider gives negotiation trainings around the world to corporations, law firms, court systems, and, most recently, has focused on faculty in the STEM and medical fields for which she has now received federal grants for software development and training.<sup>44</sup>

- Can you describe your relation/affiliation to Roger Fisher?
  - She took negotiation her first year of law school, but Roger was on sabbatical so the course was taught by Bruce Patton (co-author of *Difficult Conversations*)
  - She became his research assistant as a 2 L and later a teaching assistant for a course called: coping with international conflict.

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<sup>44</sup> Andrea Schneider (Law.marquette.edu. 2022) Available at: <https://law.marquette.edu/faculty-and-staff-directory/detail/2004356>

- She co-authored two books with him, a textbook: *Coping with (International) Conflict & Beyond Machiavelli*.
- She still used the material she wrote with him in her teaching today.
- Do you use the methods you learned from Roger today in your work in international relations?
  - She does in two ways, the first is Negotiation theory in general
    - She never went into international consulting but she does still use the materials she wrote with Roger and she still incorporates his theories in her lessons.
    - Basic negotiation strategy is extremely useful and can be used in interchangeable situations like solving a war or improving your relationship with your roommate. They are universal.
    - She also still teaches the one text method, as it is deeply embedded in general negotiation theory. She teaches Northern Ireland and Israel/Palestine and the one text in both of those situations.
  - And secondly, Roger's brilliance in the classroom
    - His focus on the decision maker/policy maker and the actions we could take today to cause actual change tomorrow.
    - Who needs to decide what today, to make tomorrow better?
    - Rather than have students write a thesis broadly about a conflict, she likes to ask them to write to a policy maker and think about what they should suggest to improve the conflict as things are now. They focus on a policy maker.

- Can you go into more detail about what it was like to work with Roger?
  - She wrote two books with him: *Coping with Conflict* and *Beyond Machiavelli*. The former a textbook for the course she was a teaching assistant for Roger.
  - He was so tall (about a foot taller than her) and proper, always wore a suit and tie, very formal demeanor.
    - She had been accepted as a research assistant from his assistant so he hadn't formally met her until she started working and she has this memory of him towering over her and in the most reserved and passive way greeting her with “so, you are to be my research assistant?”
    - She recalled it being so intimidating, he was such an established man who had connections in congress, played tennis with Cyrus Vance. His presence was daunting.
  - But the intimidation did not linger long as he was often a very warm and personable man. She describes him as often having his feet up on the desk, coat off, and sleeves rolled up ready to discuss anything.
  - He became her mentor, giving her marriage advice, and helping her get valuable positions.
  - She worked with him during the Iraq invasion of Kuwait and was very against the war (though the opinion was unpopular) He had fought in the Second World War and lost a lot of friends. War was not an academic exercise for him.

- She recommended I look up a couple of her articles on SSRN,
  - The day after tomorrow, about peace in the middle east and what that would look like after the peace is reached
  - Get on the plane, about the importance of experiential learning abroad.

## *Interview with Rob Ricigliano*

Rob Ricigliano is the Director of Institute of World Affairs at the University of Wisconsin, Milwaukee, where he teaches International Mediation and Peacebuilding through the Department of Communication and is the Coordinator of the Certificate in Peace Studies and Conflict Resolution.<sup>45</sup> He is the former Executive Director of the Conflict Management Group and Associate Director of the Harvard Negotiation Project.<sup>46</sup> Mr. Ricigliano served on the first U.S. team ever to teach negotiation at the Soviet Foreign Ministry's Diplomatic Academy in Moscow and has trained diplomats and other government officials from Africa, Europe, Asia, and North America. He was also selected by the Secretary of the Interior to lead a first of its kind mediation of a land dispute.<sup>47</sup>

- Can you describe your relation/affiliation to Roger Fisher?
  - He first met Roger in his first year of law school, in 86 during his negotiation course. He later took a seminar with him and then became a teaching assistant for a few classes in 87. After graduation he continued to work with Roger.
  - He learned far more as an assistant than he did from class.
- Why did you continue to work with Roger, even after graduation?
  - Not only was Roger a master storyteller, he also had crazy connections and lived an amazing life. His friends were heads of states, in congress and international mediators.

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<sup>45</sup> *Rob Ricigliano*, (Uwm.edu. 2022.) Available at: [https://uwm.edu/communication/wp-content/uploads/sites/150/2014/10/ricigliano\\_cv.pdf](https://uwm.edu/communication/wp-content/uploads/sites/150/2014/10/ricigliano_cv.pdf).

<sup>46</sup> *Robert Ricigliano* (C-r.org. 2022) Available at: <https://www.c-r.org/who-we-are/people/robert-ricigliano>

<sup>47</sup> *Rob Ricigliano*, (Uwm.edu. 2022) Available at: [https://uwm.edu/communication/wp-content/uploads/sites/150/2014/10/ricigliano\\_cv.pdf](https://uwm.edu/communication/wp-content/uploads/sites/150/2014/10/ricigliano_cv.pdf)

- Things were always exciting. Roger couldn't sit still; he was always looking for something to throw himself at.
- What was the biggest lesson you learned working with Roger?
  - To have the courage to try. No is just the first step in getting to yes.
  - Always try but with creativity
  - “Choose to help” something Roger would always say. Don't wait to be asked to help, jump in. He was often criticized for butting his head into conflicts but he would prefer that critique over having the knowledge to help and choosing not to use it.
- One text:
  - Roger used it all the time, from drafting a letter to the dean, to ending a war. It can be used for anything.
  - Rob worked on the Maclean's issue in Canada. Documented well.
- Why do you still use it/teach it?
  - Mostly because it's been something he's learned from the beginning, whenever he talks to parties, it's easy to start to organize their thoughts/interests into the one text. Most people think they have less in common than they really do, so once you can organize the conflict into areas where they agree it can make the process progress easier.
  - The one text is the art (and science) of creating order out of disorder.
    - Step back and order what you're talking about, it can show that you're only in a little bit of a disagreement.

- Always a way to find order in disorder without the third party imposing anything.
- While most people I've talked to have used the method for a long time, they also tend to describe the process as an art or a science, something that takes skill. How user friendly would you say this method is?
  - It's easy to learn\* with the Asterix included.
    - In low stake environments it can be easy to jump in and experiment.
    - If you jump into the deep end with a higher stakes conflict, it's not a good time to experiment and it would be helpful to have established experience.
  - Crafting the draft isn't the only thing in the process that takes skill though, the ability to build trust, listen for interests and take feedback productively, can all be tricky if you have no previous experience with it.
    - Story about Doug. a tv executive/affiliate who when receiving a draft of a one text flipped out, “what the fuck is this?” he said as he walked to the door. Rob who was rightfully offended after having spent hours with a team of lawyers working on the draft, thought fast and asked: “I heard you ask, ‘what the fuck is this?’ Can you tell me a little bit more about why you feel that way?” Doug was shocked at the question, stopped walking toward the door, turned around and started ranting about all the issues he had. In doing so,

he was spilling all his interests out onto the table for Roger to pick up and use. Three drafts later, they had an agreement.

*Interview with Elizabeth McClintock*

Elizabeth A. McClintock, Ph.D. is Executive Director and Chair of the Board of Directors of the Bridgeway Group. Liz has 25 years of experience offering consulting services to and designing and implementing negotiation, conflict management, and leadership training programs for both public and private sector organizations around the world. Prior to taking over responsibilities as Executive Director at the Bridgeway Group, Liz co-founded [CMPartners, LLC](#), where she is a Partner Emerita. In addition to her work at The Bridgeway Group, Liz is an Adjunct Associate Professor of International Negotiation at The Fletcher School, Tufts University and an Adjunct Lecturer at the Johns Hopkins University School of Advanced International Studies (SAIS) in Washington, D.C.<sup>48</sup>

- Can you describe your relation/affiliation to Roger Fisher?
  - She was not one of his former students but instead she worked with him for 10 years at the Conflict Management Group.
  - CMG was founded by him but she didn't really work under him. More like with him. CMG was a pet project for Roger that allowed him to carry out projects that were not affiliated with Harvard. (Like a lot of the background work he was doing with Israel/Palestine.
  - She worked with him in Africa, Rwanda, and the Congo. (He was mostly giving her help when she asked for assistance)
- Did you work with Roger using the Single negotiating text method?

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<sup>48</sup> *Elizabeth McClintock* (The Bridgeway Group. 2022) Available at: <http://bridgewaygroup.org/board-members/elizabeth-mcclintock/>

- She used it once with Roger when she was helping him with his work with Israel and Palestine. Mostly it was using the one text to help each party figure out what they wanted to do next in the process.
- She usually uses this process for training. She teaches her clients or parties involved in the conflict the one text method as a tool they can use to address the conflict themselves.
  - Often parties aren't prepared to come to the table immediately but are more open to a training or an academic exercise. It makes it easier for them to meet and discuss the problem.
  - Also, there is no commitment. It's just a training exercise that promotes brainstorming and proper conflict management skills
- She is currently using the method right now with her work with the WHO. helping the nations come together and use the method to outline what they are working towards. Also used an example of a fake nation to get the other countries thinking about themselves.
- Did you find it helpful or user friendly?
  - Absolutely. Teaching this method to the parties is super empowering. It gives them the tools to address the conflict themselves.
  - People don't always know this method by name, but most are familiar with some of the steps.
    - It's important to let the people work with the tool first with a simple example.

- The method is most useful for a third-party intervenor. Who can be anyone, whether it be someone from the community or a highly appointed outsider.
- You describe the third party as someone who can be elected by the parties but not someone who has to be outside of the conflict. I've spoken to others who are very adamant of the third party being a higher power, ideally with some clout. What do you have to say about that?
  - It depends on the context. The one text is like a hammer, and you could have an unskilled regular person use the hammer or a carpenter. Depending on the situation you might prefer one over the other.
- What lessons did you learn with Roger or while using the one text?
  - Be true to the guidelines. Policy does matter. You need to prove credibility of the process.
  - Guidelines are important. The parties need to buy into the process and engage with the 3rd party so they can hold them accountable to the process.
  - Delicate balance between respecting interests effectively. Because as the holder of the pen you have the responsibility to show people's interests in a different light. Basically reframe!
    - You need to be respectful of interests and reframe interests in a way to show overlap of all interests.

- Use your creativity! Be creative in the options that might exist. The more creative you can be the more you can also dislodge the parties from their positions.

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