

# Learning the „Look-at-you-go” Moment in Corporate Governance Negotiation Techniques

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## **Abstract**

*This article explores in an interdisciplinary manner the way concepts are learned or internalized, depending on the varying means of transmission, as well as on the sequencing in which the information is transmitted. In this sense, we build on the constructivist methodology framework in assessing concept acquisition in academic disciplines, at an advanced level. We also present the evolution of certain negotiation techniques, from traditional setting, to less predictable ones. This assessment is compared to a specific Pop Culture case study in which we find an expressive representation of negotiation techniques. Our methodology employs both focus groups and experimental design to test the relative positioning of theoretical concept acquisition (TCA) as opposed to expressive concept-acquisition (ECA). Our findings suggest that while expressive concept acquisition (ECA) via popular culture representations enhances the students understanding of negotiation techniques, this can only happen in circumstances in which a theoretical concept acquisition (TCA) is pre-existent.*

**Keywords:** constructivism; negotiation techniques; concept acquisition; experimental method;

**JEL Classification:** B41; M14; M53;

## **1. Introduction**

The importance of Popular Culture representations of academic topics has often been marginalized in the existent research. This is mostly based on the fact that an interdisciplinary approach would be required in order to properly account for the Popular Culture representations' ability to capture, interpret, and communicate theoretical notions. In this sense, we use the concepts of a particular discipline - corporate governance negotiation techniques, to assess from a constructivist point of view how theoretical concepts are acquired and communicated, both in the class-room, and in popular culture representations. Therefore, our study addresses various field of academic research: from cultural and communication studies, to corporate governance negotiations techniques, and lastly, but not least, the interdisciplinary methodology of concept acquisition assessment.

The main contribution this article aims to bring to the existent literature is dual. On one hand it brings forth a novel theoretical framework of assessing different channels of education. To this purpose we base our empirical assessments on the Theoretical Concept Acquisition (TCA) the Expressive Concept Acquisition (ECA) situations. On the other hand, from this original theoretical stand-point we test empirically how much the concept acquisition process is enhanced by a doubling of theoretical or abstract teaching, with that of expressive illustrations like the ones we can find in popular culture. Still, we also show

through experimental methods that the popular culture illustrations remain limited in the conceptual information they can carry to the recipients, in the absence of a formalized, or structured theoretical base.

## **2. Cultural Constructivism and Concept Acquisition**

We focus on the acquisition of concepts through transmission in cultural products - pop culture movie clips. To this purpose it is very important to relationally place our interdisciplinary framework in which we operate, and through which we interpret our research results. As such, first and foremost stands our understanding of cultural products. In social sciences, 'culture is located neither at the level of the individual nor at that of a reified society, but at the inter-subjective level, where it provides a means for identifying group boundaries, interpreting events and according value' (Della Porta and Keating, 2008: 9). In this understanding of culture, as a dynamic system, and by way of consequences, of cultural products of interpenetrated objects imbued both by the individual's perceptions, as well as the societal norms applied to the collective identity of a society.

In the pursuit of an intersection between the various research fields we integrate in the present article (i.e. sociology, economics, educational research) we stand on specific grounding in terms of our ontological and epistemologic premises. As such, we draw on the social sciences understanding of the interpretativist lineage, which is here considered to be overlapping on these two dimensions with the constructivist lineage. In this sense, we see the objective and subjective intrinsically linked—in terms of our ontological positioning, and we aim to derive a better understanding of contextual knowledge—in terms of our epistemological goals (Della Porta and Keating, 2008:23). Transferred into our specific research this means that we look at how people perceive certain representations of negotiations techniques, both subjectively—with personal lenses derived from personal experience, as well as objectively—measurable understanding of predefined notions (i.e. negotiation techniques).

Following a constructivist perspective, cultural studies have made valuable contributions in the academic literature. In this stream, we find the analysis of contemporary popular cultural products and how they are received and reinterpreted by viewers (Jenkins, 2006/2012). Interesting findings emerge in this field when assessing the way people perceive and receive emotionally the popular culture products they are faced with (Jenkins, 2007). Very much like our chosen media case study (i.e. *The Dark Knight*) most of the contemporary media cultural products (e.g. movies, television series) create distinctive conceptual patterns, and build up trademark moments. Many of these capture and synthesize very effectively the human emotions, and behaviour. As such, they become more than sources of entertainment, but rather starting points for a wide raging spectrum of fan-based activities.

In this article, we do not aim at assessing the cultural dimension of our media case study to the same degree of these dedicated studies. We rather use this preexistent research to argue that the process of consuming media products leaves us with more than just consumer satisfaction or dissatisfaction of entertainment products, but rather with a broad spectrum of cultural reinterpretations, and newly acquired concepts. It is at this level of concept acquisition from contemporary culture media products that we create the interdisciplinary intersection of investigation for the present paper.

On these normative scaffolds, we create the idea of theoretical concept acquisition (TCA) opposed to expressive concept acquisitions (ECA). Traditionally, in the organized learning process, like the one we encounter in universities and colleges across the world, we find a distinction between theoretical training, and practical training. The first is supposed to be a transfer of knowledge, and abstract understanding of various disciplines, while the latter, either through simulation, or real interactions with professional activities, is supposed to be a training of skills, and competences. As such, we have a distinction between passive training (i.e. theoretical), and interactive (i.e. practical).

Within a novel understanding of these categories of learning, we propose an additional separation within the first category of ‘passive’ learning. As such, theoretical concept acquisition (TCA) remains bounded in the study of academic literature, as well as other broader study materials, such as professional publications, and case studies. But, we also explore and test, throughout the course of the present research, the use of expressive communication (Deacon *et al*, 2007) in the learning process. In the lineage of the constructivist theory, we have seen previous assessments of how the technology of instruction influences the way we perceive information, and recreate our understanding of the environment consequentially (Duffy and Jonassen, 2013).

According to Duffy and Cunningham (1996) there are two conclusions on which the constructivist field of study agrees. On one hand, there is large spread acceptance that learning is an active process of constructing rather than acquiring knowledge, and on the other hand, instruction is a process of supporting that construction rather than communicating knowledge (Duffy and Cunningham, 1996).

Our decision to analyse the manner in which negotiations techniques can be extracted from a popular culture movie was informed by several epistemological considerations. Firstly, we considered a large-scale audience American movie, which can constitute a valid basis of public representation. As such, we do not introduce any confounding aspects regarding the content or scope of the audience when we measure the concept acquisition from the respective movie scenes. Secondly, the “Batman: Dark Knight” movie benefits from an additional source of popularity, as it is based on one of the most famous story lines in the history of comic books, and as such both characters involved in the negotiation scenes (i.e. Batman and The Joker) are the focal point of any viewer.

Based on these two considerations, we consider the evaluation of concept acquisition based on the chosen popular culture movie illustration to be a genuine exercise, unbounded by artificial impositions. In other words, with or without the structured setting of a classroom seminar, any person watching the movie would have noticed the repertoire of the two characters. As such, our empirical assessments of whether there is variation in how these negotiation techniques are properly labelled in the minds of the lay viewers can have a generalizable power of inference. Furthermore, we do not analyse the visual materials included in the present research to have any representative power.

In most of the interpretivist, or constructivist lineage the use of visual materials falls in line with a broader assessment of the expression means available to the target population. Many experts do draw on the representativeness of comic book characters as archetypal cases, or representations of social values of the culture that produced them—most of them belonging to either the American popular culture of comic books (Wright, 2001; Meyer, 2003) or the Japanese popular culture of *manga* (Schodt, 2007). In our methodological construction this is not the case. We only use the character representations as vehicles of concept transmission. We devoid them of other interpretations, and significance, when we assess their power of representation of negotiation techniques. Still, as we present below,

we account for their background and significance, and we employ their popularity to test a widely responsive audience.

### 3. Negotiations Techniques Represented in the Popular Media Clip

According to existing assessments of the contemporary business environment, we see that stressors can have a harming effect on the short term, but are highly effective in creating an evolution effect on the long term (Kotler and Caslione, 2009, Taleb, 2013). According to this line of thinking, nothing innovative comes out of an established order. As such, our perspectives on what is the aim of a corporate negotiation should be adapted to a much less predictable environment, without traditional rules and techniques. We consider such innovative negotiation techniques throughout the course of this research, and as such we can find a good fit with improvised or ad-hoc negotiation situations, like the ones depicted in our selected movie.

In the movie *The Dark Knight*, directed by Christopher Nolan, the anti hero Joker, shows some magnificent manipulative negotiation techniques which enable him to reach his goals in the most efficient way possible. Studying his negotiation *repertoire* we come across the very essence of building a negotiation strategy. We know that is recommended, when building an efficient negotiation strategy, to create a systematic, interactive model of strategic choice that takes into account both substantive and relationship outcomes (Savage *et al.*, 1989). Nevertheless, when we study Joker's strategic vision, which enables him to achieve his scripted goals, we discover that this fictional character directs all his action to developing a prospective type negotiation. The essence of this type of negotiation is that it instructs the negotiator to get inside the head, and not the heart of its opponent (Cohen, 2010). As such, it is sooner a rational, rather than emotional domination, although the destabilization of the opponent ultimately achieves both.

The results that show up when creating and using such a strategy are way more spectacular than in the case of an integrative type of negotiation (i.e. win-win arrangements). In the case of an integrative strategy, both parties use this type of negotiation in their transactions to arrive at a mutually beneficial outcome (Rinehart and Page, 1992) that will serve both short and long term interests. For this reason, the negotiation process, with all its components should be regarded as a complex and intriguing interdisciplinary concept that attracts influences from several disciplines, such as sociology, psychology, statistics—just to name a few.

What is surprising about this character's build up, and implementation of the negotiation strategy is that he is not the typical villain, as portrayed in other Hollywood movie productions. As such, he comes across as a very complex character that is above good and evil dichotomies, but rather 'an agent of chaos' as he himself argues. We know that the evolution process comes and flourishes under stressors and unpredictability (Taleb, 2013). This is exactly what *The Joker* does to the community in which he chooses to put his plan into action. His chaotic behaviour allows him to represent unconventional techniques, enabling him to become the force that can change and "upset the established order", or "the unstoppable force that meets and unmovable object".<sup>1</sup>

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<sup>1</sup> excerpts from *The Dark Knight* script

We used discourse analysis to assess the relative positioning of The Joker's negotiations with other characters in the movie, and subsequently interpret his techniques. From his own point of view, he is a visionary villain: "I am not a monster, I'm just ahead of the curve". The means used for achieving his goals may be unorthodox, and may be regarded as too cruel and without honour, but in order to fight a truly corrupt system a new class of villains was required. As it appears in the storyline, the true objective of his endeavour, the aim that he wants to achieve through his manipulative negotiation techniques is quite interesting and complex. What surprises us is that he is not interested in acquiring wealth as all other villains do. His statements, as well as his fictional actions support this idea. As such, we can assert that his statement—"it's not about the money, but giving a signal", captures his state of mind, or target of his negotiation. His drive, his vision, along with the negotiation techniques used is what makes this character so interestingly complex.

As the script unfolds we can see that the character Joker comes from a different league of master negotiators. Some really interesting questions arise: *Why is The Joker above all the other characters? How did he manage to position himself in such a manner that his strategy works flawless?* The answer to these questions can reveal the very essence of Joker's modus operandi, and can resolve the mystery on why it represents such a powerful attraction for so many fans worldwide, and why this movie became a phenomenon in the popular culture world. To answer these questions we need first to understand the relationship between the anti-hero Joker and all the other characters. The main reason for Joker's ability to manipulate his opponents is that he understands the importance of building an efficient negotiation strategy based on the previously acquired information. This gives him a very powerful competitive advantage because he is able to use all this information in a very complex and innovative way taking by surprise the other parties involved in the negotiation process. Another reason for Joker's success is that he is able to create and implement all his plans undetected. At the beginning of this story nobody knew who Joker was and what made him so specially complex. This was a major advantage for him because he could work undisturbed, "under the radar".<sup>2</sup> The two elements combined, the use of information to create an efficient strategy, and the ability to remain virtually camouflaged, are key for winning the negotiation process.

At one point, at a meeting where the most notorious gangsters met, the character Chechen asks his fellow mobsters "Who is stupid enough to steal from us?" and he receives an interesting answers "Two-bit wack-job, wears a cheap purple suit and make up. He is not the problem, he is a nobody. The real problem is our money are being tracked by the police".<sup>3</sup> That defines the character Joker in the eyes of the parties that he deals with. In this sense, the storyline shows that neither the positive characters (i.e. Batman, Commissioner Gordon, or Hervey Dent), and the negative ones (i.e. the mobsters, corrupt policemen) do not know what they are up against because they are too concerned with their preexistent issues. In the negotiation arena, being too focused on only one direction of action and losing sight of important side events can take its price. The environment in which a negotiation is taking place can be very dynamic and take by surprise even the most experimented negotiators (Thompson, 1991).

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<sup>2</sup> excerpts from The Dark Knight script

<sup>3</sup> excerpts from The Dark Knight script

#### 4. Empirical Assessment of Pop Culture Representations

We used two methodological approaches to evaluate our considerations on the relationship between theoretical concept acquisition (TCA), and expressive concept acquisition (ECA) through popular culture illustrations. Firstly we conducted 3 focus groups with 7 participants, organizing the discussion around how they perceive negotiations techniques in general, and how they correlate popular culture representations with previously gained knowledge on corporate governance negotiations techniques. In our focus group exercises we attempted to connect theoretical concept acquisition (TCA) of negotiation techniques with expressive concept acquisition (ECA) through The Dark Knight illustrations of such techniques. The character Joker is “an agent of chaos” that disrupts everything and sends everybody in a new game, with new rules created by him. Confronted with this new challenge, everybody reacts the same way they always did, because they lack the capacity to understand the changes in the environment that they do business in.

Our focal point of our selection of popular culture representations of negotiation techniques is what we call the “look-at-you-go” moment, in one interrogation scene. This is when the character of Batman engages in a dominant negotiation with The Joker. But, for the very first time in this character’s storyline, he is taken by surprise, as his opponent does not react to aggressive methods. Furthermore, the latter seems to enjoy all the negotiation process, and control it from one end to another. We used this movie scene as an example of what the total lack of information can do to a strategy—it makes it impossible to develop, and unfold your negotiation intentions in an efficient way. The consequences are visible—Batman becomes a puppet in a game that he does not understand and simply did not anticipate. On the other hand, the Joker’s plan for Batman is not to destroy him physically but to transform and elevate him through trauma. This is the process that culminates with The Joker’s line “Look at you go!”<sup>4</sup> reflecting his strategy of destabilizing his opponent.

The existent research suggests that trauma survivors often view the world through darker lenses, a psychological experience on which inner representations of self and world are disrupted, colouring all future perceptions (McCann and Pearlman, 2001). In our selected clip, this was a very important component of bringing the other party in the reference points of the dominant negotiator. In our case study, physical aggression proved to be a failed dominant strategy (i.e. Batman), as the other party successfully restructured the reference system at his advantage, thus becoming dominant (i.e. The Joker). It was a representative selection of our characters’ interactions because only a tremendous shock could transform a predictable, stable character as Batman, into something completely new, “upgraded “ and with a different vision.

When confronted with new information Batman is still in control until Joker gives him his master blow. Joker makes Batman completely lose control and transform the masked vigilante from a crime fighting hero to a true bully with one piece of information about his plan that takes by surprise everybody. Joker understood what is Batman’s most vulnerable point, and hit hard. He took notice of the masked vigilantes’ reactions when he threatened Harvey Dent fiancé and acted accordingly. He was able to connect the dots and understand what could destabilize Batman. The look at you go moment is one of the most important moments in all the negotiation process between the two characters because it

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<sup>4</sup> excerpt from The Dark Knight script

shows how you can win a tough argument using pieces of information that is available to everybody but only one can decode it and use it accordingly. The look at you go moment is the one point in Batman's evolution process when he finally understands the fact that wearing his mask can no longer protect the people he loves, destroying the very essence of his reason for wearing a batman suit, and so he acknowledges his defeat and acts in a profoundly disappointing way.

We presented the students with a total of 3 scenes of negotiation between the two characters, accounting for outside forces as well. They were all preparing the "look-at-you-go" moment (i.e. destabilization), and that is a truly exceptional demonstration of mastery in a negotiation process—summing up various interactions with the purpose of building up your negotiation position. Such puzzle making in negotiation techniques is particularly hard to teach, without a storyline illustration, as sequencing of events, and context are both particularly important in constructing iterative negotiations.

The experimental method was based on two separate groups of students, with English-teaching economics background. Each group sample was 29 students. None of student groups had previous knowledge of the theoretical aspects of negotiations techniques that were used for the experimental design. Arguably, the specialisation in such disciplines makes the students most astute to experimental logic manipulations, thus adding rigour to our empirical evaluations. Furthermore, based on their language skills, the nuances of the English spoken dialogue in the presented movie clip is not a barrier of interpretation. One group of students was presented with a 20 min lecture on negotiation techniques, after which they were shown the movie clip. At the end of the experimental session, the students passed a test on the main negotiation traits they noticed in the movie (see Annex 1). The second group of students was shown the movie clip, and then they passed the same test as the first group of student. The students were ascribed to the test group and control group randomly, so no distinction of competence exists between the two groups.

The results show a marked increase in the students' perception of negotiation techniques in the pop culture representations, in the case of the group that first received a short theoretical lecture. This advances our previous findings from focus groups, where we saw a marked increase in the memory of negotiation theory, for those students who have been taught with complementary illustrations from the pop culture. Based on our focus groups and experiments, we assert that there is a powerful learning curve effect when the theoretical background is complemented with pop culture illustrations. An equally strong finding is that the ability to identify negotiation techniques in movie scripts is very much based on a previously acquired theoretical knowledge on the topic.

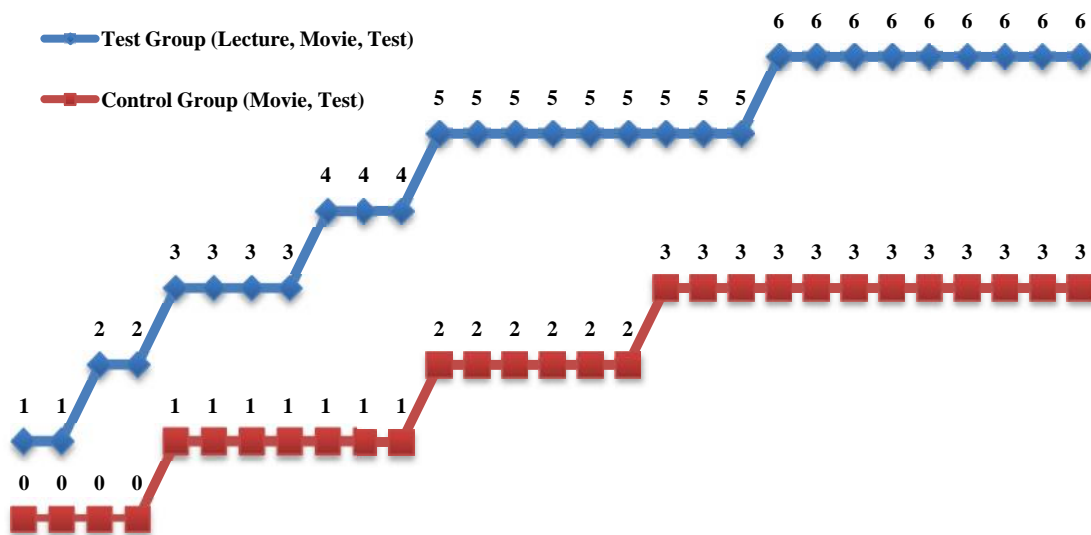
The results for the tests were calculated on a full value basis with the interval ranging from 0 to 6. The students were marked with 0 if they did not answer the question correctly and with 1 if they did answer it correctly. The point for each question was allocated on a pass-or-fail basis, with no additional considerations for the value of the answers. In other words, we considered a question answered if the student provided some arguments demonstrated previous knowledge or understanding of the concepts in question. If the students answered every question, they would be graded with 6, and if they did not answer any question, they would be graded with 0.

This approach permitted us to test whether there is a learning curve effect in the group that received all three phases of the experiment—lecture, movie illustration, and test, as opposed to the control group that only received the movie illustration, and the test. As we can see in Figure 1, we did record a significant increase in the test scores of those that benefited from the lecture as well—the test group, suggesting that there is in fact a

learning curve effect involved in those situations were theoretical concept acquisition precedes popular culture concept acquisitions.

In interpreting the results we also took into consideration the way we constructed the questionnaire, as half of the questions demanded specific terms of corporate governance techniques, while the other half could have been intuitively answered in a satisfactory manner. If in the case of the test group, the average grade was 4, the median grade was 5, and no student recorded a null score, in the case of the control group, the average grade was 2, the median grade was 3, and 4 students had null scores. As such, we find that the median grade value for the control group was 3, showing how those concepts that are easily acquired without a theoretical foundation, can be either easily deduced from popular culture role-plays, or intuitively derived from own experience and previous knowledge.

**Figure 1. Test Results on Negotiations Techniques**





effort from their part. While our empirical findings are derived from the undergraduate classroom environment, we contend that the results are informative to a much wider scale. This is because the better understanding we have on how people derive their professional cognitive instruments, such as negotiations techniques, in the case of corporate governance actors, the better training could be provided to them, thus effectively enhancing their skills and adaptability to practical situations.

Our first empirical goal, accomplished through focus group exercises was to confirm that popular culture representations, like other expressive forms of communication (e.g. graphic, video, music) create a better engagement with the learned notions. A vast array of academic and non-academic studies suggested this already, and we aimed at reconfirming this starting point for our analysis in the specific context of the concepts we were transferring—corporate governance negotiations techniques.

Furthermore, the present research also confirmed that a doubling of expressive concept acquisition (ECA) to the traditional theoretical concept acquisition (TCA) system is very important in understanding the practical dimension of our set of concepts in the field of corporate negotiations techniques. This second dimension of our research deals on one hand with a novel framework of assessment, by opposing the class-room education (i.e. theoretical concept acquisition (TCA)) to the lay, or ad-hoc education in the form of popular culture *mise-en-scène* of negotiations techniques (i.e. expressive concept acquisition (ECA)). On the other hand, the benefits observed in the dual training process might have informative merits for the educational process, especially in teaching practical techniques, like the ones we used in our case study.

Finally, we experimentally tested the level to which expressive concept acquisition (ECA) can suffice in the learning process. In other words, we tested how much people can learn about corporate governance negotiation techniques by simply watching movies. Our findings suggested that the concept acquisition in the latter case is significantly smaller than in the case where a theoretical foundation is laid down beforehand.

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### **Annex 1. Negotiations Techniques Questionnaire Used in the Quasi-Experiment**

1. In your opinion, what are “*the rules of engagement*“ when entering a negotiation?
2. What are the main stages of development in an efficient negotiation?
3. In what way do you think that randomness (“*chaos*”) influences the result of a negotiation?
4. What sets apart a good negotiator from an excellent negotiator?
5. How do emotions affect our negotiations efficiency? Why?
6. What do you think works best in a negotiation: obeying rules or creating new ones?