Internationalizing Education: Evaluating the growth of intercultural communication and competency in students through an international negotiation project using an online law office

Ann Thanaraj, Department of Law, University of Cumbria
Contact: ann.thanaraj@cumbria.ac.uk

Abstract
Graduates will need to be able to recognize and appreciate culture in a way that minimizes conflict, promote understanding and to establish a relationship of trust and confidence. The need for competency in intercultural communication and an awareness of ethical challenges sets out a challenge for academics. This study examines the types of learning and characteristics developed by students when working on a ten-week international negotiation project. It questions whether the study was an effective learning tool to raise consciousness of cultural diversity and effectively address the 'stumbling blocks' identified in intercultural communication. Using the findings from this, the study will consider the factors academics should consider when designing high quality, equitable and global study programmes in order for students to develop cross-cultural capacities and aptitudes in order to be able to perform, professionally and socially, in a multicultural environment.

Internationalising curriculum and its challenges

A global education is seen as a hallmark of quality higher education (Bourn, McKenzie & Shiel, 2013). Graduates of the 21st century require the competency to communicate, reflect, understand and listen to a range of perspectives within a complex global workforce (Chen & Starosta, 1996; Clifford, 2009; Green and Mertova, 2011).

The paper offers an example of a small scale international negotiation project using an online law clinic platform in a law module. The research assesses the awareness and growth of intercultural communication and competency in students. This is a small case study with a sample of 24 students. The author does not intend to generalise the results of the study, although, from the findings, the author shares her thought and reflections on design and development curriculum, pedagogy, assessment, graduate qualities and values in a curriculum, within the perspectives of an internationalised curriculum, which the reader may find of interest and value.

Internationalisation of higher education is the process of integrating and embedding an international and intercultural dimension of learning into the teaching, support, personal development, research and service offered by an institution to all students (Back, Davis Olsen, 1996). Curro and McTaggart (2003) explain further that it is a 'change to make the curriculum more engaging and relevant for students from cultures different from that of the university itself, and… change to prepare students from the home and other cultures to live and work in settings and organisations quite different from those of the university's home culture' (p1). Byram (2007) explains that the design of an internationalised curriculum should aim to promote a high quality, equitable and global learning experience through the knowledge, skills and attitudes, complemented by the values of intercultural competence. Alongside intercultural competencies, a truly international curriculum will provide opportunities to learn global perspectives of their subject discipline and develop cross-cultural capacities and aptitudes in order to be able to perform, professionally and socially, in a multicultural environment (Brookfield, 2005).

This is a helpful starting point for academics to consider opportunities that could provide students with appropriate tools to raise awareness of intercultural communication barriers, identify cultural assumptions and understand their effects on communication and, consequently, find new practical approaches to overcome such assumptions through a process integration of global perspectives into the design, development and evaluation of the overall pedagogy, assessment, graduate qualities, values, culture and intercultural understandings. A key question is what internationalisation might mean at the disciplinary level such as in legal education, in business studies or in drama and theatre.

This study sits within the subject discipline of law. It evaluates the necessity to internationalise legal education briefly, and there are strong pedagogical reasons to invest time and resources into an

internationalised curriculum. The rationale used in the legal education sector is applicable to many other courses taught at universities. The study and practice of law has predominantly been thought of as one which is nationalised because of the restricted nature of the jurisdiction and applicability of law. However, globalisation in the legal profession has increased demands for cross-border legal services involving several national and international legal systems. This demand places intercultural communication as a vital skill for lawyers. The need for 'sensitivity and effectiveness with diverse clients and colleagues' is one of five professional values deserving attention during law school (Stuckey et al, 2007, p.88) was set out as a 'Best Practices for Legal Education' report in 2007 by the Clinical Legal Education Association report. The 2013 Legal Education and Training review (LETR) set out recommendations which were necessary to place a greater emphasis on ethics and diversity; thereby making ethical behaviour and cultural competencies central to the teaching of legal education. Law graduates need a more globalised attitude and exposure to understanding and the practice of law.

Developing intercultural competencies
Crucial to this discussion is the need to identify what intercultural competency is and the barriers or 'stumbling blocks' (Barna, 1984) to competent intercultural communication. Assumption of similarities within cultures can result in 'a biased set of assumptions in favour of one's own ethnic group' (Guirdham p. 149). This confirms the doctrine of 'otherisation' where people view their own cultural as being ordinary and considers other or different cultures as being unusual (Holliday, Hyde & Kullman, 2004). Further to this, having a single perspective about group differences limit the extent to which cultural practices and activities can be understood. It is equivalent to 'looking through the one-way mirror; everything we see is from our own perspective [Lynch, 1992, p. 48]. Tendency to evaluate based on our own standards are misdirected. Instead we need to be open-minded and understand and examine attitudes and behaviors 'from the other's point of view' (Barna, 1984, p. 342). Furthermore, this can also lead to stereotyping. It has been pointed out that these are over-generalized second-hand beliefs gained without awareness of their accuracy (Barna p. 341). Further, cultural standards are mere guidelines to bear in mind when communicating with an unfamiliar culture. Stereotyping people from different cultures on just one or two dimensions can lead to erroneous assumptions.

Language difference and linguistic variations can cause a challenge. It is imperative to keep this in mind when dealing with a group of multicultural individuals in order to avoid stereotyping (Kaushal & Kwantes, 2006). Finding a common ground during communication to help convey messages as intended can minimize misunderstandings (Mead 1994, Ting-Toomey, 2005). What does it actually mean when one is said to be a good communicator? This can vary from one culture to another and from one profession to another. Meyer (2014) explains that in low-context cultures, good communication is precise, simple, explicit, and clear. Repetition is used for clarification. She explains that in high-context cultures, communication is sophisticated, often implied but not plainly stated and open to interpretation.

In communicating, non-verbal misinterpretations are most commonly interpreted through the frame of reference to our own culture and this can lead to misunderstandings (Herring 1990, Barna p. 341). Emotion may be expressed or suppressed, therefore signs of grief or happiness may be completely different from one culture to another (Barna p. 337). Different cultures have varying ideas about how productive confrontation is to collegial relationships. In Navigating the Cultural Minefield by Erin Meyer (2014) published in the Harvard Business Review, she explains that team working and trust is not always built upon personal relationships, instead through collaborating, prove ourselves reliable, and respect one another's contributions, we come to feel mutual trust.

Having identified some of the challenges to cultural competencies and communication, we will explore the necessary knowledge, skills and attitudes to demonstrate effective intercultural communication competencies, which is useful to bear in mind when designing activities to promote intercultural awareness and communication competencies in students. There is a range of different opinion on what it means to be interculturally competent. Deardoff (2006) explores intercultural competency from the perspective of attitudes, approaches and behaviours which allow for successful integration. The ability to demonstrate key skills and attitudes such as being mindful and creative in maintaining an optimal sense of balance between different identities were seen as qualities of a competent intercultural communicator (Ting-Toomey (2005).

This paper builds upon Byram, Kühlmann, Müller-Jacquier and Budin's (2005) intercultural competence assessment tool named INCA which distinguishes six dimensions of cultural competencies: tolerance for ambiguity; behavioural flexibility to the changed situation; communicative awareness, linguistic expression and content of culture; knowledge about different cultures and the ability to use them while communicating; respect for otherness; and empathy in a specific situation for others. Having evaluated the literature above, the author offers a four-stage skillset featuring the cultural awareness, knowledge, skills and attitudes necessary, adapted from Byram, Kühlmann, Müller-Jacquier and Budin's (2005) model to demonstrate the process of competency development.
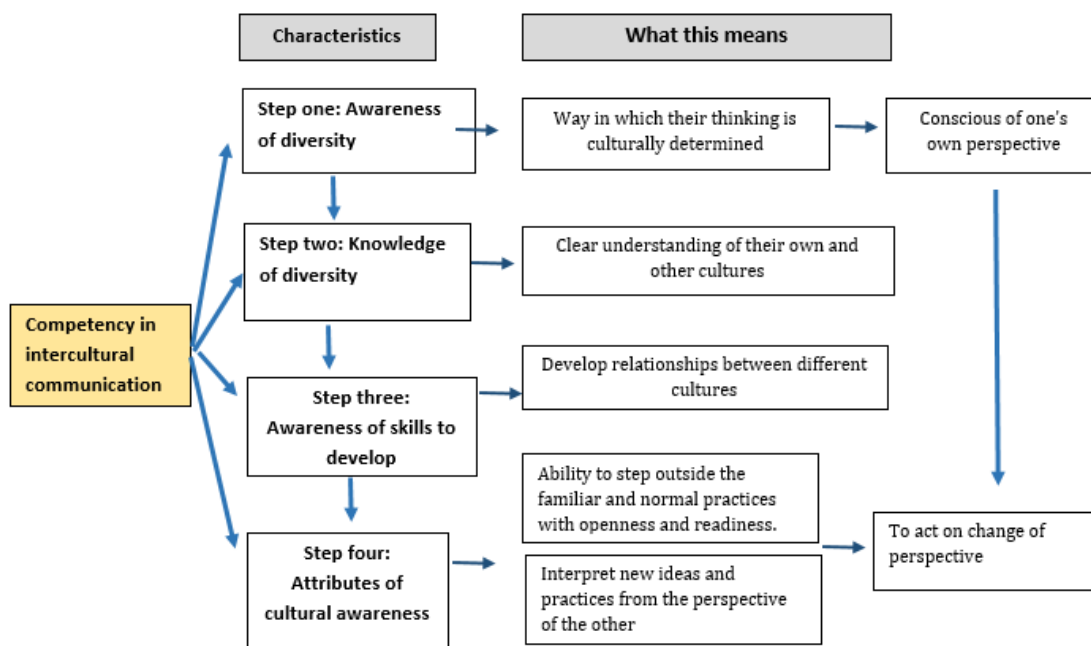
Figure 1: The author submits that this skillset can be used in building intercultural activities into curriculum. These characteristics are developed through four stages. It is built upon the theoretical work of Byram, Kühlmann, Müller-Jacquier and Budin (2005)

Figure 1 begins with the necessary knowledge and skill to interact effectively and in a manner that is acceptable to others. This is gained through self-awareness, which lies the heart of understanding others and the surrounding world, and is seen as a starting point in becoming culturally competent (Trumbull & Pacheco, 2005; McCabe, 2006; Byram 2007). Self-awareness and the ability to reflect on one's awareness allows time and space to derive a wider perspectives about diverse cultures allowing for greater appreciation and acceptance (Lynch, 1992). Like Byram, Kühlmann, Müller-Jacquier and Budin's (2005) model, the author's skillset explains that building cultural knowledge and sensitivity about cultural norms, family practices, beliefs, and values is necessary to develop awareness, skills and attributes is necessary. The next step in developing competency is in the ability to recognise and deal with differences through empathy, respect, understanding, patience, and non-judgmental attitudes (Lum, 2003; Campinha-Bacote, 2003 & Mahone et el, 2006).

This skillset will be put to the test in this case study to evaluate whether effective use of this skillset in a learning activity will allow students to identify actions and beliefs within their own culture that may prevent effective dialogue with culturally different individuals and may inhibit interaction with them.

Research questions
This paper aims to evaluate using a case study methodology involving 24 students from a UK and a German university, two questions:

1. Could an online international negotiation project with a group of students from the UK and Germany, designed with the aim of drawing out the four proposed characteristics of a competent

intercultural communicator raise effective learning, awareness and consciousness to effectively address the 'stumbling blocks' identified in intercultural communication?

2. What recommendations could academics consider when designing high quality international study programmes in order for students to develop cross-cultural capacities and aptitudes?

The study

Despite the jurisdictional focus of undergraduate law programmes, there is a critical need for law graduates to be equipped with a diverse and international perspective of the practice of law. The law programme at Cumbria sets out a list of graduate attributes and skills which we aim to cultivate in our students. These are mapped into our programme learning outcomes. Examples include the need for graduates from the programme to display an ability to think globally and consider issues from a variety of perspectives; appreciate the importance of multicultural diversity to professional practice; value diversity of language and culture; and appreciate the different lawyering practices in other jurisdictions. By setting ourselves the goal to provide an international and intercultural programme, we aim to promote an international outlook for learning and student experience for all our students. An international curriculum, although tricky for law because of its restriction in jurisdiction and limitations to the applicability of the law outside of England, it is one of the lead initiatives that enhances our key graduate skills at programme level.

This study offers an insight into a module which features, amongst other activities, a 10-week international negotiation exercise which situates the students in a bespoke online law clinic application to represent a client and negotiate a cross-border transaction. The application has a number of features including document management, group management, user-to-user messaging, video conferencing and pre-recorded video instructions for students, built-in reflective journals and email notifications. The platform is private, secure and confidential with everything discussed between the student advisor, supervisor and the client remains confidential and recorded for supervision, training and archiving of law files. It offers students the opportunity to experience a modern and global legal education through undertaking the practice of digital lawyering in a secure and confidential environment under the supervision of law tutors.

The negotiation project involved an English pharmaceutical company negotiating with an agricultural plant in Arizona to acquire a supply of raw products for a new patented drug. Ideally, the goal is to reach an agreement between the two parties, although a failure to reach an agreement is nevertheless still a useful learning experience. It was designed to promote a learning experience informed by international perspectives on legal processes, intercultural communication, empathy and sensitivity to all forms of diversity. The networking and collaboration allowed students to engage in interaction and cross-cultural understanding and develop sensitivity to the perspective of others. The context of this collaboration requires students to incorporate a range of perspectives and ideas, whilst learning to deal with ethical and cultural challenges.

As a learning tool, Hofstede and Pedersen (1999) approve the use of online platforms which are designed to simulate the function of real life offices and clinics as a highly valuable tool for engaging with various cultures, a good way of practicing one's openness towards new ideas and cultures through collaborations, exploring emotions and behaviours. Ting-Toomey (2005) explains that simulations facilitates understanding and experiencing different ways of tackling intercultural conflicts.

The negotiation ran across two jurisdictions; the second year Law students at the University of Cumbria in the UK represented the pharmaceutical company and a group of second year students from a German law school studying both German and American law represented the supplier. 12 students from Cumbria and 12 students from the German law school participated in the study. 10 of the students from Cumbria were typically local to the region or from the north of England, whilst one was from Poland and the other from Latvia. The German students comprised of 8 of German nationality, 4 from other EU member states.

Prior to the negotiation activities, the module tutors led an introductory session on the negotiations process, codes of conduct and ethics, styles and strategies of negotiating and the role of the lawyer in business transactions were provided. The exercise was carried out in English though a combination of

online written and virtual live negotiations between the teams via video conferencing. Having undertaken preparation work in individual teams, each week, students were expected to undertake an activity through the online law clinic with the other team. Each student was asked to reflect on the negotiation to gain an insight into their own pre-conceptions, biases and opinions; their understanding of the process itself and their understanding of how their contribution had been perceived by others. Teams were asked to discuss their reflections to consider and overcome any cultural differences in communication and/or strategy between the teams. The student experiences were used to identify conflicts in new intercultural experiences.

Methodology
In this study, the participants were observed and studied over a ten week period. The observations explored the stumbling blocks to communication during the negotiation process, identifying the intercultural conflicts and establishing whether and to what extent the cultural consciousness and intercultural competencies were developed after the 10-week negotiation activity.

The research questions in this paper will be answered through a case study methodology as it lends itself well to help understand relationships between groups of people and processes of thinking and development of intercultural competencies grounded in lived reality. Through a case study, the research questions can be explored in-depth through the eyes of the participants. It allows data to be examined in real-life environment (Yin 1984, Hamilton 2011) allowing the researcher to capture the variation in experiences. This approach allowed the authors to expose the more personal, cultural and organisational reasons why individuals elect to take up or avoid online teaching, driven by the research questions of the study.

By definition, case studies can make no claims to be typical, and therefore generalisation is not possible. Furthermore, because the sample is small and distinctive. However, case studies can facilitate rich conceptual and theoretical development, whereby existing theories can be brought up against realities to generate new thinking and new ideas.

Primary data was gathered through a combination of observations and interviews. Observations offer powerful, holistic and insightful data based on what is seen in real life (Denscombe, 1998; Merriam, 2001). The 'double-entry' system helped separate observations (facts) from feelings and comments about the facts. The system requires the transcription for the observations to be coded twice using emergent coding categories and statements. The observation was then used in conjunction with the interviews to test the validity of previous literature (Eisenhardt 1989). The observations were made on:

a) Students' participation and interactions with the German team during the live online negotiations over three weeks, with particular notice paid to non-verbal cues, behaviours, occurrences and non-occurrences within the virtual environment;
b) Online communication logs from both teams;
c) Reflective journals from both teams.

Acknowledgement and consent from the participants in both teams were obtained for the observation during live interactions and for observations on the communication log and reflection log for the full ten weeks.

A content analysis study was undertaken on the interview data and the online messages to facilitate understanding of how people make sense of their experiences and act on them. According to Titscher et al. (2000), content analysis is 'the longest established method of text analysis among the set of empirical methods of social investigation' (p.55). Bryman (2004) defines the process of content analysis as 'an approach to documents that emphasizes the role of the investigator in the construction of the meaning of and in texts. There is an emphasis on allowing categories to emerge out of data and on recognizing the significance for understanding the meaning of the context in which an item being analyzed (and the categories derived from it) appeared' (p.542).

Data from these multiple sources were converged in the analysis process, contributing to the facilitation of a holistic understanding adding strength and rigour to the findings. Trustworthiness of the data was

maintained through theory triangulation based on the earlier mentioned case study propositions. Triangulation enhances data quality based on the principles of idea convergence and the confirmation of findings (Knafl & Breitmayer, 1989).

Results

The results of this study are presented as a narrative. This is intended to demonstrate how progress was made from cultural naivety and unfamiliarity to gaining a level of awareness and appreciation of cultural diversity and over time developing cultural sensitivity in the process. There were 24 students participating in this project – 12 from Cumbria and 12 from Germany. The narrative begins with week 2, after the induction to the module in week 1. The narrative offers the researcher's observations made from the live negotiations and quotes from reflective journals and chat logs from both the groups of students.

Week 2:

Both teams were introduced to the multi-jurisdictional exercise. The reflection logs showed that some research had been undertaken by the German students on the student base at the University of Cumbria, to establish some sort of understanding of the type of people they will be negotiating with and they were 'looking forward to discuss legal matters with talented and like-minded students from England' (entries from German student 6 and 9's journals) The reflection also showed that both teams were anxious to 'pitch the tone' (journal entry from Cumbria student 11) of the initial communication at a level that was 'appropriate and respectful' (journal entry from Cumbria student 10). As evidenced by the reflection entries in week 2, both teams made an effort to understand each other and to work together and minimise any judgement about each other and their cultural background. Student 2 from Cumbria reflected, 'We realised that we need to work with respect, and work together as a team with the other team'. Student 4 from Germany stated 'I think we need to explain ourselves clearly and try and be accommodating… after all, we both want to learn from this exercise and we need to get to the negotiation in a few weeks'.

Weeks 3-4:

Once the communication began, the back and forth written communication via a chat-based system between the teams revealed that the two groups had differing ideas of their ideal negotiation strategy and their persistence to maintain their ideas led to an inability to agree on basic arrangements to carry out the negotiations. No agreements were reached during these two weeks. In week 3-4, the chat transcriptions and the reflection logs revealed that the students had set mutual targets against deadlines prior to initiating discussions about planning the negotiation. In this way, the 'focus on the deadlines' moved the communication forward. The researcher's observations of the communication logs at the end of week 4 and the interview comments indicate that the virtual simulation had raised consciousness of cultural diversity. Student 7 from Cumbria was worried that 'the negotiation will be a waste of time if they did not speak or write English well'. Although there was evidence of preconceptions around language barriers and superiority, some students appreciated the experience of working in a multi-jurisdictional/multi-cultural environment. Student 3, from Germany wanted to '…learn from the other team and understand how they do things' and she welcomed this opportunity, 'I think that it might be something to do with accepting everyone for who they are, which is really important as a lawyer, our clients are going to be so diverse….'.

Week 5:

Both teams were in conflict and any exchange of discussion was counterproductive. It appeared that the German team struggled to get their views across, to an extent due to language, misunderstandings and confrontational attitudes. Student 1 from Germany commented 'We have a different set of civil procedures as compared to England, and we are using ours and they are using theirs. This is the problem. We did not discuss our process or strategies earlier'. Reflections in Week 5 indicated that both teams realised that these conflicts had to be addressed and reflections revealed that a conscientious effort was made towards creating a 'common ground' (as per student 1's reflection from Germany) where practicality through deadlines and 'acting as a professional' (as per student 7's reflection from Cumbria) was the forefront of the collaboration.

Although the initial few weeks created a communication and culture clash, the frequent examination of preconceptions through the weekly reflections revealed appreciation and understanding and then acceptance of becoming acquainted with a new culture. This process developed successful mutual understanding. Student 2 from Cumbria was clearly aware that '…My team assumed that the German students did not speak English as well as we did. We were wrong. And because of that assumption, we got it all wrong at the start and wasted a lot of time arguing with them. Actually we could have learnt more appropriate legal words from them!' Student 7 from Cumbria, who had initially been worried that the opposing team wouldn't be able to speak English well, realised that understanding a new culture is a stepping stone towards successful communication. She said 'half the battle to intercultural negotiations is to understand who one is as a person. You know… the biases and predispositions that person brings to the table'. Student 3 from Germany had found the activity to develop her '…emotional skills, values, responsibility, resilience, confidence, self-awareness and humility'.

Weeks 6-8:
Students began to negotiate via videoconferencing. Live observation of the negotiations over a three week period showed the teams were trying hard to avoid conflict to facilitate a productive discussion. During the researcher's observations of the live online interactions there were evidences of some tensions and misunderstandings. The pace and pronunciation, verbal and non-verbal cues, had limited the ability of the teams to communicate. For example, the one of the teams considered it inappropriate to express individual opinions too strongly in a legal transaction (by correctly interpreting the professional codes of Solicitors) whereas the other had expected all information (both personal opinions and on that within the brief) to be conveyed thoroughly (by correctly interpreting the German State Advocates codes).

Weeks 9-10:
By observing the team negotiate through teleconferencing, over the weeks, the teams began to focus on listening and understanding each other. Student 1 from Germany found that it helped her '…think about how I interact in a team and with other team members' and Student 8 from Germany found the exercise to '…build confidence and thinking about communicating sensitively and respectfully with different cultures '. These results indicate that the virtual simulation raised and successfully addressed the 'stumbling blocks' identified in the literature.

During the debriefing, the English team were aware that their initial 'lack of appreciation' (quoted from Student 7 from Cumbria) for the German team and 'lack of knowledge of different legal process and an unfamiliar culture' (quoted from Student 9 from Germany's reflection entry) were a significant source of the conflicts. The final reflections indicated that one of the positive aspects of collaborating with multicultural teams is the generation of new ways of thinking and behaving. Despite her initial comments made at the start of this exercise, after the 10-weeks of negotiation, Student 7 from Cumbria said in her interview 'This is a great opportunity to practice how I come across to others. Language is important. I need to be able to communicate with people, and make sure that what I'm saying is being understood'.

Observations of the live participation and the communication and reflection logs revealed that the negotiation exercise has facilitated both teams to explicitly confront their own cultural assumptions and to consider and realise the cultural assumptions of each other. In working to resolve problems in intercultural communication contexts, Student 8 from Cumbria said 'The project allowed us to … consider what happens when people from different cultures try to negotiation – you know, this is going to happen when we are lawyers and we cannot afford to mess up like this time around'. This rise in awareness was echoed by both teams. Student 5 from Germany found that he had developed his professional identity as a future lawyer explaining that 'It gave me the time and space I needed to reflect and learn from my experience of how law operates in different jurisdictions and how to negotiate within cultural barriers. Student 6 from Cumbria added she had '… pride in being a law student, a responsibility towards upholding the values of the profession'.

By the end of the international negotiation exercise, students were mindful and aware of the sources of their conflicts. Having realised and now being aware of cultural traits that are different to their own, students are more prepared to practice an open-minded, welcoming and mindful attitude towards

diverse cultures. Student 10 from Cumbria said 'The negotiation with the German students opened our eyes to a different culture and their approaches to negotiation. Apart from acting for our client, there were a lot of indirect reflections that I had to make to ask myself why I am reacting in a certain manner. Made me more aware of who I am … I began to *realise my reactions'*.

Discussion

The purpose of this study was two-fold:

- First, to evaluate the effectiveness of an online international negotiation project with a group of students from the UK and Germany, designed with the aim of drawing out the four proposed characteristics of a competent intercultural communicator.
- Second, to reflect upon how study programmes could be designed to promote high quality international study programmes in order for students to develop cross-cultural capacities and aptitudes.

The awareness and learning gained from this experience demonstrated that the negotiation exercise was a useful learning tools in facilitating cultural awareness, consciousness and in getting students to think about the manner in which they communicate and present themselves, their thoughts and ideas competently. Although concerned with individual students' growth in cultural awareness and diversity, figure 2 offers a snapshot of the levels of knowledge and experience, skills and attributes of the teams during the negotiation project as the negotiation progressed using the skillset framework designed in figure 1 as an assessment matrix.
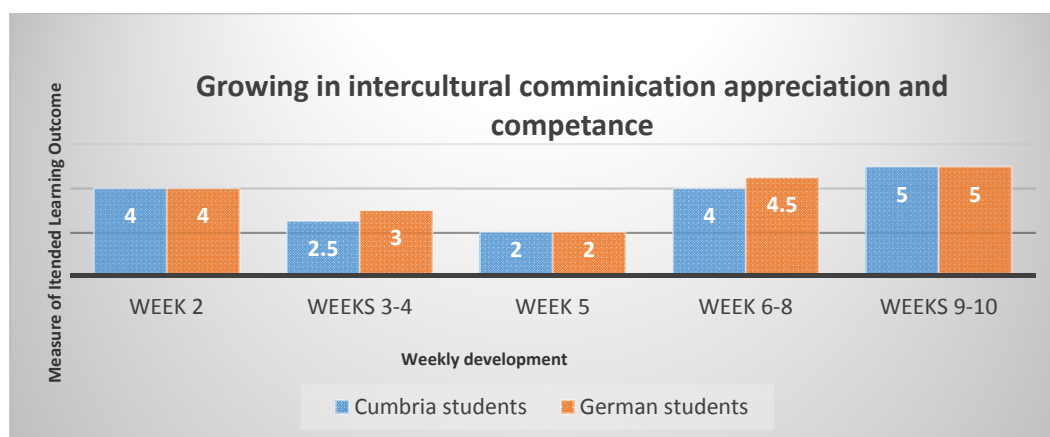

Figure 2: Evaluating and measuring the development of Intercultural Competence

Raising self-awareness and cultural knowledge through reflection could lead to cultural appreciation

This online international negotiation project has raised the importance of self-awareness and raised consciousness of how cultural differences brought on by the lack of understanding and knowledge can in fact affect how one communicates with another (Campinha-Bacote, 2003; Fong & Furuto, 2001). The students have realised that it is essential to become familiar with the different cultures to better appraise themselves without preconceptions. The findings are coherent to Mead's (2004), Barna's (1994) and Ting-Toomey's (2005) observations that it is possible to address conflicts in intercultural communication by recognizing and respecting that cultures are all different, and that no one 'correct' or superior or standard culture exists.

To overcome intercultural communication barriers, Barna (1984), Ting-Toomey (2005) and Meyer (2014) advices us to become familiar with the different culture, gather knowledge on their customs, practices and values. This will avoid intercultural obstacles and allow us to better appraise ourselves from a non-ethnocentric perspective, through being mindful, attentive and non-judgemental and without preconceptions.

The experience had provoked reflection about one's own assumptions and views towards a different culture. The engagement within the project provided opportunity to learn about the cultures and

languages of others, to consider their cultural identities and the extent to which this is influenced by the cultures and environments. Although, strong culture clash in the early stages, the clash brought sources of conflict across cultures to the surface and subsequently provided opportunities of handling it effectively through focusing on a common goal and vision embodied in the given task that needs to be achieved. When communicating, especially in an intercultural context, we must be mindful and considerate in the manner of our speech. Through cross-cultural communication individuals become more aware of cultural differences in eye contact, facial expressions, proximity, body language, gestures, and variations in how a common language is spoken and interpreted.

Establishing values, ethical behaviour and professional identity in students
Bryant (2001) has written about the ways in which culture might affect professionalism in lawyers and stresses that it is important to be self-aware and to identify cultural differences that might affect client representation (p.68-70). Reflecting on one's own values and the values and attributes required by their profession or study discipline is key to students' development of meeting the global attributes of a 21st century graduate. One of the intended learning outcomes in the international negotiation was to establish appropriate professional development and character building.

This study has shown that students developed a positive professional identity, awareness of ethics and finding reasoned and logical solutions, thereby laying foundations of professional character (Rest, 2003). The results of this study confirmed Mead's (2004) theory that it is only possible to address conflicts in intercultural communication by accepting that various cultures can be intrinsically different, and respecting that no one correct or standard culture in fact exists.

The experiential learning facilitated critical reflection by being able to fully appreciate and understand their role as lawyers through engagement with professional and legal values and ethics. Students also needed to draw upon the values they hold, their exposure to diversity and finding collaborative and mutually satisfactory ways of working within an international contexts. The exercise had been valuable in developing skills and students' capacity for judgement and experience of analysis and evaluation though negotiation. Students developed a clear understanding of the need to act with integrity and of most significance was the need to be receptive to different ideas and ways of working across cultures and learning contexts.

Through the findings of this study, the skillset framework in figure 1 has been expanded to offer types of characteristics and behaviour that a programme of study should aim to develop in students, necessary for successful development of intercultural communication competency.

Awareness of diversity
- Developing respect and the willing to interact successfully through acceptance of other values, cultures and practices.
- Opportunity to learn from experience and seeking ways of handling intercultural situations.

Knowledge of diversity
- Being prepared and agile to deal with new situations.
- Development of skills to handle unfamiliar situations.

Skills to develop
- The necessary knowledge, judgement and skills with successful strategies for dealing with differences.
- Empathy through acceptance that all things have a wide and varying perspectives
- Communicative awareness through the ability to intercede when difficulties arise and tactfully support other members of the group in understanding each other.

Using the observations and evaluations of the study, this paper will reflect upon how study programmes should be designed to promote high quality global learning experience for students, armed with the necessary skillset necessary for work in a multicultural world.

Embedded intercultural communication competency into the design, development and evaluation of all aspects of a curriculum

From an academic's perspective, in order to inspire and deliver an educational experience which is fit for purpose in the 21st century, we have to develop our teaching methods with an explicit account of cross-cultural awareness in the curriculum and need to include strategies for supporting learning that respects and values cultural differences. It is evident from the study that the development of one's intercultural communication competence can be seen as a developing and growing process determined by exposure to discussions, participation, and disagreement which lead to the experiencing cultural competence in any given situation.

The setup of this 10-week study facilitated a critical reflection of the assumptions, predispositions and values one holds, leading towards an assessment of immediate thoughts when meeting someone who is different culturally and having the opportunity to evaluate the benefits of holding on to such assumptions and values. Through the reflection process, there was space and time created to set out ideas on how to break down and change these biases and predispositions and looking at longer-term strategies of tackling such assumptions should these resurface in the future.

These processes will need to be embedded into the curriculum design and delivery. In designing internationalisation and intercultural learning into programmes it is important to recognise the significance of these characteristics in learning outcomes, content, teaching approaches, and learning activities and in assessment. The cornerstones of a liberal education is intellectual freedom, emancipation, creativity and cultural literacy (Burridge & Webb, 2002).

This study has found that the value of emotions and trust in intercultural communication through the use of virtual simulation platforms ought to be the focus of a future study. Furthermore, research into the pedagogical context of internationalised elements of curriculum development is essential. In order to bring about effective understanding, appreciation and culturally diverse graduates, universities require effective staff development programmes to support their curriculum developers.

The next step in this study is to offer some recommendations that can be made for academics looking to internationalise their curriculum. The Quality Assurance Agency and the Higher Education Academy (UK) have both advocated that internatioalising curriculum is a process of equipping students with the knowledge and understanding, skills and attributes needed to work and live in a way that safeguards environmental, social and economic wellbeing, both in the present and for future generations (QAA, HEA 2014). The recommendations within this study begin with the idea of placing internationalisation of curriculum in the heart of curriculum through its design, development and evaluation of the pedagogy adopted, assessments, graduate qualities, and learning outcomes.

Pedagogy & assessment considerations
- Learning outcomes to develop cultural awareness and sensitivity in an internationalised content
- Necessary knowledge, skills and attributes are mapped onto the learning outcomes
- Students are given creative assessment tasks to demonstrate achievement of the learning outcomes
- The learning and teaching methods and activities develop these knowledge, skills and attributes

Learning and Teaching
- Students are encouraged to use examples from their own experiences;
- The class discussions could focus on international issues and examples;
- Students are assessed through a comparative study model, in line with the learning outcomes,
- Simulated role playing to raise awareness and sensitivity to cultural barriers, developing strategies to resolve the issues;
- Discussion groups compare ways in which international standards and practices are applied in subject discipline.

Graduate attributes
- Demonstrates awareness and sensitivity to uncertainty and new ways of practice
- Appreciates the importance of multicultural diversity to a successful professional practice

- Values diversity of language and culture;
- Appreciates the need to apply international standards and practices within the subject discipline

Staff development
- Exposure to and understanding of cultural diversity
- The value in staff exchange and study abroad programmes
- International collaborations

Conclusion

This study began with a discussion on understanding what is meant by intercultural communication competency, and from existing literature, it offers a four stage framework to help students reflect upon their own 'graduateness' and competencies fit for work in a global-centred world, and for academics to identify suitable learning activities to develop and build upon cultural awareness to cultural sensitivity.

The study has demonstrated that a simple, international negotiation exercise which consciously builds into it activities that can draw out the key characteristics of a culturally competent communicator, can create learning opportunities for students to gain consciousness of cultural diversity and effectively address the 'stumbling blocks' identified in intercultural communication. More interestingly however are the findings from the study which shows that a carefully designed activity, giving students the space, time and opportunity for reflection and planning can bring to the surface ethical and cultural issues and successful ways in which these can be tackled by the students themselves.

Using the lessons learnt from designing this study and the findings from it, this paper offers an opportunity for academics to rethink existing curriculum so that graduates can be equipped to successfully contribute professionally and socially. The recommendations offered are intended to assist in designing, delivering and assessing high quality global study programmes which can lead to students developing multicultural capacities and aptitudes.

This paper hopes to encourage academic leaders in universities to hold discussions on what internationalisation means for their own institution and their students and offer academics the support necessary to see how their subject discipline can be internationalised. Through this, it is hoped that each university will formulate a clear definition of graduateness within the context of making students ready as a global professional, and this should become a central feature of all study programmes, alongside effective staff development programmes.

References

Anderberg, E. (2000), 'Word meaning and conceptions: An empirical study of relationships between students' thinking and use of language when reasoning about a problem', *Instructional Science*, 28, p89–113. Last accessed: 05/09/2015 from:
http://www.springerlink.com/content/l82l42t6356h3m31/

Anderson, P. & Lawton, L. (2009), 'Business Simulations and Cognitive Learning: Developments, Desires, and Future Directions', *Simulation & Gaming*, vol. 40, no. 2, p193-216. Last accessed: 07/09/2012 from:
http://www.coulthard.com/library/Files/anderson_2009_businesssimulationsandcognitivelearning.pdf

Barna, L. (1994), 'Stumbling Blocks in Intercultural Communication', Last accessed 04/09/2015 from:
http://pharmacy304.pbworks.com/f/Barna,+L.M.+(1994).pdf

Becker, H. (2000), 'Generalizing from case studies', in Eisner & Peshkin, *Qualitative inquiry in education: The continuing debate*, p. 233-242, New York: Teachers College Press.

Bennett, J & Bennett, M. (2004), 'Handbook of Intercultural Training', 3rd edition, Thousand Oaks, Sage Publications

Bremer, L. and van der Wende, M. (1995). *Internationalizing the curriculum in higher education. Experiences in the Netherlands*. Amsterdam: Nuffic.

Brookfield, S. (2005). *The power of critical theory for adult learning and teaching*. Maidenhead: Open University Press.

Bryant, S. (2001), 'The Five Habits: Building Cross-Cultural Competence In Lawyers, 8 *Clinical Law Review*. p33. Last accessed: 25/07/2015 from:
http://www.law.cuny.edu/faculty-staff/pedagogy/bryant-habits.pdf

Byram M; Kühlmann T; Bernd Müller-Jacquier; Budin G. (2005, 01 21). *INCA The Theory from Inca project*:
http://www.incaproject.org/en_downloads/24_INCA_THE_THEORY_eng_final.pdf

Clifford, V. and Montgomery, C. (2011). Ch. 1 Introduction: internationalizing the curriculum for global citizenship in higher education. In V. Clifford and C. Montgomery (eds.) *Moving towards Internationalisation of the Curriculum for Global Citizenship in Higher Education*. Oxford, UK: OCSLD, Oxford Brookes University, pp.13-24.

Denscombe, M. (1998), *The Good Research Guide for Small Scale Social Research Projects*, Buckingham: Open University Press

Eisenhardt, K. (1989), 'Building Theories from Case Study Research', *Academy of Management Review*, Vol.14, p.532-550. Last accessed: 29/08/2015 from:
http://www.jstor.org/stable/10.2307/258557

Friedman (1997), 'Alternative Dispute Resolution and Emerging Online Technologies: Challenges and Opportunities, 19 Hastings *Comm. & Ent. Law Journal*, p.695. Last accessed: 03/09/2015 from:
http://heinonline.org/HOL/LandingPage?collection=journals&handle=hein.journals/hascom19&div=30&id=&page=

Fripp, J. (1993), *Learning through simulations – A guide to the Design and Use of Simulations in Business Education*, 1st edition, The McGraw-Hill Training Series, Mcgraw- Hill Book Company, London

Fowler, S. (1994), 'Two decades of Using Simulation Games for cross-cultural training', *Simulation & Gaming*, vol. 25, No. 4, p.464-474. Last accessed: 21/07/2015 from SAGE database
(http://sag.sagepub.com/content/25/4/464.short)

Garson, D. (2009), 'Computerized Simulation in the Social Sciences: A Survey and Evaluation', *Simulation & Gaming*, Vol. 40, p. 267-276. Last accessed: 04/09/2015 from:
http://www.eric.ed.gov/ERICWebPortal/search/detailmini.jsp?_nfpb=true&_&ERICExtSearch_SearchValue_0=EJ845458&ERICExtSearch_SearchType_0=no&accno=EJ845458

Green, W. and Mertova, P. (2011). Engaging the gate keepers: Faculty perspectives on developing curriculum for globally responsible citizenship. In V. Clifford and C. Montgomery (eds.) *Moving towards Internationalisation of the Curriculum for Global Citizenship in Higher Education*. Oxford, UK: OCSLD, Oxford Brookes University, pp.69-92.

Guirdham, M. (2005), *Communicating across cultures at work*. Basingstoke and New York: Palgrave MacMillan. Last accessed: 28/08/2015 from:
http://journal.mercubuana.ac.id/data/communicating%20across%20culture.pdf

Hamilton, L. (2011), *Case studies in educational research*, British Educational Research Association on-line resource. Last accessed: 04/09/2015 from:
http://www.bera.ac.uk/resources/case-studies-educational-research

Hays, R. (2005), *The effectiveness of instructional games: A literature review and discussion*' (Tech. Rep. No. 2005-004), Orlando, Naval Air Warfare Center Training Systems Division. Last accessed 06/09/2015 from:
www.dtic.mil/cgi-bin/GetTRDoc?AD=ADA441935%26Location

Herring, R. (1990), 'Nonverbal communication: a necessary component of cross-cultural counselling'. *Journal of Multicultural Counselling and Development*, Vol.18 (4), p.1-7.
Last accessed: 06/09/2015 from EBSCO database.

Hofstede, G. & Pedersen, P. (1999), 'Synthetic Cultures: Intercultural Learning Through Simulation Games', *Simulation & Gaming*, Vol.30 No.4, p.415-440. Last accessed: 29/08/2015 from SAGE Database
(http://sag.sagepub.com/content/30/4/415.short)

Holliday, A., Hyde, M. & Kullman, J. (2004), *Intercultural Communication – an advanced resource book*, Routledge Applied Linguistics. Last accessed: 26/07/2015 from:
nashaucheba.ru/v2779/?download=1

Kaushal, R. & Kwantes, C. (2006), The role of culture and personality in choice of conflict management strategy, University of Windsor, Canada. Last accessed: 27/07/2015 from:
http://www.elsevier.com/authored_subject_sections/S06/S06_351/misc/freearts/art4.pdf

Larson (2011), 'Brother, Can You Spare a Dime? Technology can Reduce Dispute Resolution Costs When Times are Tough and Improve Outcomes', 11 *Nevada Law Journal*, 523. Last accessed: 07/09/2012 from:
http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1846723

Mead, R. (1994), *Cross-Cultural Management Communication*, 4th edition, John Wiley & Sons.

Merriam, S. (1988), *Case study research in education: A qualitative approach*. San Francisco: Jossey Bass. Last accessed: 04/09/2015 from:
http://stu.westga.edu/~bthibau1/MEDT%208484-%20Baylen/introduction_to_qualitative_research/introduction_to_qualitative_research.pdf

Meyer, E. (2014). The culture map: Breaking through the invisible boundaries of global business. *Public Affairs*.

OECD (1994). Education in a New International Setting: Curriculum Development for Internationalisation — Guidelines for Country Case Study. Paris: OECD (CERI).Otten, M. (2003). Intercultural learning and diversity in higher education. *Journal of Studies in International Education*, 7(1), 12-26.

Reid, A. and Hellsten, M. (2008). Chapter 17. The future of research in international pedagogies. In Hellsten, M. and Reid, A. (Eds), *Researching international pedagogies. Sustainable practice for teaching and learning in higher education*. Sydney: Springer.

Stake, R. (2005), 'Qualitative case studies', in Denzin & Lincoln (Eds.), *The Sage handbook of qualitative research*, 3rd edition, p.433-466, Thousand Oaks, CA: Sage

Stuckey, R. (2007), *Best Practices for Legal Education: A Vision and a Road Map*, Clinical Legal Education Association. Last accessed: 20/07/2015from:

http://law.sc.edu/faculty/stuckey/best_practices/best_practices-full.pdf

Teach & Govani (1988), cited in Faria, A. (2001), 'The Changing Nature of Business Simulation/ Gaming Research: A Brief History', *Simulation & Gaming*, Vol. 32, p.97-110.

Last accessed: 22/07/2015 from: EBSCO database

Tellis, W. (1997), 'Introduction to Case Study', *The Qualitative Report*, Vol.3 (2). Last accessed: 20/07/2015 from: http://www.nova.edu/ssss/QR/QR3-2/tellis1.html

Ting-Toomey, S. (2005), 'The Matrix of Face: an updated face-negotiation theory' in Gudykunst, *Theorizing about Intercultural Communication*, p.71-92, Thousand Oaks, Sage Publications. Last accessed: 03/09/2015 from:

http://www.nafsa.org/_/File/_/theory_connections_facework.pdf

Voyvodic, (2005), 'Lawyers meet the social context: Understanding cultural competence', Vol.84 *Canada Bar Review*, p.569–570. Last accessed: 21/07/2015 from:

http://www.cba.org/cba/canadian_bar_review/pdf/vol84_025.pdf

Wideman, H., Owston, R., Brown, C., Kushniruk, A., Ho, F. & Pitts, K., (2007), *Unpacking the potential of educational gaming: A new tool for gaming research*. Last accessed: 96/09/2015 from:

http://www.yorku.ca/rowston/unpacking.pdf

Whalley (1997). *Best Practice Guidelines for Internationalising the Curriculum*

http://www.jcu.edu.au/office/tld/teachingsupport/documents/Whalley-Best-Practice.pdf

Wolfe, J. & Crookall, D. (1998), **'**Developing a Scientific Knowledge of Simulation/Gaming'*, Simulation & Gaming*, Vol. 29, pp. 7-19 Last accessed: 29/08/2015 from SAGE database

(http://sag.sagepub.com/content/29/1/7.short)

Yin, R. (2003), *Case study research: Design and method*, 3rd Edition, Thousand Oaks, CA: Sage.