

ARTICLE

## Playing Diplomacy Makes Us Better Lawyers

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Walking the halls of our firm's New York office on a Tuesday, Wednesday or Thursday, you are likely to hear the typical office conversations.

"What deals are you working on?"

"Do you have any fun plans for this weekend?"

"Is there any chance you would be willing to use your fleet in the Ionian Sea to convoy my army from Albania to Tunis if I can convince Russia to retreat from Rumania?"

For the initiated, this last question can only mean one thing: Someone is playing Diplomacy.

### RULES

Diplomacy is a board game that takes place in pre-World War I Europe. Just like the law, its rules are neither concise nor without ambiguity. Similar to the IRS, after outlining the basics, the rule book provides resolutions to hypothetical conflicts that may occur during the game — Hasbro's version of an IRS revenue ruling.

Players are divided among seven countries: England, France, Germany, Turkey, Austria-Hungary, Russia and Italy. The board is a map that depicts large team boundaries and smaller provincial boundaries. For example, Turkey's larger territory contains five provinces — Constantinople, Ankara, Armenia, Smyrna and Syria. Provinces denoted by a star represent all-important supply centers. The goal of the game is to occupy 18 supply centers.

Each country starts with three supply centers — except Russia, which has four — and each supply center starts with a piece, either an army or fleet. The game is divided into years, with each year consisting of three phases.

For the beginning of the game, which starts in 1901, the first phase is spring 1901, and the second is fall 1901. During these two phases, players move their pieces by emailing the gamemaster their orders for the respective phase.

So, for spring 1901, France could email the gamemaster, “Army Marseilles to Spain.” It is important to note that all moves take place simultaneously. If the gamemaster states that all moves are due by 2 p.m. on Tuesday, then all players must email the gamemaster their moves by that time. Once the clock strikes 2:01 p.m., the gamemaster goes to the board and updates it based on players’ orders.

Once the first two phases are complete, Phase 3 begins. During Phase 3, players update the number of pieces they have on the board to correspond with the supply centers they hold. Players that have a net increase of supply centers for the year can add pieces. Players with a net decrease must remove them.

So why play this more complicated version of Risk? To begin with, unlike Risk and almost every other strategy game, success in Diplomacy is not dependent on chance. In Risk, players take their competitors’ territories by rolling dice. Here, however, one can only overtake territory if the attacking force is greater than the defending force. Since each province can only contain a single piece, players must negotiate with their competitors to support their moves.

For example, if France has an army in Picardy and Germany has an army in Belgium, then France cannot move into Belgium because it would be forces of equal power going against each other. But, if England has a fleet in the North Sea, then France could reach out to England and ask them to support their move from Picardy into Germany. Assuming Germany does not have a second piece supporting its occupancy of Belgium, France would take Belgium.

The bottom line is this: (1) Players cannot win the game without conquering provinces with supply centers; (2) players cannot overtake a territory occupied by an enemy piece without support — often given as a result of negotiations with another opposing player; and (3) players’ moves take place simultaneously and are sent to the gamemaster in confidence — betrayal is rampant and you must trust your negotiating skills.

Now that readers have graduated from Diplomacy school and have an adequate understanding of the rules, let’s turn to the game’s practical applications in the practice of law.

## **BIG-PICTURE THINKING**

Diplomacy requires players to not only focus on the competitors surrounding their country, but also the board as a whole. For example, if England has its sole focus on its battles with France, it runs the risk of missing Russia’s subtle and calculated moves to the Barents Sea that will culminate in an attack on England’s northern shore.

At some point in their lives, most attorneys have likely been told: “You are too detail-oriented.” It’s the weakness many of us may mention in interviews. While this trait is beneficial in drafting documents, negotiating transactions requires attorneys to keep the client’s ultimate goal in mind. To succeed both as a lawyer and Diplomacy player, one must never forget the big picture.

## **OPPOSITION MOTIVES**

When opposing players come to the negotiation table in Diplomacy, it’s unlikely that they will provide their true motives. To realize the opposition’s intentions, a player must review their counterpart’s proposal in light of their positioning on the board.

For example, Italy’s request that Turkey capture the supply center in Greece may sound like a great deal, but it may divert forces from Turkey’s eastern border with Russia, with whom Italy has seemed oddly cozy.

Negotiating a transaction involves a give-and-take by both sides. In determining what points merit leeway, attorneys should always put themselves in the shoes of opposing counsel to help them uncover the “why” behind requests.

## **EMOTIONAL RESILIENCY**

Diplomacy provides players with many emotional swings. Betrayal runs rampant. This is no more evidenced than by one of the game’s online platforms being named “Backstabbr.”

When all of France’s efforts culminate in relying on Russia to support its move into Berlin, and Russia ultimately chooses to side with Germany, it can be hard not to burst at the seams. But that’s all just part of the game.

You will be disappointed by an ally at some point. It is at that time that your game is won or lost. Engaging in an attack solely motivated by vengeance will likely hinder your efforts to reach 18 supply centers.

Just like a game of Diplomacy, every transaction has its ups and downs. If sell-side attorneys had a nickel for each time they told their client, “We just sent across the disclosure schedules and believe they are nearly final,” only to then receive a litany of comments from buyer’s counsel, they could all retire early.

Good lawyers are required to keep their composure during these moments. Maximizing their value to the client requires addressing outstanding issues logically, no matter how colorful the redline document may be.

## OFFICE COMRADERY

Of course, the real reason Tuesdays, Wednesdays and Thursdays are marked on our calendars isn’t because it makes us better lawyers, although the ancillary benefits are apparent. Rather, it is because it makes us better colleagues.

In a profession synonymous with being confined to one’s office, it’s easy to be glued to your computer until the clock strikes 5 o’clock (metaphorically speaking, as readers will know). Giving people a reason to open their doors, and engage with those inside and outside their practice groups, fosters an environment where relationships are not dependent on a transaction’s deal team.

## CONCLUSION

Is Diplomacy for everyone? No. Is it for attorneys? Yes.

It will help you hone your skills by reinforcing big-picture thinking, forcing you to consider the motives of your competitors, and further developing the callouses required to maintain logical thinking during a deal. Finally, it will foster a sense of comradery around your office.

To that last point, if you do start a game, there are some important ground rules to remember as Diplomacy has garnered a reputation for ruining friendships.

First, each team must have at least two players. Our moves take place Tuesday through Thursday — in other words, not exactly at a lull during the work week. Having more players on a team not only gets more people involved, but also means that those who can’t spare 10 minutes to send their moves to the gamemaster are not left hung out to dry.

Second, if a player proposes that moves be delayed for a couple of hours while they turn a document, always accept it.

Third, don’t take it too seriously. You are going to be betrayed — and you will betray your colleagues. If you don’t have a coworker email you “Et tu, Brute?” at least once a game, you probably aren’t winning.

Just remember that it is all part of the fun. Laugh it off. Congratulate Italy on a good move. But then, when no one is looking, go back to the board with your teammates and plot your next moves.

After all, this was all according to plan. Italy has no idea that another player has agreed to convoy your fleet from Albania to Tunis.

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