

# Beyond the Table

## *Infrastructure Development in Kampala, Uganda*

### *Educator Guide*

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### Overview

This Educator Guide is designed to assist instructors in teaching this case to students and practitioners. It is based on [case pedagogy](#), which invites participants to put themselves in the shoes of the protagonist(s) of the case and imagine how they would respond to the circumstances. Participants should read the teaching case in advance and identify key issues as a preliminary step toward meeting the learning objectives. Instructors may then use the time in the classroom to guide participants in exploring the issues and examining the challenges in the case; to introduce key concepts, tools, and frameworks; and to assist participants in applying their learning to their own environments and challenges.

This guide includes learning objectives, a synopsis, key questions, a roadmap for discussion, and appendices with additional pedagogical information and theoretical applications. The roadmap and appendices are offered to initiate meaningful conversation but are by no means the only way to teach the case. Each educator or facilitator should feel free to design their own teaching plans; both the structure and the time allotted for each component are suggestions. Appendices may be used for board work or shared directly with participants depending on the pace of classroom discussions.

While the primary teaching point is focused on the third dimension of negotiation, or the “setup,” other dimensions are analyzed to help participants gain a more robust understanding of the case, specifically how a well-organized setup and interpersonal strategies can create the necessary conditions to design better deals. It uses the theories and tools produced by numerous scholars who investigate the stages of a negotiation, including David Lax and James Sebenius in their book *3-D Negotiation*.

## Learning Objectives

This case, “Beyond the Table: Infrastructure Development in Kampala, Uganda,” will help students and city leaders:

- Analyze barriers to an agreement, and evaluate how a negotiator can sequence moves and expand their scope to improve the outcomes of a negotiation.
- Map the three phases of negotiation onto Judith Tumusiime’s work to obtain a second World Bank loan.
- Evaluate Tumusiime’s away-from-the-table negotiation strategy.

## Case Synopsis

Uganda’s development relied heavily on the economic growth and management of its capital city, Kampala. The World Bank had been active in Uganda’s urban sector since the 1980s and, in 2007, awarded Kampala a \$33 million loan for institutional reforms and infrastructure development. Yet by the project’s 2010 deadline, only 30 percent of the project had been completed. Given the delays and its skepticism of a new, inexperienced administration, the World Bank threatened to withdraw funding. Nonetheless, Judith Tumusiime—first as a technical consultant and then as deputy executive director of the newly established Kampala Capital City Authority (KCCA)—managed to turn the project around within two years, an almost miraculous transformation. Beyond revitalizing and completing the project’s first phase, could Tumusiime convince the World Bank to invest even more in the second phase?

The case explores Tumusiime’s work to regain trust with the World Bank and persuade it to not only fund a second phase of the project, but to also significantly increase its funding commitment to the City. It examines how Tumusiime navigated her team, the World Bank, other local officials, and national level government actors. Moreover, it unpacks the misguided notion that a negotiation is a solely interpersonal activity that occurs at the table; a broader understanding of process—specifically scope and sequence—can impact the outcome.<sup>1</sup> Drawing from David Lax and James Sebenius’ 3-D negotiation framework, the case demonstrates how Tumusiime built a strategy to effectively sequence actions in her negotiation with the World Bank. Her strategic vision and interpersonal strengths enabled her to make dynamic setup moves, improving her ability to negotiate at the table and craft a better deal with the World Bank.

## Key Questions

1. What were the setup, deal design, and interpersonal barriers in this negotiation?
2. How can an analysis of distinct phases of a negotiation help a decision-maker map a successful strategy?
3. How is a disciplined mindset—conscience of the distinctions between negotiation setup and process, deal design, and interpersonal dimensions—different from other approaches to negotiation?

## Roadmap for Discussion

**Introduction** (5 minutes): Briefly state the goal of the session in reference to the case, cite specific major conflicts facing the protagonist, and foreshadow broader learning objectives.

**Exploration** (35 minutes): Use class discussion, “buzz groups,” and board work to examine the issues and options confronting the protagonist.

**Diagnosis** (30 minutes): Introduce key concepts, frameworks, and tools to help participants pinpoint possible solutions to major conflicts in the case.

**Application** (10 minutes, optional): Ask participants to relate the concepts and frameworks to their own organizations’ challenges.

**Wrap-Up and Takeaways** (10 minutes): Review the learning objectives and discuss insights most relevant to your organizations’ challenges.

### **Introduction** (5 minutes):

In your introductory remarks, briefly describe the case and frame the primary subject of the session: applying negotiation frameworks and analyzing the stages of a negotiation as they relate to the city government context. The discussion will center on expanding participants’ thinking about negotiation, specifically by considering away-from-the-table factors that directly impact one’s ability to negotiate effectively.

### **Exploration** (35 minutes):

#### Case Overview (20 minutes)

- *What is the story in this case?*
  - Three to four participants may summarize the case details, stakeholders, and key considerations.
- *What was the core dilemma that Tumusiime faced?*
- *Who were the parties in this case?*
  - List answers on the board. See Appendix 2 for a comprehensive list of parties.
- Optional: Depending on the group’s knowledge of negotiation concepts, the instructor may want to review positions vs. interests and BATNAs. See the slide deck for this concept review.
- In groups of three to four, have the participants evaluate the interests of parties from the list on the board, starting at the beginning of Tumusiime’s time at the KCCA. This should take five minutes.
  - Debrief as a class and record interests on the board. See Appendix 3 for a board plan that includes interests for the primary stakeholders (Tumusiime/KCCA, World Bank,

Ministry of Finance, Lord Mayor/Opposition Party, parliamentarians, community groups).

- *Ask the whole class: What is the negotiation in this case? Who was involved? What were their BATNAs?"*
  - Responses may focus on the negotiation at-the-table with the World Bank about whether or not Kampala would receive a loan for KIIDP 2. Use this (or other responses that include more away-from-the-table actions) to pivot into an introduction of the negotiation concepts.

### Negotiation Concepts (15 minutes)

- Introduce the concept of negotiation scope and sequence. Specifically, mention that most people will think about a negotiation as something that happens at-the-table with one or more counterparts. This case, in contrast, highlights the importance of what happens away-from-the-table.
- To illustrate this point, instructors may draw on David Lax and James Sebenius's 3-D negotiation framework.<sup>2</sup>
  - Define three dimensions of negotiation: deal setup, deal design, and tactics.
  - Next, introduce barriers that exist in each dimension. See Appendix 4 for a table adapted from Lax and Sebenius (also included in slide deck).

### **Diagnosis** (30 minutes)

This section aims to provide participants with a deeper understanding of how negotiation concepts apply to the situation in Kampala. Present the questions below and prompt participants to discuss in working groups or in plenary, as indicated.

- Divide class into three working groups and ask: *What were Tumusiime's setup, deal design, and interpersonal barriers?*
  - Each group may analyze the barriers associated with each dimension of negotiation.
  - Reconvene as a class after five minutes and map responses onto the board. See Appendix 5a for a board plan.
- Ask working groups: *What opportunities existed to address these barriers when Tumusiime joined the KCCA?*
  - Reconvene as a class after five minutes and map responses onto the board. See Appendix 5b for a board plan.
- Ask class: *What negotiation moves did Tumusiime make away-from-the-table? What moves did she make in the second and first dimensions?*
  - See Appendix 6 for a board plan.
- Discuss the concept of party-mapping, specifically by categorizing parties as Approvers (actors who authorize commitment), Implementers (actors tasked with following through

on the commitment), and Highest Value Players (actors who do not fit into either category but are important).

- Optional: If time permits, ask the class to categorize parties from the case and evaluate Tumusiime’s actions given the party map.
- Ask the class: *Considering the barriers, opportunities, actions taken, and party map, was it the right time for Tumusiime to submit her \$350 million proposal to the World Bank? What, if anything, could she have done differently before this point to put herself in a better position?*

### **Application** (optional: 10 minutes)

Prompt participants to think of a previous or upcoming negotiation in their work. Ask them to individually map the parties, interests, and BATNAs, and then complete a barriers analysis in each of the three dimensions. After five minutes, ask participants to pair up and discuss their analysis.

### **Wrap Up and Takeaways** (10 minutes)

Start by distributing the epilogue for participants to read individually or aloud. Some sample high-level takeaways to review after a productive discussion are:

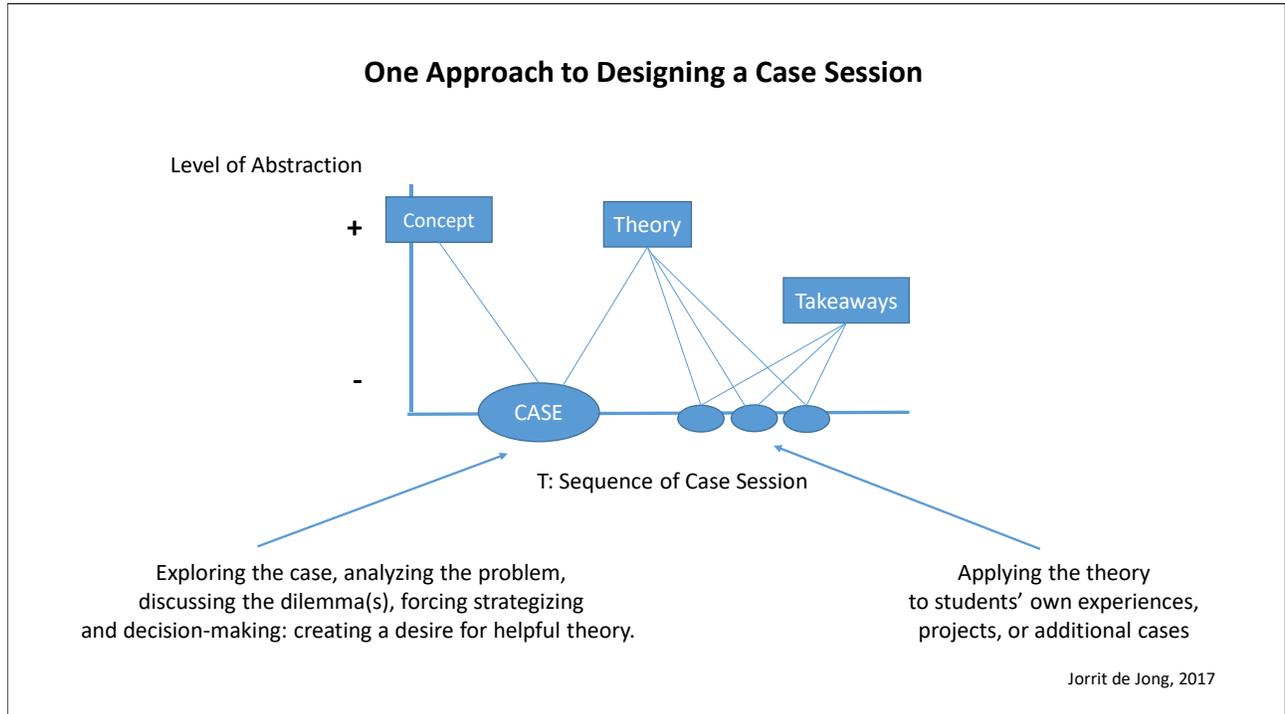
- Thinking strategically about the phases of negotiation—specifically scope and sequence—can help practitioners prepare differently in order to obtain a better outcome.
- Negotiation is more than interpersonal tactics and at-the-table moments. Effective negotiators consider additional elements away-from-the-table that inform their strategy, strengthen alternatives, and improve deal options.
- A barriers audit and analysis will inform the strategy going into a negotiation, especially as related to the scope and sequence.

## Suggested Reading

- Lax, D.A. and Sebenius, J.K., 2003, “3-D Negotiation: Playing the Whole Game,” *Harvard Business Review*, <https://hbr.org/2003/11/3-d-negotiation-playing-the-whole-game>.
- Lax, D.A. and Sebenius, J.K., 2006. *3-D Negotiation: Powerful tools to change the game in your most important deals*. Harvard Business Press.
- Bowles, H.R., Babcock, L. and McGinn, K.L., 2005. Constraints and triggers: situational mechanics of gender in negotiation. *Journal of personality and social psychology*, 89(6), p.951.

## Appendices

### Appendix 1 Designing a Case Session



Source: Jorrit de Jong, "One Approach to Designing a Case Session," *Bloomberg Harvard City Leadership Initiative*, 2017

**Appendix 2** Comprehensive list of parties in the case

- Judith Tumusiime
- World Bank
- Kampala Capital City Authority (KCCA)
- Jennifer Musisi
- Lord Mayor
- President of Uganda
- Presidential committee
- Parliamentary finance committees
- Ministry of Finance
- Opposition party
- Michael Kizza
- Community groups
- Kampala officials
- KIIDP 1 implementation team

**Appendix 3** Board Plan: Parties and Interests

This table illustrates the case’s primary stakeholders and their interests.

Party	Interests
Tumusiime/KCCA	Organizational credibility; anti-corruption; personal reputation; intrinsic desire to help citizens of Kampala
World Bank	Low risk investments; results for funded projects; international reputational risk; improving infrastructure in Kampala
Opposition groups/ Lord Mayor	Reputation; better use of money; political wins; personal financial interests
Committees and Ministry of Finance	Useful and appropriately sized foreign aid; well-managed foreign aid; well-executed project; constituent needs
Community groups	Shelter (displaced citizens); traffic and drainage improvements; no displacement

**Appendix 4** 3-D Negotiation Framework

	<i>Focus</i>	<i>Common Barriers</i>	<i>Approach</i>
<b>1-D</b>	Tactics (people and processes)	Interpersonal issues, poor communication, “hardball” attitudes	Act “at the table” to improve interpersonal processes and tactics
<b>2-D</b>	Deal design (value and substance)	Lack of feasible or desirable agreements	Go “back to the drawing board” to design deals that unlock value that lasts
<b>3-D</b>	Setup (scope and sequence)	Parties, issues, BATNAs, and other elements don’t support a viable process or valuable agreement	Make moves “away from the table” to create a more favorable scope and sequence

Source: Adapted from D.A. Lax and J.K. Sebenius, “3-D Negotiation: Playing the Whole Game,” *Harvard Business Review*, November 1, 2003, <https://hbr.org/2003/11/3-d-negotiation-playing-the-whole-game>

**Appendix 5a** Board Plan: Barriers

	<b>BARRIERS</b>	<b>STRENGTHS AND OPPORTUNITIES</b>
<b>3-D</b>	<ul style="list-style-type: none"> <li>● Corruption</li> <li>● Interests to damage KCCA</li> <li>● Lack of transparency</li> <li>● Previous delays with KIIDP 1 puts KCCA in a bad position</li> <li>● KCCA as a weak institution</li> <li>● World Bank has a strong BATNA</li> <li>● KCCA has a weak BATNA</li> <li>● Discord between KCCA and Lord Mayor</li> <li>● Time limitations for KCCA</li> <li>● Deal requires parliamentary approval</li> <li>● Interests in distributing money to areas outside Kampala</li> </ul>	
<b>2-D</b>	<ul style="list-style-type: none"> <li>● KCCA wants a large amount of money compared to what the World Bank expects</li> <li>● Deal is rigid because the World Bank might not make adjustments</li> <li>● Cannot include kickbacks in the deal</li> <li>● Institutional demands</li> <li>● Structuring deal as a loan could be problematic for government</li> </ul>	
<b>1-D</b>	<ul style="list-style-type: none"> <li>● Gender dynamics</li> <li>● Power inequities</li> <li>● Tumusiime’s lack of political experience</li> </ul>	

**Appendix 5b** Board Plan: Barriers and Opportunities

	<b>BARRIERS</b>	<b>STRENGTHS AND OPPORTUNITIES</b>
<b>3-D</b>	<ul style="list-style-type: none"> <li>• Corruption</li> <li>• Interests to damage KCCA</li> <li>• Lack of transparency</li> <li>• Previous delays with KIIDP 1 puts KCCA in a bad position</li> <li>• KCCA as a weak institution</li> <li>• World Bank has a strong BATNA</li> <li>• KCCA has a weak BATNA</li> <li>• Discord between KCCA and Lord Mayor</li> <li>• Time limitations for KCCA</li> <li>• Deal requires parliamentary approval</li> <li>• Interests in distributing money to areas outside Kampala</li> </ul>	<ul style="list-style-type: none"> <li>• KCCA, government, and World Bank have an interest in succeeding</li> <li>• Previous delays mean that turning it around would be seen as a huge success</li> <li>• Momentum</li> <li>• Deadline creates urgency</li> <li>• Could use World Bank rules to not give kickbacks</li> <li>• No one wants to be seen as responsible for the project's failure</li> </ul>
<b>2-D</b>	<ul style="list-style-type: none"> <li>• KCCA wants a large amount of money compared to what the World Bank expects</li> <li>• Deal is rigid because the World Bank might not make adjustments</li> <li>• Cannot include kickbacks in the deal</li> <li>• Institutional demands</li> <li>• Structuring deal as a loan could be problematic for government</li> </ul>	<ul style="list-style-type: none"> <li>• Agreement on importance of the issues (improving infrastructure)</li> <li>• Existing structure for the deal</li> <li>• Room for discussing different levels of funding rather than a binary yes/no from World Bank</li> </ul>
<b>1-D</b>	<ul style="list-style-type: none"> <li>• Gender dynamics</li> <li>• Power inequities</li> <li>• Tumusiime's lack of political experience</li> </ul>	<ul style="list-style-type: none"> <li>• Tumusiime will have a good reputation with the World Bank if she can turn around KIIDP 1</li> <li>• Tumusiime is cooperative and collaborative</li> <li>• Tumusiime has compelling personal leadership qualities</li> </ul>

**Appendix 6** Actions Taken**Tumusiime's Actions**

- 3-D**
- Performance management of KIIDP 1
  - Networking with opposition party, World Bank, local government, and other stakeholders
  - Meeting with parliamentarians and ministers
  - Providing transparency and changing the process of KIIDP 1
  - Working to end corruption
  - Gathering information
  - Starting conversations about KIIDP 2 early to address time issue
  - Willing to work with the opposition
- 2-D**
- Expanding the ZOPA by framing the deal as non-binary
  - Exploring options with the World Bank and internal team
  - Making compromises with Kampala residents and community groups
  - Tying options to interests of national government, World Bank, and opposition party
- 1-D**
- Willing to hold team accountable
  - Hands-on manager
  - Building relationships
  - Promoting transparency
  - Listening and learning about problems

## Endnotes

<sup>1</sup> D.A. Lax and J.K. Sebenius, *3-D Negotiation: Powerful Tools to Change the Game in Your Most Important Deals* (Harvard Business Press, 2006).

<sup>2</sup> Ibid.