BEYOND THE TABLE
Infrastructure Development in Kampala, Uganda

NEGOTIATION CASE SERIES

CASE OVERVIEW

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- What was going on in this case?
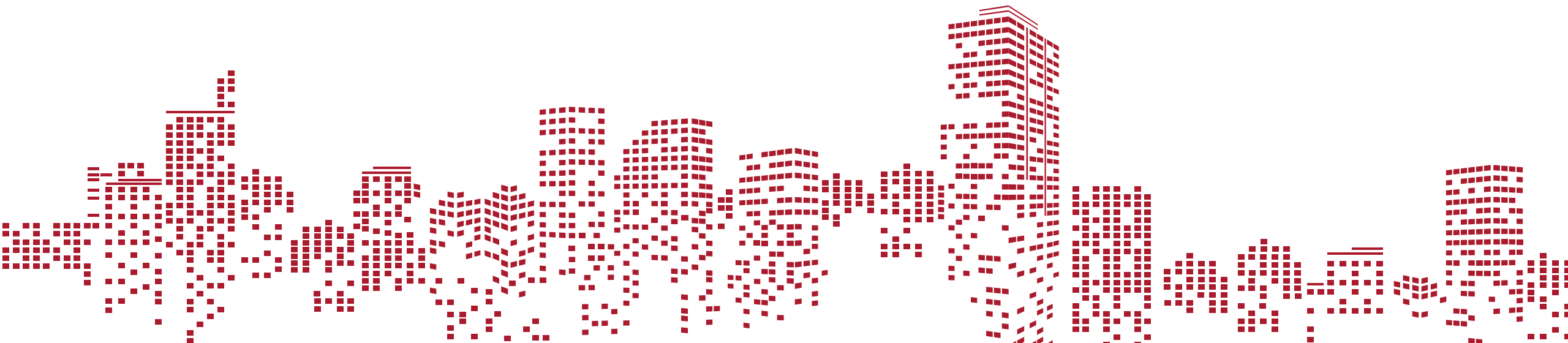
CONCEPT REVIEW: Interests

- An interest is "whatever you care about that is potentially at stake in the negotiation." – Lax and Sebenius, *3-D Negotiation*

- "A position is likely to be concrete and explicit; the interests underlying it may well be unexpressed, intangible, and perhaps inconsistent." – Fisher and Ury, *Getting to Yes*

- "It is difficult to immediately address interests in a negotiation because people adopt positional tendencies and because emotions can often conceal interests." – Thompson, *The Mind and Heart of the Negotiator*

CONCEPT REVIEW: BATNA

- **B**est **A**lternative **T**o **N**egotiated **A**greement
    - Of all the possible alternatives you could take without coming to an agreement in this specific negotiation, which one is the **best**?

- "The reason you negotiate is to produce something better than the results you can obtain without negotiating." – Fisher and Ury, *Getting to Yes*

- "A BATNA is not something that a negotiator wishes for; rather, it is determine by objective reality." – Thompson, *The Mind and Heart of the Negotiator*
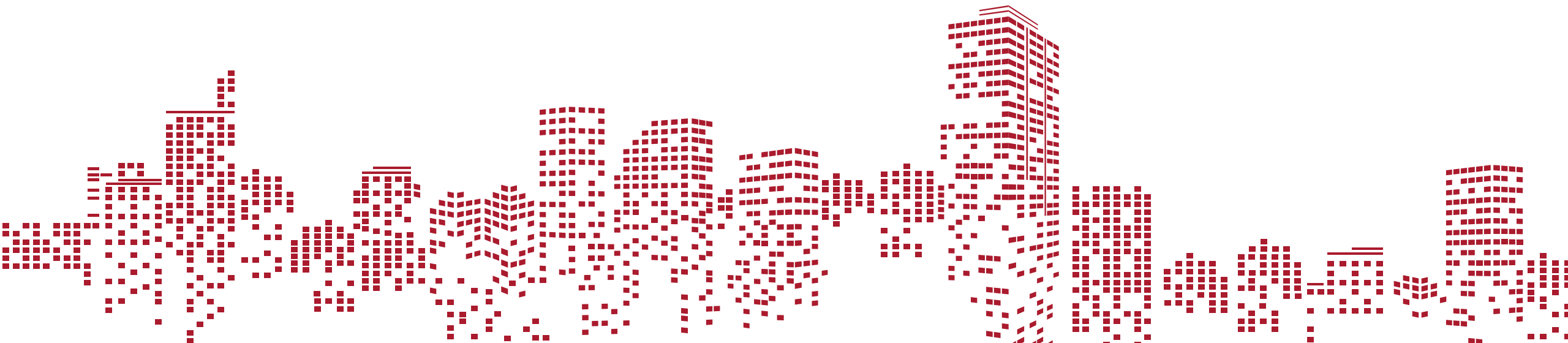
Working Groups: Parties and Interests
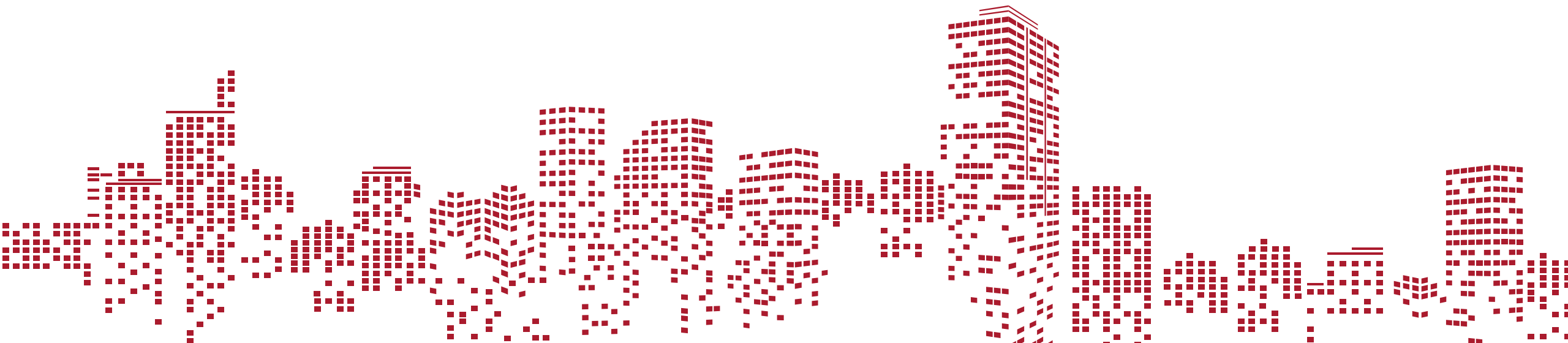
CASE CONCEPTS

BLOOMBERG HARVARD | City Leadership Initiative

Negotiation Scope and Sequence

In complex settings, **an effective negotiator manages things happening "away-from-the-table,"** including which issues are discussed, which stakeholders are engaged, and which negotiation moves happen in what order.

Lax and Sebenius call this "3-D negotiation," which refers to the negotiation moves that setup the final deal.

In contrast, the first dimension includes interpersonal, at-the-table actions, and the second dimension includes designing value-creating deals.

	Focus	Definition
1-D	Tactics (people and processes)	
2-D	Deal design (value and substance)	
3-D	Setup (scope and sequence)	
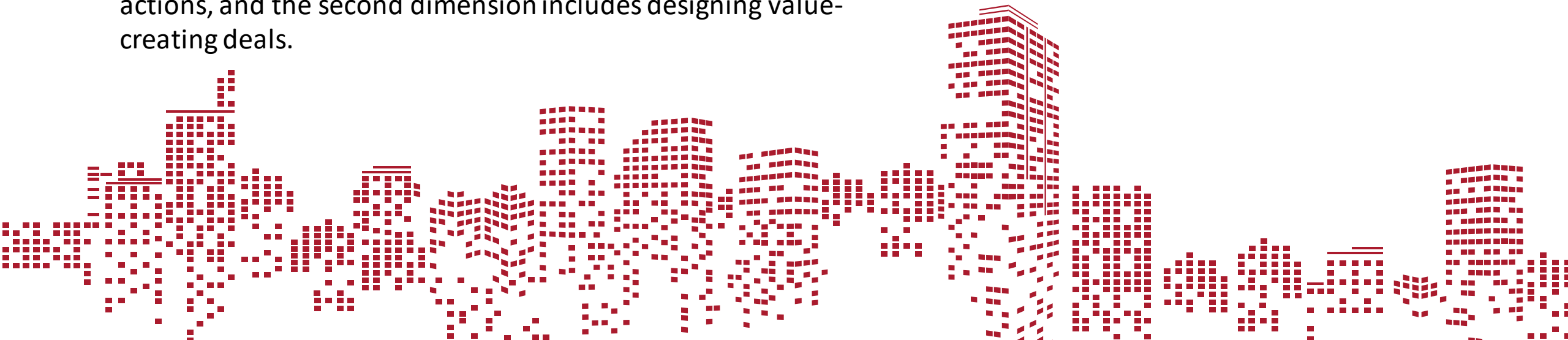
Barriers to an Agreement

An effective negotiator anticipates all possible barriers related to the negotiation setup, deal design, and tactics before developing a negotiating strategy.

- 3-D barriers: the wrong parties, interests, alternatives, process, or sequence of actions

- 2-D barriers: lack of feasible deal options

- 1-D barriers: poor communication

Adapted from 3-D Negotiation (Lax and Sebenius)

	Focus	Common Barriers	Approach
1-D	Tactics (people and processes)	Interpersonal issues, poor communication, "hardball" attitudes	Act "at the table" to improve interpersonal processes and tactics
2-D	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
3-D	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

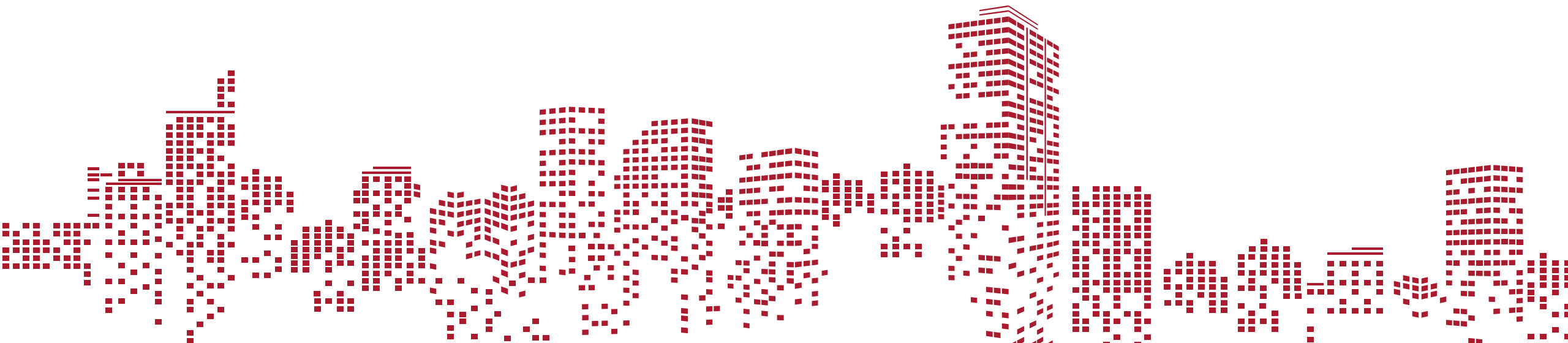*Adapted from Lax, D.A. and Sebenius, J.K., 2003. "3-D Negotiation: Playing the Whole Game." Harvard Business Review.*

KAMPALA, UGANDA

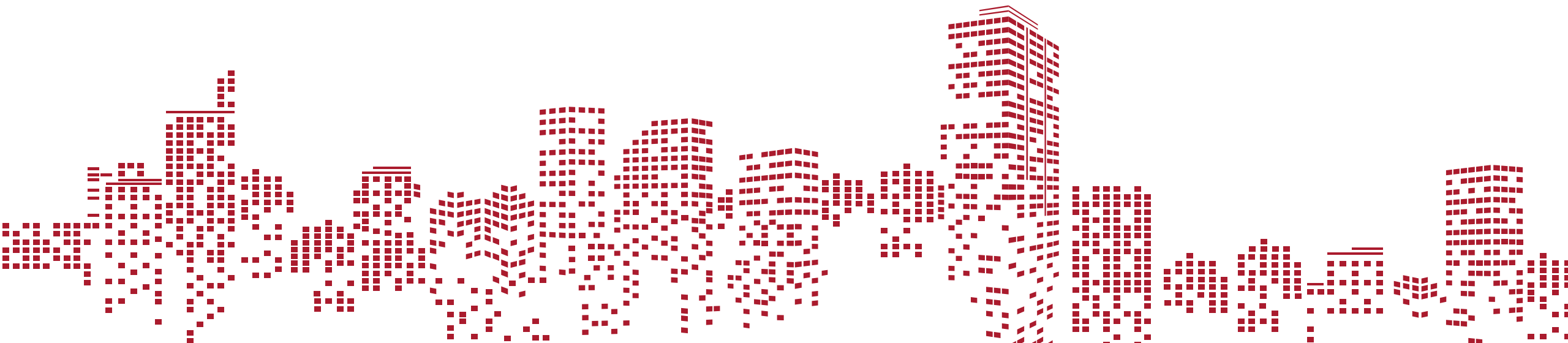# Working Groups: Barriers

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What opportunities existed to address these barriers when Tumusiime joined KCCA?

Actions Taken

What negotiation moves did Tumusiime make away-from-the table (third dimension)?
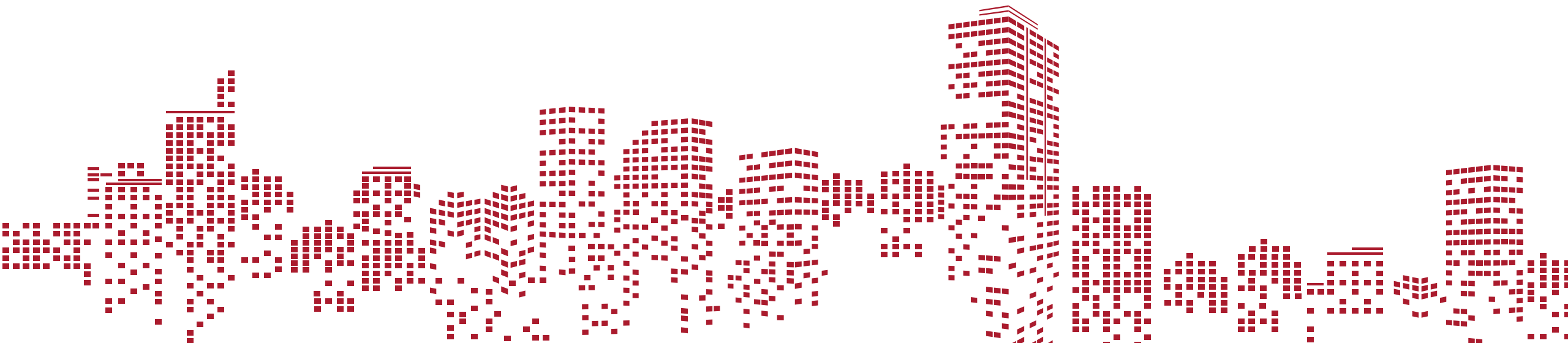
What moves did she make in the second and first dimensions?

Working Groups: What's Next?

Was it the right time for Tumusiime to pursue a second loan from the World Bank?

If no, what should she have done next and for what reason?

EPILOGUE

TAKEAWAYS

Takeaways

- 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.