

## **Negotiation Theory and Practice for Urban Planners**

**“Never negotiate out of fear and never fear to negotiate”  
President John F. Kennedy**

**“Negotiation is the art of making that which is inconceivable possible, that which is incomprehensible understandable and making those who see only differences see commonalties”  
Kirk E. Harris**

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**University of Wisconsin-Milwaukee**  
**School:** Architecture and Urban Planning,  
**Department:** Urban Planning  
**Course Number:** 655, Section 001  
**Day and Time:** Thursday 6:30pm – 9:10pm  
**Semester:** Spring 2009  
**Room:** AUP 191

**OFFICE HOURS:** After class or by appointment  
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### **Course Description and Objectives:**

In its most fundamental form, the function of planning and the task of planners are that of “cutting deals.” By cutting deals, planners seek to balance the needs of the general public with those of private interests. The planning environment is complex and filled with multiple sets of competing interests and a wide array of stakeholders. Yet, it is in this environmental context that planners are expected to bring expertise that generates positive outcomes for the communities that they serve. However, the generation of such outcomes has as much to do with the planner’s ability to garner consent and cooperation among a diverse set of community actors and operatives as it does with the planner’s ability to bring technical solutions to bear on existing community issues and needs. Planners must have tools that help them create opportunities for building reciprocity, open communications, and cooperation among a broad array of stakeholders. In the absence of such tools, valuable professional advice is unable to be implemented in the face of community conflict, mistrust, and poor communications. This course seeks to introduce students to negotiation theory and practice and the strategies supported by the praxis. The course will consist of readings, simulated exercises, and a group project.

**Required Reading:**

**Getting To Yes: Negotiating Agreements Without Giving In (2nd Edition)** by Roger Fisher and William L. Ury, and for the second edition, Bruce Patton. New York, NY: Penguin Books, 1991.

**Getting Ready to Negotiate: The Getting to YES Workbook** by Roger Fisher and Danny Ertel. New York, NY: Penguin Books, 1995.

**Difficult Conversations: How to Discuss What Matters Most** by Douglas Stone, Bruce Patton, and Shelia Heen. New York, NY: Penguin Books, 1999.

**Class Schedule:**

**Class #1-January 29<sup>th</sup>**

**Individual Introductions**  
**Course Overview and Requirements**  
**Discussion of the Role of Planner**  
**Assign Groups**

**Class #2-February 5<sup>th</sup>**

GETTING TO YES, Chaps. 1 and 2

GETTING READY TO NEGOTIATE, Chaps. 1, 2, and 3

DIFFICULT CONVERSATIONS, Chaps. 1 and 2

**Class #3- February 12<sup>th</sup>**

**“WIN ALL YOU CAN”- Simulation Game and Class Discussion**

DIFFICULT CONVERSATIONS, Chaps. 3 and 4

**Class #4-February 19<sup>th</sup>**

GETTING TO YES, Chaps. 3, and 4

GETTING READY TO NEGOTIATE, Chaps. 4 and 5

DIFFICULT CONVERSATIONS, Chaps. 5 and 6

**Class #5 February 26<sup>th</sup>**

**In Class Tutorial**

**Group Work on Game Topic and Issues**

DIFFICULT CONVERSATIONS, Chaps. 7 and 8

**Class #6-March 5<sup>th</sup>**

**IMPROVING NEGOTIATING POWER-Video**

**Class Discussion of Video**

**Group Game Statement Due**

DIFFICULT CONVERSATIONS, Chaps. 9 and 10

**Class #7-March 12<sup>th</sup>**

GETTING TO YES, Chaps. 5 and 6

GETTING READY TO NEGOTIATE, Chaps. 6 and 7

DIFFICULT CONVERSATIONS, Chaps. 11 and 12

**Class #8-March 19<sup>th</sup>**

**SPRING BREAK**

**Class #9-March 26<sup>th</sup>**

**NEGOTIATION AND MEDIATION PRACTICE IN PUBLIC DECISION  
MAKING-Video and Discussion**

**Group Work on Game Development**

**DRAFT OF SIMULATION GAMES AND OUTLINE OF KEY THEORIES-  
DUE!!!**

**Class #10-April 2<sup>nd</sup>**

GETTING TO YES, Chaps. 7 and 8

GETTING READY TO NEGOTIATE, Chaps. 8, 9 and 10

**Class #11-April 9<sup>th</sup>**

**ESCALATION OF A CONFLICT-Video**

**Class #12-April 16<sup>th</sup>**

**In Class Review and Oversight of Game Development-In Class Tutorial**

**Final Preparation for Group Simulation Games**

**Class #13-April 23<sup>rd</sup>**

**Group Simulation Games**

**Class #14-April 30<sup>th</sup>**

**Group Simulation Games**

**Class #15-May 7<sup>th</sup>**

**Group Simulation Games**

**Class #16-May 14<sup>th</sup>**

**Final Group Simulation Games and Write-up Due**

**Difficult Conversation Write-up Due (can be handed in earlier)**

**STUDENT EVALUATION**

**Grading:**

10%-Class Participation

20%-Difficult Conversation Write-up

20%-Reading Presentations

20%-Draft Simulation Games and Outline of Key Theories

30%- Final Group Simulation Game and Write-up

## **GROUP PROJECT** **EXERCISE INSTRUCTIONS**

### **Instructions for the Development of the Group Simulation Game**

The simulation game should consist of three parts. These parts include the following: general fact scenario, confidential stakeholder interest sheets, and teaching notes on the key concepts the game is to highlight.

#### **General Fact Scenario**

The fact scenario may be developed based a real situation, a fictional circumstance that highlights a particular subject matter of interest, or may be adapted and combine real and fictitious information. You may draw from interesting situations that may have occurred at work, school, in your personal life, or which you heard about on the news or otherwise. Use your imagination and creativity. The scenario you develop must describe the general context, history, and situation that makes the scenario which you have created ripe for negotiation.

#### **Confidential Stakeholder Sheets**

These sheets represent the context and understanding in which each stakeholder views their interest. The game must have at least three sets of stakeholders. For example, a game about a community development project might have the Mayor's office, a developer, and a community group as stakeholder interests. These sheets should describe the history and the nature of the relationship between the stakeholder parties from the vantage point of each stakeholder. Additionally, the sheet should be very explicit about the objectives each stakeholder hopes to achieve by entering into negotiations.

#### **Teaching Notes on Key Concepts**

This part of the game development requires you to closely consider and discuss what you believe are the best outcomes to be achieved out of the particular game scenario. Your game can create incentives and points of pressure to motivate stakeholders to pursue the outcomes you want to see. Part of the fascination of negotiation game simulation is that you may predict a certain result, but quite the opposite happens. This portion of the game should explain your expectations of the parties involved. Finally, the notes should identify key concepts that the game sought to illustrate and explain those key concepts in detail and how those concepts might have, or in fact did play themselves out in the game exercise.

## NEGOTIATION SKILLS

### COGNITIVE SKILLS

- Understand your own feelings and needs.
- Adopt another's perspective.
- Analyze from an objective standpoint.
- Understand another's intent.
- Identify your contributions to a situation.
- Recognize ethical issues.
- Be self-aware about strategic choices.
- Be open to new information.
- Distinguish positions and interests.
- Distinguish between the substance and the process of negotiation.

### STRATEGIC SKILLS

- Develop self-help alternatives.
- Be creative about options and value.
- Set goals and be purposive.
- Remain flexible.
- Manage time effectively.
- Disclose information.
- Be persistent, firm.
- Distribute what is on the table.
- Identify and use standards.
- Manage and secure commitment.
- Develop self-agency – represent your own feelings and needs.

### COMMUNICATION SKILLS

- Ask "open" questions.
- Ask clarifying questions.
- Paraphrase to check understanding.
- Speak for yourself.
- Express ambivalence.
- Share observations and reasoning.
- Frame statements effectively.
- Remain calm in emotional situations.
- Be honest with yourself and others.
- Hear the underlying issues, interests.
- Express feelings.
- Be congruent in your thoughts and actions.

### RELATIONSHIP SKILLS

- Negotiate with strangers.
- Negotiate with friends or family.
- Express appreciation.
- Give feedback.
- Receive feedback.
- Repair a relationship.
- Create consensus.
- Build rapport.
- Consult others before committing.
- Express empathy.
- Establish trust.
- Distinguish between the substance of the negotiation and the relationship.

*CREDIT S: PROFESSOR XAVIER DE SOUZA BRIGGS COURSE ON: NEGOTIATION AND COMMUNITY BUILDING, KENNEDY SCHOOL OF GOVERNMENT, HARVARD UNIVERSITY, HAUSER CENTER, BENNETT BUILDING ROOM 23.*