

INTRODUCTION TO LEGAL NEGOTIATION

Responsible Faculty Instructor:

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Assistant Professor

Credits: 4

Credits Type: Law

Cross-registration: Permitted

Pre-requisites: None

COURSE DESCRIPTION (COURSE VISION):

This four-credit course intends to offer a challenging but enriching introduction to both the theory and practice of negotiation. The course is largely designed to be a work-shop style course where students will engage with the material through simulations, discussions, readings, and frequent written assignments. Over the duration of the course, students will explore the stages of negotiation, key strategic tensions, distributive and integrative approaches, problem-solving methods, the role of communication and emotion, ethical questions and power imbalances. The goal is not only to build practical negotiation competence but also to equip students with a framework for continued growth in the area.

TEACHING METHODOLOGY:

This course introduces students to negotiation in legal and law-related settings through a mix of hands-on simulations. Instead of using only general bargaining examples, the course will place students in a variety of realistic situations where negotiation plays an important role. These will include State to State negotiations, business deal-making, workplace disputes, divorce or financial arrangements between separating partners, pre-litigation settlements, and negotiations between companies and governments. Each simulation will be designed in a manner in which students without prior legal training or familiarity with legal terminology can clearly understand the context and participate effectively.

For each simulation, students will receive guidance to prepare, participate, and reflect on what they learned, along with feedback to help them improve. By practicing across different types of scenarios, students will build flexible communication and problem-solving skills and gain insight into how negotiation works in both cooperative and conflict-based settings.

INTENDED LEARNING OUTCOMES:

- To develop the ability of clear communication and usage of basic persuasion techniques while taking part in simulated negotiations.
- To be able to identify the difference between competitive (win-lose) and cooperative (win-win) approaches to negotiation
- To develop the ability to plan for a negotiation using simple planning tools and recognize common psychological mistakes people make while negotiating
- To develop the ability of creative problem solving in the context of simulated negotiations
- To develop the ability to adapt negotiation tactics, behaviour, and communication style based on the specific context, such as commercial deals, inter-state discussions, or personal disputes

READING LIST (upto 10 select readings):

1. Fisher, R., Ury, W., & Patton, B. (2011). *Getting to Yes: Negotiating Agreement Without Giving In* (3rd rev. ed.). Penguin
2. Shell, G. R. (2019). *Bargaining for Advantage: Negotiation Strategies for Reasonable People* (3rd ed.). Penguin
3. Fisher, R., & Shapiro, D. (2005). *Beyond Reason: Using Emotions as You Negotiate*. Viking / Penguin
4. Stone, D., Patton, B., & Heen, S. (2023). *Difficult Conversations: How to Discuss What Matters Most* (3rd ed., fully updated). Penguin
5. Sebenius, J. K. (2017). *BATNAs in Negotiation: Common Errors and Three Kinds of "No"* (working paper). Harvard Business School

WEEKLY READING PLAN (WEEKLY OUTLINE):

A weekly plan is provided below:

MODULES	WEEK(S)
MODULE 1: INTRODUCTION TO THE FUNDAMENTALS OF NEGOTIATIONS	1
MODULE 2: RECOGNIZING DISPUTES/ ISSUES	2
MODULE 3: PSYCHOLOGY, CULTURE, POWER AND GENDER	3
MODULE 4: INTEGRATIVE NEGOTIATION AND DISTRIBUTIVE NEGOTIATION	4
MODULE 5: PREPARATION & STRATEGY	5-6
MID-SEMESTER ASSESSMENT	7
MODULE 6: COMMERCIAL TRANSACTION RELATED NEGOTIATION SIMULATIONS	8-9
MODULE 7: PERSONAL RELATIONSHIP SETTLEMENT SIMULATIONS	10

MODULE 8: STATE TO STATE NEGOTIATION RELATED SIMULATIONS	11
MODULE 9: EMPLOYMENT RELATED NEGOTIATION SIMULATIONS	12
MODULE 10: PRE-LITIGATION NEGOTIATION SIMULATION	13
REVISION WEEK	Week 14