Negotiation & Mediation: The Practice of Conflict Management

PLCY/PWAD 330

Facilitator: Shai Tamari
(tamari@unc.edu)

Monday, 2:25-4:50pm
3024 FedEx Global Education Center

Office: 3023 FedEx Global Education Center
Office Hours: By appointment
(919) 962-2034 (office)
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*Photo credit: “Boys Will Be Boys” by Ian Lye*
Overview & Objective:

This course aims to provide students with the tools necessary to most effectively engage in interpersonal conflicts. The course will also redefine the meanings of “winning” and “power” and provide students with methods to cope with stress, discomfort, and emotions when in conflict. Students will learn new negotiation and mediation skills, build upon existing ones, and challenge assumptions regarding conflict. While some theory is covered, the main focus is experiential learning through role-plays and engagement with professionals in the field. It is well suited for students who plan to work for NGOs, government agencies, international organizations, or in any field that requires skills in conflict management. Expect to end the semester with a level of negotiation and mediation readiness that will serve you well in both personal and professional life.

This course meets the "Reflection and Integration" Gen Ed.

Communication Beyond Carolina

The following text was borrowed from IDEAs in Actions Curriculum - General Education at UNC-Chapel Hill:

Students [will] build capacities for producing and listening to oral communication across a range of contexts. With multiple audiences, they [will] learn to listen to and persuasively convey knowledge, ideas, and information.

Questions for Students:
1. How can I engage with audiences through oral communication?
2. How do I best convey knowledge, ideas, and information effectively to different audiences in situations?
3. How can I best understand the views and ideas of others, both individually and collectively?
4. What are the best ways of strategizing and delivering oral communication for achieving my intended outcomes?
5. How can media or digital compositions extend my ability to communicate?

Learning Outcomes:
1. Ascertain the expectations, opportunities, and barriers to oral communication in distinct situations.
2. Tailor communications to different kinds of settings, including individual, small group, and public communication.
3. Tailor communications to different levels of expertise (inexpert, informed, expert), and to varying levels of alignment (resistant, ambivalent, supportive) and distinct contexts.
4. Make informed situation- and audience-sensitive strategic choices in content and delivery.
5. Improve ability to move audiences, as measure by best practices, audience feedback, and instructor feedback.
**Facilitator’s Expectations:**

Treat this course as you would any job – Be professional:

- Show up on time
- Come prepared
- Be respectful of others
- Don’t use any electronics in the classroom (facilitator’s permission required)

**Required Reading:**

All readings are available as PDFs or as links on Sakai. There are no required readings for purchase.

<table>
<thead>
<tr>
<th>Assessment</th>
<th>Grading scale</th>
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<tr>
<td>Attendance, Participation, and Tardiness</td>
<td>94-100 A</td>
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<tr>
<td>Negotiation Preparation Worksheet (x3)</td>
<td>90-93 A-</td>
</tr>
<tr>
<td>Negotiation &amp; Mediation Reflections (x5)</td>
<td>87-89 B+</td>
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<td>Mid-Term Self-Evaluation</td>
<td>84-86 B</td>
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<tr>
<td>Real-World Negotiation &amp; Presentation</td>
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**Assessment: 21%**

**Grading scale:**

94-100 A  74-76 C  90-93 A-  70-73 C-  87-89 B+  67-70 D+  84-86 B  60-66 D  80-83 B-  < 60 F  77-79 C+

**Attendance, Participation, and Tardiness - 21%**

**Class Attendance and Tardiness**

Class begins at 2:25pm sharp. You are advised to arrive to class 5-10 minutes ahead of time. Daily assignments are to be submitted by the times stated below. Failure to arrive on time to class or to submit assignments on time may result in grade deduction.

Students are expected to attend all classes. As this class relies heavily on group work through role-plays and discussions, students who miss a class harm the learning of their colleagues. Students who are unable to attend a class due to illness or other unexpected circumstances should communicate with the facilitator in advance. **Students who are absent from three (3) classes during the semester risk not being able to pass the course.**

**Class Participation**

It is not enough to simply show up to class. Students are expected to come prepared each week for a negotiation or mediation exercise. Students are also expected to complete that week’s reading in order to contribute to class discussion, and to learn from each other’s perspective.
Please remember that your success in this class, and the success of others, relies on everyone’s advance preparation and contribution in class.

Students will participate in multiple negotiation and mediation exercises throughout the semester. Before each negotiation/mediation, you will receive some “confidential information.” Please do not discuss the “confidential information” with your assigned counterparts prior to negotiation. You may, however, discuss it with others playing the same role.

Use of Electronic Devises

Students may not use laptops, tablets, wireless phones, and other such devices during class, except with the facilitator’s express permission. The use of the above electronics for unrelated activities in class is distracting to the facilitator and to other students, and is a show of disrespect to the time and effort the facilitator has put into constructing and leading the class. If a student needs to use any of the above devises, they may step outside the classroom to complete this activity. Failure to comply with this policy may result in a deduction from a student’s final grade. Repeated violations may result in receiving an “F” for the seminar. You are strongly encouraged to turn off your phones, or set them on vibrate, and place them in your bag prior to the start of each class so as not to be tempted to use them.

Grading Rubric for Attendance, Participation, and Tardiness

- If you show up on time, every time, and offer insightful comments multiple times at every session — in other words, if you are one of the people on whom I can depend to contribute at each meeting, and be one of the people other students learn from — then you will receive a participation grade in the 94-100 range (Excellent).
- If you show up on time, every time, and speak up once or twice each meeting, you can expect a participation grade in the 84-93 range (Good).
- If you show up on time, every time, and speak up occasionally, you can expect a grade in the 74-83 range (Satisfactory).
- If you show up on time, every time, but almost never (or never) speak up, you can expect a grade in the 60-74 range (Passing).
- Additional points may be deducted for students who are late more than twice to class.

If you are shy or have concerns about speaking up in class, please don’t hesitate to set up a meeting with me, and we can work out some strategies to help you feel more comfortable.

Negotiation Preparation Worksheets (x3) – 24%

A major component of succeeding in negotiation is advanced preparation. In this course, this will be done by completing a Negotiation Preparation Worksheet and submitting it before class begins. The purpose of this exercise is to train students in arranging their thoughts prior to...
negotiations and thinking in advance about their counterpart’s perspectives. Students will receive their negotiation role a week in advance. The Negotiation Preparation Worksheet will be available on Sakai (under Resources).

You will submit a total of three (3) negotiation preparation worksheets for grading during our course (each on as part of a group). Each worksheet is worth eight (8) percent of your final grade. Worksheets are to be uploaded to your file under Resources on Sakai by 1:30pm on the day of the negotiation exercise.

Save the worksheet under: First Name Last Name – Worksheet for Name of Exercise (“Shai Tamari – Worksheet for Death in the Family”).

**Reflection Forms & Mediation Evaluation Forms (x5) – 25%**

One of the main ways in which students will improve their negotiation and mediation skills will be by assessing themselves and others. Following each class in which we negotiate or mediate, students will be required to complete a Reflection Form OR a Mediation Evaluation Form (both available under Resources on Sakai). **Students must follow the instructions on these forms.**

Save the form under: First Name Last Name – Reflection/Evaluation for Name of Exercise (“Shai Tamari – Reflection for Death in the Family”). Upload the form via Resources to your file AND to your negotiation counterpart(s) or mediator’s file by 11:59pm on the Wednesday after a negotiation or mediation exercise took place.

You will submit a total of five (5) forms during our course. Each one is worth 5% of your final grade.

In addition, each week in which we have a negotiation or mediation exercise, a group of students will be recorded on camera. The video will then be uploaded to Sakai and be available for all students to view (available under Warpwire). **Students being recorded should view their entire video carefully and assess their own negotiation or mediation.** They are to use the video when drafting the above assignments. All other students not recorded that week are strongly encouraged to watch the video as well.

*Videos are not to be shared on social media without the permission of the facilitator AND other students in the video.*

**Grading Rubric for Reflection and Mediation Evaluation Forms**

In order to receive a perfect score for this assignment, students must:

1. Submit the assignment on time.
2. Meet the minimum page requirement: At least two pages in length (not including instructions and questions), single space, 1 inch margin, Time New Roman, 12 font size.
3. Provide detailed examples from the proceedings under each answer.
4. Refer to all (or most) of the readings under the last question.

Mid-Term Self-Evaluation (Oct. 16, 11:59pm) – 10%

Students are to review all their past reflections and evaluations (both their own self-evaluations and those written about them by others), view their own recording (if they have been recorded) and critically reflect on all negotiations and mediations they have taken part in thus far. In 2-3 pages (single space), you are to answer the following:

1. Based on the Bargaining Style Assessment Tool you completed in Week 2, how accurate was this assessment based on your negotiation and mediation experiences thus far? Give examples that either confirm or refute the assessment.

2. Re-read your Negotiation Preparation Worksheets, and your Reflection Forms (both yours and others in your various groups). When comparing what you prepared for and what was accomplished, how well were you able to meet your interests? If you could meet them, how did you accomplish it? If not, what were the challenges? Give examples.

3. What have you learned about yourself over the past few weeks while negotiating and mediating? Please give examples from previous exercises, using remarks written about you by others and your recordings.

4. What steps can you take to improve as a negotiator and as a mediator?

The assignment (Word document, Time New Roman, 12 font size, single-space, 1-inch margin, with your name on top) is to be uploaded to Sakai by 11:59pm on Oct. 16, 2019.

Real-World Negotiation & Presentation² (Nov. 25 & Dec. 2) – 20%

This assignment is divided into two parts:

Real-World Negotiation

After you have gained some experience in negotiating in class, and leading up to your presentation date, you will plan for and execute a real-world negotiation for something you value or care about. You can negotiate for anything you like: buying a car, renegotiating your rental agreement, cleaning duties with your roommate, salary increase, etc. Use this assignment as an opportunity to make your life better in some way. This assignment could be an opportunity to improve your relationship with friends or family, or a way to become happier or more fulfilled in your job. You must feel comfortable presenting on the issue/negotiation in front of class.

² This exercise was originally designed by Dr. Noah Eisenkraft at UNC’s Kenan-Flagler Business School.
Students must consult with Shai (via email or face-to-face) prior to starting the planning process, but no later than Nov. 18, 2019.

The negotiation cannot be one that already took place, but one that you plan on conducting prior to the date of your presentation. You do not need to complete the negotiation by your presentation’s date, but you must have at least started it.

You should prepare for this negotiation as you would for any of the exercises for this class: By completing a Negotiation Preparation Worksheet. The worksheet is to be uploaded to Sakai by 1:30pm on Nov. 25 for both Group 1 and Group 2.

Presentation

On April Nov. 25 or Dec. 2, you will present in class on the above Real-World Negotiation (your exact date will be determined a few weeks prior to Nov. 25). Students will have 7-10 minutes to present and 5-8 minutes to answer questions from class members. The entire exercise will not exceed 15 minutes.

In your presentation, you are to discuss the actual negotiation that took place, not the preparation leading up to it. You should present on the following:

1. Provide a brief background of the conflict (this should include the parties involved and the issues that needed to be discussed).
2. What were your and your counterpart(s)’ interests? Were they expressed during your negotiation? If so, how? If not, why not?
3. Did you and your counterpart(s) brainstorm options? If so, what were they?
4. Were BATNAs raised during the negotiation? If so, how did the parties react to them?
5. How was communication pursued?
6. What impact did the negotiation have on your relationship with your counterpart(s)?
7. Were emotions involved? If so, how did they impact your communication and outcome?
8. If the negotiation resulted in an agreement, what were the reasons it succeeded? If it did not, why not?
9. What did you learn from your negotiation?

Following the presentation, the rest of the class will have the opportunity to ask follow-up questions, make comments, and offer suggestions.

Additional Rules and Grading Criteria

1. Do not negotiate with any member of this class (including the facilitator).
2. Negotiate only with adults (not with children or young teenagers).
3. You must engage in your negotiation by the date you are presenting. The negotiation does not need to be completed by then, but at least started.
4. The grade for this assignment will be divided as followed: 60 percent for your Negotiation Preparation Worksheet, and 40 percent for your presentation (which will be graded by all students in class as well as the facilitator).
5. Whether or not you “succeed” in the negotiation will not affect your grade.

Extra Credit – Up-to 3%

Students may obtain up-to 3 percent extra credit (1 credit point for each submission) by doing one or more of the following:

2. Submit a Reflection Form for the online negotiation conducted between Oct. 23 and Oct. 28, 2019.
3. Submit a Negotiation Preparation Worksheet for a negotiation you are planning on conducting outside class (such as with family, friends, work colleagues, etc.). Please note that this submission would be different from the Real-World Negotiation assignment.
4. Submit a Negotiation Preparation Worksheet on a conflict taking place domestically or internationally, such as between Planned Parenthood and the National Pro-Life Alliance, the NRA and the Coalition to Stop Gun Violence, or between the United States and North Korea. You must select a specific dispute within the larger conflict to focus on AND complete the worksheet from the perspective of the side you personally oppose.
5. Submit a one- to two-page description of a mediation you led between family, friends, work colleagues, etc.

The last date to submit extra credit assignments is Dec. 3, 2019. However, you are strongly encouraged not to wait until then, but to submit them throughout the semester (especially if you received a low grade in one of the other assignments). Do not wait until the end of the semester. Extensions past Dec. 3 will not be granted.

Late Assignment Policy

Assignments due by 1:30pm will be considered late at 1:31pm. Assignments due by 11:59pm will be considered late at 12:00am.

Assignments submitted late will result in the following:

- If submitted within the first 24 hours after the deadline, 30 percent will be deducted from assignment’s grade.
- If submitted after the first 24 hours, 50 percent will be deducted from assignment’s grade.
Other Rules and Regulations:

Communication

The best way to reach Shai is via email. You may expect to receive a reply within 24 hours (except during weekends or if you receive an Out-of-Office reply); We ask that you reply to emails within the same time frame. Please note that Shai reads his work emails between 9:00am and 5:00pm on weekdays and does not read work emails on weekends.

Each week you will receive an email detailing the required readings and our planned activities for the following week, as well as any further expectations/requests. Please read these emails carefully, as I take time to write them in order to facilitate your learning and use our class time efficiently.

Grade Appeal Policy

I take the evaluation and grading of your work very seriously because we know that most of you take the preparation of your work very seriously. If you think you deserve a higher grade on an assignment, you may write an email to the person who graded your assignment explaining why you would like to appeal the grade. Before making an appeal, you should review your work and any written guidance or examples provided. After we receive your email, I will re-read your assignment and will reply within a day (during the week). You must ensure that you have carefully examined and reflected on the quality of your work before deciding to initiate a grade appeal. Simply emailing me to reconsider your grade, without a thorough explanation of why I should do so, will not be sufficient grounds for a grade review. I ask that you take 24 hours to think of your grade appeal before contacting me. Please do not approach me about your grade immediately after receiving your graded assignment.

Religious Observance

Religiously observant students wishing to be absent on holidays that require missing class should notify me in writing at the beginning of the course, and should discuss with me, in advance, acceptable ways of making-up any work missed because of the absence.

UNC Policy Regarding Discrimination and Harassment

Any form of violence or harassment, including sexual assault, relationship violence, and stalking is unwelcome at the University. If you or someone you know has been harassed or assaulted, you can find the appropriate UNC resources at http://sexualassaultanddiscriminationpolicy.unc.edu/.
**Students with Disabilities or other Health Issues**

UNC facilitates the implementation of reasonable accommodations, including resources and services, for students with disabilities, chronic medical conditions, a temporary disability or pregnancy complications resulting in difficulties with accessing learning opportunities.

All accommodations are coordinated through the Accessibility Resources and Service Office. See the ARS Website for contact information: accessibility.unc.edu.

Relevant policy documents as they relate to registration and accommodations determinations and the student registration form are available on the ARS website under the About ARS tab.

**Honor Code**

In order to ensure effective functioning of the Honor System at UNC, students are expected to:

1. Conduct all academic work within the letter and spirit of the Honor Code, which prohibits the giving or receiving of unauthorized aid in all academic processes. If unsure about the limits of group work versus individual work on papers and projects, ask the instructor. Do not guess.
2. Consult with faculty and other sources to clarify the meaning of plagiarism; to learn the recognized techniques of proper attribution of sources used in written work; and to identify allowable resource materials or aids to be used during completion of any graded work.
3. Treat all members of the University community with respect and fairness.
4. Report any instance in which reasonable grounds exist to believe that a student has given or received unauthorized aid in graded work or in other respects violated the Honor Code. Reports should be made to the office of the Student Attorney General.

If you have any questions about your rights and responsibilities, please consult the Honor Code.

The facilitator reserves the right to make changes to the syllabus, including project due dates. These changes will be announced as early as possible.
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<th>Date</th>
<th>Topic</th>
<th>Readings</th>
<th>Exercise</th>
<th>Assignments Due</th>
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| Week 1 – Aug. 26, 2019 | Course Introduction Introduction to Effective Negotiation (I)  
*Please be prepared to be in class for the duration of our class time* | • No reading requirements  
• You may wish to begin the readings for next week                                                                                                                                   | No exercise       | No assignments due                       |
• Complete Bargaining Style Assessment Tool in Shell, Richard G. *Bargaining for Advantage: Negotiation Strategies for Reasonable People* and read negotiation style descriptions. | Dirty Laundry      | No assignments due  
(Negotiation Prep. Worksheet is not to be submitted today) |
<p>| Week 2 – Sept. 9, 2019 | Introduction to Effective Negotiation (II)                                                                                               | • Salacuse, Jeswald. <em>Negotiating Life: Secrets for Everyday Diplomacy and</em>                                                                 | Death in the Family | Practice Negotiation Prep. Worksheet due in class |
| Week 3 – Sept. 16, 2019 | Power in Negotiation                                                                    |                                                                                                                                             |                   |                                          |</p>
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<tr>
<th>Week 4 – Sept. 23, 2019</th>
<th>Reflective &amp; Active Listening when Discussing Politics</th>
<th>Reflective form due by Wednesday, Sept. 18, 2019, 11:59pm</th>
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<tr>
<td>Date</td>
<td>Activity</td>
<td>Reading/Study Materials</td>
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<tr>
<td>Sept. 23, 2019 5:30-6:30pm</td>
<td>Class social at Med Deli</td>
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Negotiation Prep. Worksheet *(one per group)* due today by 1:30pm  
Mediation Evaluation Forms (self-assessment, by negotiators, and by observers) due by Wednesday, Oct. 2, 2019, 11:59pm |
• Watch: *The Brain with David Eagleman, Episode 5: “Why Do I Need You?”* (BBC, 2016) (56 min.).  
• Chen, Frances, Julie Minson, Maren Schone, and Markus Heinrichs. “In the | Seoul Food in Urbana  
Negotiation Prep. Worksheet *(one per group)* due today by 1:30pm  
Mediation Evaluation Forms (self-assessment, by negotiators, and by observers) due by Wednesday, Oct. 9, 2019, 11:59pm |
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<tr>
<td>Date</td>
<td>Topic</td>
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<td>Reading Material</td>
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<tr>
<td>Oct. 23 - 28, 2019</td>
<td>Online Negotiation</td>
<td>Online negotiation to be conducted anytime between Wednesday, Oct. 23, 9:00am and Monday, Oct. 28, 12:00pm.</td>
<td>The Job Negotiation and Reflection Form not required. However, students may obtain extra credit by submitting them.</td>
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● Brett, Jeanne, Ray Friedman, and Kristen Behfar. “How to Manage Your Pacrim Dispute | Pacrim Dispute |
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<th>Week 11 – Nov. 11, 2019</th>
<th>Multi-Party Negotiation I</th>
<th>• Recommended movie: <em>The Interrupters</em> (Alex Kotlowitz and Steve James, <em>Frontline</em>, PBS) (1 hour 54 min.)</th>
<th>Exercise to be selected by class</th>
<th>No assignments due</th>
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<tbody>
<tr>
<td>Week 12 – Nov. 18, 2019</td>
<td>Multi-Party Negotiation II</td>
<td>No reading requirements</td>
<td>Exercise to be selected by class</td>
<td>No assignments due</td>
</tr>
<tr>
<td><strong>Saturday, Nov. 23, 2019</strong></td>
<td><strong>10:00am-12:30pm</strong>* <strong>Inclement Weather Make-up Day</strong>*</td>
<td>In case of a class cancellation during the semester due to weather (or other unforeseen circumstances), a make-up session will take place today.</td>
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<tr>
<td>Week 13 – Nov. 25, 2019</td>
<td>Presentations (Group 1)</td>
<td>No reading requirements</td>
<td>No exercise</td>
<td>Real-World Negotiation Prep. Worksheet due by 1:30pm (both Group 1 &amp; 2)</td>
</tr>
<tr>
<td>Week 14 – Dec. 2, 2019</td>
<td>Presentations (Group 2)</td>
<td>No reading requirements</td>
<td>No exercise</td>
<td>No assignments due</td>
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<tr>
<td>Week 15 – Friday, Dec. 6, 2019; 4:00-7:00pm</td>
<td>Concluding class; dinner at Shai’s house (replaces final exam)</td>
<td>No reading requirements</td>
<td>No exercise</td>
<td>No assignments due</td>
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</table>

**Suggested readings on Leadership & Negotiation:**


**Suggested stories by mediators from around the world** taken from *Stories Mediators Tell*, edited by Lela Love and Glen Parker (Chicago: American Bar Association, 2017):

• Lack, Jeremy - “Tower of Babel” (Switzerland)
• Lee, Andrew Wei-Min - “Clash on the Construction Site: A Real Estate Dispute (China)
• Kalowski, Joanna. “Opening the Gate” (Australia)
• Simac, Srdan – “The Dentist’s Chair and the Rolling Stones” (Croatia)
• Mackie, Karl – “Agreement without Accord” (UK)
• Panikkar, Ashok – “Home: Sanctuary or Salvation?” (India)
Shai Tamari

UNC Center for Middle East and Islamic Studies | Conflict Management Initiative | Departments of Public Policy, Political Science, and Curriculum in Peace, War, and Defense | Duke University Sanford School of Public Policy

Shai Tamari is the Director of the Conflict Management Initiative at the University of North Carolina at Chapel Hill (UNC) and specializes in conflict management training. As a Professor of the Practice, he teaches both undergraduate- and graduate-level skill-based courses in negotiation and mediation under the Department of Public Policy, Department of Political Science, and the Curriculum in Peace, War, and Defense. His previous courses included: “Challenges to Peace-Making in the Israeli-Palestinian Conflict,” “Palestinian Nationalism, Politics, and Diplomacy,” and “U.S.-Israel Relations.” In addition, Shai is an Adjunct Instructor in the Master of International Development Program at Duke University Sanford School of Public Policy.

Shai is also the Associate Director of the Center for Middle East and Islamic Studies at UNC, where he administers a federal grant in support of Middle East studies on campus. Prior to his UNC and Duke appointments, between 2008 and 2010, Shai was the foreign policy adviser for Congressman James P. Moran (D-VA) at the U.S. House of Representatives and focused on issues such as the Israeli-Palestinian conflict, human rights in Iran, and parental child abduction to Japan.

Born and raised in Jerusalem, Shai served in the Israeli military between 1994 and 1997. He earned a B.A. in Journalism from the Queensland University of Technology in Brisbane, Australia, and a Master’s degree in Near and Middle Eastern Studies from the School of Oriental and African Studies (SOAS) at the University of London in the UK. In 2006, Shai was awarded a Rotary Peace Fellowship and studied for a second Master’s in Global History, along with Arabic and Conflict Resolution, at UNC. While a Rotary Peace Fellow, Shai worked in the summer of 2007 with the Cooperative Housing Foundation (CHF) International in Amman, Jordan. Shai is a native speaker of Hebrew, a volunteer mediator at the District Court in Durham, NC, and sits on the Advisory Council of American Near East Refugee Aid.