



## **Getting to Yes Negotiating Agreement Without Giving In**

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**Author:** Roger Fisher & William Ury

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**Author bio and credits:** The authors of this book are part of the Harvard negotiation project and have been working together since 1977.

**Noteworthy info regarding contents and chapter titles:** The book provides an Analytical table of contents, which is printed below.

### **I. THE PROBLEM**

#### **1. DON'T BARGAIN OVER POSITIONS**

Arguing over positions produces unwise agreements

Arguing over positions is inefficient

Arguing over positions endangers an ongoing relationship

When there are many parties, positional bargaining is even worse

Being nice is no answer

There is an alternative

### **II. THE METHOD**

#### **2. SEPARATE THE PEOPLE FROM THE PROBLEM**

Negotiators are people first

Every negotiator has two kinds of interests: in the substance and in the relationship

*The relationship tends to become entangled with the problem*

*Positional bargaining puts relationship and substance in conflict*

Separate the relationship from the substance; deal directly with the people  
problem

Perception

*Put yourself in their shoes*

*Don't deduce their intentions from your fears Don't blame them for your problem*

*Discuss each other's perceptions*

*Look for opportunities to act inconsistently with their perceptions*

*Give them a stake in the outcome by making sure they participate in the process*

*Face-saving: Make your proposals consistent with their values*

Emotion

*First recognize and understand emotions, theirs and yours*

*Make emotions explicit and acknowledge them as legitimate*

*Allow the other side to let off steam*

*Don't react to emotional outbursts*

*Use symbolic gestures*

Communication

*Listen actively and acknowledge what is being said*

*Speak to be understood*

*Speak about yourself, not about them*

*Speak for a purpose*

Prevention works best

*Build a working relationship*

*Face the problem, not the people*

### 3. Focus ON INTERESTS, NOT POSITIONS

For a wise solution reconcile interests, not positions

*Interests define the problem*

*Behind opposed positions lie shared and compatible ~ interests, as well as conflicting ones*

How do you identify interests?

*Ask "Why?"*

*Ask "Why not?" Think about their choice*

*Realize that each side has multiple interests*  
*The most powerful interests are basic human needs*  
*Make a list*

Talking about interests

*Make your interests come alive*  
*Acknowledge their interests as part of the problem<sup>1</sup>*  
*Put the problem before your answer*  
*Look forward, not back*  
*Be concrete but flexible*  
*Be hard on the problem, soft on the people*

#### 4. INVENT OPTIONS FOR MUTUAL GAIN

*Diagnosis*

Premature judgment

Searching for the single answer

The assumption of a fixed pie

Thinking "solving their problem is their problem"

*Prescription*

Separate inventing from deciding

*Before brainstorming*

*During brainstorming*

*After brainstorming*

*Consider brainstorming with the other side*

Broaden your options

*Multiply options by shuttling between the specific and the general: The Circle Chart*

*Look through the eyes of different experts*

*Invent agreements of different strengths*

*Change the scope of a proposed agreement*

Look for mutual gain

*Identify shared interests*

*Dovetail differing interests*

*Any difference in interests?*

*Different beliefs?*

*Different values placed on time?*

*Different forecasts?*

*Differences in aversion to risk?*

*Ask for their preferences*

Make their decision easy

*Whose shoes?*

*What decision?*

*Making threats is not enough*

### INSIST ON USING OBJECTIVE CRITERIA

Deciding on the basis of will is costly

The case for using objective criteria

*Principled negotiation produces wise agreements amicably and efficiently*

Developing objective criteria

*Fair standards*

*Fair procedures*

Negotiating with objective criteria

*Frame each issue as a joint search for objective criteria*

*Ask "What's your theory?"*

*Agree first on principles*

*Reason and be open to reason*

**Never yield to pressure**

"It's company policy"

### III. YES, BUT . . . WHAT IF THEY ARE MORE POWERFUL? (DEVELOP YOUR BATNA-BEST ALTERNATIVE TO A NEGOTIATED AGREEMENT)

Protecting yourself

*The costs of using a bottom line*

**Know your BATNA**

*The insecurity of an unknown BATNA*

*Formulate a trip wire*

Making the most of your assets

*The better your BATNA, the greater your power*

*Develop your BATNA*

*Consider the other side's BATNA*

When the other side is powerful

WHAT IF THEY WON'T PLAY? (USE NEGOTIATION JUJITSU)

Negotiation jujitsu

**Don't attack their position, look behind it**

*Don't defend your ideas, invite criticism and advice*

*Recast an attack on you as an attack on the 'problem'*

*Ask questions and pause*

Consider the one-text procedure

Getting them to play: The case of Jones Realty and Frank Turnbull

*The case in brief*

*"Please correct me if I'm wrong"*

*"We appreciate what you've done for us"*

*"Our concern is fairness"*

*"We would like to settle this on the basis of independent standards, not of who can do what to whom"*

*"Trust is a separate issue"*

*"Could I ask you a few questions to see whether my facts are right?"*

*"What's the principle behind your action?"*

*"Let me see if I understand what you are saying"*

*"Let me get back to you"*

*"Let me show you where I have trouble following some of your reasoning"*

*"One fair solution might be. . . ."*

*"If we agree If we disagree... ."*

*'~We'd be happy to see if we can leave when it's most convenient for you"*

*"It's been a pleasure dealing with you"*

WHAT IF THEY USE DIRTY TRICKS? (TAMING THE HARD BARGAINER)

How do you negotiate about the rules of the game?

*Separate the people from the problem*

*Focus on interests, not positions*

*Invent options for mutual gain*

*Insist on objective criteria*

Some common tricky tactics

Deliberate deception

*Phony facts*

*Dubious intentions :*

*Personal attacks*

*Threats*

Positional pressure tactics

*Refusal to negotiate*

*Extreme demands*

*Lock-in tactics*

*Hardhearted partner*

*A calculated delay*

*"Take it or leave it"*

Don't be a victim

#### IV. IN CONCLUSION

You knew it all the time

Learn from doing "Winning"

**Author's main point (what will you remember about this book?)** *Getting to Yes* offers a concise, step-by-step proven strategy for coming to mutually acceptable agreements in every sort of conflict - whether it involves parents and children, neighbors, bosses and employees, customers or corporations, tenants or diplomats. A few supporting ideas (ideas which support the main point):

**Reviewer's recommendation:** A must read for the business community and individuals going through conflict.



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Frumi and Deborah Gaal are co-founders of the Leaderly Learning Center, a leadership development company specializing in women. We get results because our workshops are led by women who have been CEO's, entrepreneurs and certified coaches. We walk the walk.

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