Getting to Yes

- The Method
  - Separate the People from the Problem
    - Deal with people problems (perceptions, psychology) as people problems, separate from substantive problems
    - Put yourself in their shoes
    - Discuss each other's perceptions
    - Demonstrate that you understand their perspective.
    - Get them to work with you toward a solution
    - Recognize, understand, and communicate about emotions. Keep your temper.
    - Invent options that allow them to agree *and* still save face
    - Conserve words.
    - Speak about how you feel, rather than what they did wrong.
  - **Focus on Interests, Not Positions**
    - Ask "why?"
    - Ask "why not?"
    - Think about group and individual interests.
    - Keep a list of their interests.
    - Their interests are part of the problem. Say so.
    - Think about the future. Try to forget past disagreements.
  - Invent Options for Mutual Gain
    - Invent options first, and decide later on.
      - Have a clear purpose.
      - Select a small group to brainstorm.
      - Create an informal, novel atmosphere for discussion.
      - Pick one facilitator.
    - Do not allow criticism.
    - Focus on shared interests.
    - **Look out for opportunities to take advantage of your differing interests.**
      - low cost to you
      - high value to them
    - Create propositions that are easy to accept
      - they allow the negotiator to save face
      - they can be accepted by just saying, "yes"
    - Avoid making threats.
  - Insist on Using Objective Criteria
    - Research fair standards.
    - Use fair procedures.
    - Treat each issue as a joint search for objective criteria.
    - Discuss which standards are acceptable.
    - Do not give in to pressure.
- Develop Your BATNA – Best Alternative To a Negotiated Agreement (What will you do if you can't reach agreement?)
  - Estimate the value of your BATNA.
  - Compare each option to your BATNA.
  - What is the minimum agreement you will accept without close evaluation
  - Invent options for your BATNA, but decide on just one. Use that one for comparison.
  - Consider the other side's BATNA.
- Use Negotiation Jujitsu
  - Look for the interests behind their positions
  - Accept and encourage criticism of your ideas.
  - Demonstrate where your interests agree.
  - Treat their positions as possible options.
  - Ask a question and then pause.
  - Consider the "one-text" procedure
    - 1 Have someone draft up a possible solution.
    - 2 Ask for criticism from the other side.
    - 3 Repeat until very few suggestions are made.
    - 4 Finally, propose the solution.
  - Don't decide on the spot.
- Dealing with Dirty Tricks
  - Types of tricks
    - phony facts
    - ambiguous authority
    - stressful situations
    - personal attacks
    - good guy/bad guy
    - threats
    - refusing to negotiate
    - extreme demands
    - escalating demands
    - hardhearted partner – "I would be ok with it, but my partner here..."
    - delaying discussion until conditions favor their side
  - announce the tricks when you see them.
  - discuss the rules of the negotiation