

11.011: The Art and Science of Negotiation

Notes from the Legendary Class at MIT

Session time is sacred. All you need is paper, pen, and full attention. Taught by the astonishing Bruno Verdini, MIT's 11.011 is not just a negotiation class. It is a spiritual journey. It teaches tactics, psychology, emotion, acting, economics, but most deeply and crucially, is an odyssey of constructing your own moral compass. Will you lie? Will you fight for the person who is not fortunate enough to sit at the bargaining table? Each week, you read assigned literature for its wisdom. On Mondays, you negotiate live with the full force of your creativity and cunning. On Wednesdays, you debrief with the class, tracing how to improve next time. On Fridays, you dig deep in executive journals, weaving the literature and the live negotiation to refine your personal negotiation style. Preserving confidentiality requires not sharing the executive journals. This document consolidates the notes I took for the readings in 11.011 in the fall of 2022.

[Session #1: Structural Framework \(9/2/2022\)](#)

[Session #2: Framing and Anchoring \(9/12/2022\)](#)

[Session #3: Dividing the Spoils \(9/14/2022\)](#)

[Session #4: Seizing Trades to Create Value \(9/19/2022\)](#)

[Session #5: Cognitive and Motivational Biases \(9/21/2022\)](#)

[Session #6: Examining the Different Angles of a Deal \(9/26/2022\)](#)

[Session #7: Enhancing Mutual Gains \(9/28/2022\)](#)

[Session #8: Addressing Power Imbalances \(10/3/2022\)](#)

[Session #9: Breaking Social and Organization Barriers \(10/5/2022\)](#)

[Session #10: Charting the Negotiation Structure \(10/17/2022\)](#)

[Session #11: Cultivating Poise and Aplomb \(10/19/2022\)](#)

[Session #12: Managing Our Emotions \(10/24/2022\)](#)

[Session #13: Communicating in Heated Discussions \(10/26/2022\)](#)

[Session #14: Exploring Reconciliation in Conflicts Around Values \(10/31/2022\)](#)

[Session #15: Building Coalitions and Forging Consensus \(11/02/2022\)](#)

[Session #16: What You Stand for: Ethics in Negotiation \(11/07/2022\)](#)

[Session #17: Disabling Dirty Tricks \(11/14/2022\)](#)

[Session #18: Dealing with Mistrust and Anger \(11/16/2022\)](#)

[Session #19: The Power of Persuasion \(11/21/2022\)](#)

[Session #20: Tackling Uncertainty in Science-Based Disputes \(11/28/2022\)](#)

[Session #21: Negotiating for Whom and for What Purpose \(11/30/2022\)](#)

Session #1: Structural Framework (Wed, 9/7/2022)¹

Negotiation Strategy

Negotiation Analysis: An Introduction by Wheeler

Negotiating well requires robust preparation to devise a tactical, moral, and effective strategy. Seven key areas are:

1. BATNAs: find it, improve it, read BATNA of other party.
2. Parties: who really has authority? Shape the parties.
3. Interests: keep an open mind, be creative!
4. Values: differences guide toward Pareto optimal; manage tension.
5. Barriers: focus on relationships; can adjourn for the day.
6. Power: it's your BATNA, augmented by perception and skill.
7. Ethics: candor, fairness, force, bystanders, and agent conflicts.

Each of these areas warrants study, and then most importantly practice. Recall these all before negotiating!

Negotiation by Patton, reproduced from *The Handbook of Dispute Resolution*

When preparing for a negotiation, perform a seven elements analysis:

1. Interests
2. Alternatives
3. Options
4. Legitimacy
5. Commitments
6. Relationship
7. Communication

Four archetypes of process:

1. Haggle
2. Favors now, repayment later
3. Chicken (hurt everybody, e.g. strike)
4. Problem-solving (Skillful negotiators thrive here. Let's learn!)

Session #2: Framing and Anchoring (Mon, 9/12/2022)²

¹ Before the first session I took digital notes on an iPad. Professor Verdini later encouraged us to write notes on paper which we could reference under his no-electronics-in-class rule. Also for the first session only, I wrote paragraph summaries of my digital underlines, highlights, and comments. Therefore, for the first session only, I have reproduced these personal summaries rather than paper notes.

² Before the third session, I did not include the page numbers associated with each note. After the pain of weaving MLA citations of the literature into an executive journal with no page numbers as a guide, I included them in all future chapter notes.

The Psychology of Negotiation

"Shape Perceptions to Claim Value" in *3-D Negotiation* by Lax and Sebenius

- No more ways to create value? Then price deal —> claim value.
 1. Learn true ZOPA.
 2. Shape counterpart's perception of your advantage.
- "Do your homework" – analyze to learn the true ZOPA
- Focus on what you hope to achieve – technique: Aspiration Price
 - Firmer target price when better informed about ZOPA
- Seriously consider making the first offer – anchor
- Justify your offer – help your counterpart explain why the price was fair
 - Flexible but extreme: "Based on what we know so far, X. But we are open."
- Norm of reciprocity from Cialdini
- Responding to first offer: if extremely unreasonable, SHOW IT!
- Technique to sidestep anchor: change the metric (new kind of analysis)
- Move toward closure: converging concessions (\$20M, \$28M, \$32M, ... —> ZOPA ends at \$36M)
 - Can reject symmetric concessions (get creative!)
 - Provide a reason why your "final" price is really final (outside forces best)
 - Treat their commitment as an aspiration. Identify their concern.
- Meta-anchor: how you frame the negotiation – research, propose early

"Openings" in *The Art of Negotiation* by Wheeler

- Conversations flow so smoothly until it becomes a negotiation! (E.g. Phil Cali interview)
- First seconds: smile, big hello – people judge ultrafast
- We-and-us language. Flattery and little jokes. Make a friend.
- "I love it from your point of view." And, "What's behind X" to probe interests.
- Acknowledging power imbalance okay... try to "hit it off" with the other person.
- Smile and easy manner demonstrate poise. ("Say yes to the mess.")
- Open posture reflects confidence, generates confidence
- Practice improvisation ("yes, and", "right, right")
- Begin negotiation with an eye to how you want to finish
- Don't rush; smalltalk helps
- Engage the person, frame the issue, define the process

Session #3: Dividing the Spoils (Wed, 9/14/2022)

Negotiation Strategy

"Anchors" in *Thinking Fast and Slow* by Kahneman

- Irrelevant numbers anchor us – we move until we run out of arguments
- Anchoring usually informative because of conditional probability

- But defend against irrelevant anchors by
~~~ THINKING FROM FIRST PRINCIPLES. ~~~
- “If the other side has made an outrageous proposal, ... you should make a scene, storm out or threaten to do so, and make it clear ... that you will not continue the negotiation with that number on the table” (126).
- Focus on costs to opponent of failing to reach an agreement.” (127)
- “Focus on the minimal offer the opponent would accept.” (127)

“Claiming Value in Negotiation” in *Negotiation Genius* by Malhotra and Bazerman

- Ever present goal: get best deal for yourself.
- Step 1: PREPARE (page 19)
  - Assess BATNA, calculate reservation value (indifference point),
  - assess other party's BATNA
- Must evaluate outcome in light of how well you could have done (26).
  - “Act on info you have, acquire info you do not have, protect from info you cannot obtain.” (26)
- Mistakes: talk not listen, not challenge assumptions on ZOPA.
- Make first offer —> ANCHOR (good if you're informed, bad if you're not)
  - Sufficiently aggressive (30)
- Responding to first offer:
  1. Ignore anchor (shift angle of conversation) (31)
  2. Separate information from influence.
  3. Quickly move on from anchor (first probe in case new info)

“It looks like we have a lot of work ahead of us. From our perspective, a fair price would be closer to \$X\$. I will explain how we are valuing this deal, and then if we want to reach any agreement, we will both have to work together to make it happen.” (33)

4. Let the other side save face.
- Open with the most aggressive offer you can justify.
    - Goal: credibly outside the ZOPA: negotiate in.
    - “Always reach for the stars” – justifiably
  - Step 1: Exhaust all prenegotiation information sources (get creative!) (37)
    - Also helps you avoid being manipulated or lied to during negotiation
      - Remark: it feels BAD to negotiate blind.
  - Step 2: track assumptions and unknowns (learn during negotiation) (39)
  - Step 3: ASK QUESTIONS THAT CHALLENGE YOUR ASSUMPTION! [Like in science] (39)
    - “What are your needs?” Or, “We understand you are considering (most aggressive strategy for you).”
    - “anchor interrogate, sound sufficiently informed”
  - Step 4: Protect from lies with contingency contracts! (41)
    - “If X occurs in the next 7 years, then pay \$10M above base price.”
    - Any resistance should be seen as a lie detection.
  - Effective Haggling
    - Focus on other party's BATNA (42)

- Avoid unilateral concessions (instead, give and take).
- Be comfortable with silence (on both sides) (43)
- Label concessions: explain why costly to you
- Define what you expect from their reciprocation (44)
- Negotiating the relationship (45)
  - Opponent satisfied to degree they think they got a good deal
  - Bring up created value and how well the deal works for them after
  - Offer you love? Force small additional concessions.
  - Challenge assumptions! If you're pleasantly surprised, don't celebrate – think! (48)
- Focus on aspiration during negotiation, reservation after. (48)

Many, many critical strategies. Now I must practice wielding them under pressure, not in theory alone!

---

#### **Session #4: Seizing Trades to Create Value (Mon, 9/19/2022)**

##### **Negotiation Strategy**

"The Tension Between Creating and Claiming Value" in *Beyond Winning* by Mnookin, Peppet, and Tulumello

- Different resources, valuations, forecasts, risk preferences, time preferences (13)
- Dilemma: must share information, but sharing makes us vulnerable (17)
- Risk of no deal: information asymmetry and strategic behavior (21)
- Essence of distributive bargaining: shape other's perception of what is possible. (23)

Common Hard Bargaining Tactics (NOT RECOMMENDED for general use) (24)

1. Extreme claims followed by small, slow concessions
  2. Commitment tactics ("binding, credible, visible, and irreversible")
  3. Take-it-or-leave-it offers
  4. Inviting unreciprocated offers
  5. Demand piling
  6. Personal insults and feature ruffling
  7. Bluffing, puffing, and lying
  8. Threats
  9. Belittling the other party's alternatives
  10. Good cop, bad cop
- Value creation through reducing transactions costs and strategic opportunism (25)
    - "Reputation can go a long way to resolving strategic dilemmas." (26)
    - And by better aligning incentives. (27)

"Solve Joint Problems to Create and Claim Value" in *3-D Negotiation* by David Lax and James Sebenius

- Value creation requires “communication, trust, openness, and creativity” (205)
  - Reconcile real interests, don’t battle over positions (206)
  - Focus on future and mutual possibilities, not wrongs of the past (206)
  - Factual discussions over broad generalizations (206)
  - Joint problem solving, not adversarial posturing (206)
- Approach the following with a keen sense for both creating and claiming value (207)
  - Ask, Listen, Learn (207)
    - Reflect back: paraphrase + feeling (207)
    - Ask open-ended questions, not yes/no (208)
      - “Why/why not?”
      - “How would this work from your perspective?”
      - What kinds of problems would that create for you?”
- Divulge information strategically (208)
  - Begin with the end – visualize success - write a PRFAQ!<sup>3</sup> (209)
  - Use norm of reciprocity to build trust and share/gain information (209)
    - Get the ball rolling by sharing low-cost information
  - Present multiple equivalent offers, ask which is better for them (209)
  - Sequence issues carefully and negotiate packages (210)
    - Don’t just solve easy issues first; create package for the endgame – nothing settled until everything is settled, and there’s mutual gain relative to no deal. (210)
    - Packages, not issue by issue (211)
- Foster an appealing and productive negotiation process (211)
  - “Side-to-side facing the problem” – physically reposition! (212)
  - Move to interest-based conversations, not positional (212)
  - Move from generalities to facts (213)
  - Move from haggling to joint problem solving (214)
    - Relentlessly reframe away from pure price toward package
  - Adopt a Persuasive Style (215)
  - Persuade with stories and analysis (217)
    - Understand other side’s story, be open to persuasion, be empathetic and assertive, use reciprocity to build trust, recognize how people process information, frame proposals in terms of what the other side cares about.
  - Inoculate against counterarguments during proposal (217)
  - Build relationship before you even start (e.g. bring friend of other side) (218)
  - Can you write their victory speech?
  - Remember: claim value still.

---

<sup>3</sup> At Amazon Web Services where I interned Summer 2022, a PRFAQ (Press Release and Frequently Asked Questions) was a document a team would write at the very start of the long journey toward designing, developing, and releasing a product. To write a PRFAQ is to imagine a victory speech, a news release raving about how the product serves the customer, with specifications and features and all concerns answered. A PRFAQ is a vision.

## Session #5: Cognitive and Motivational Biases (Wed, 9/21/2022)

### The Psychology of Negotiation

"The Curse of the Gray T-Shirt: Insidious Social Bonds" in *Sidetracked* by Francesca Gino

- Feeling of connection can warp perception of "facts" (110-111)
- In group vs. out group – plain grey T-shirt vs. rival university (114)
  - Psychological connectedness compels us to follow others like us without thinking hard about whether it is the best path.
- "The opinions and behavior of 'people like us' influence us quite powerfully." (121)
- "Questions your bonds" (125)
  - Follow your own plans, not blindly the plans of others around you (125)
  - Make sure your network brings out the best in you. (127)

"When Rationality Fails: Biases of the Mind" in *Negotiation Genius* by Malhotra and Bazerman

- 2004 NHL union/management fiasco —> season long lockout
- The Fixed Pie Bias: (108)
  - Same proposal can look worse if presented by the other side (111)
- The Vividness Bias: we overvalue what captures our focus (or buzzwords)
  - Overweight what's clear, underweight what's vague (completion time, opportunity cost) – force yourself to consider these! (113)
  - Create a scoring system to stick to your true interests! (114)
  - Information vs. Influence ~ defend against persuasion, accept information (114)
- Nonrational Escalation of Commitment (115)
  - Bidding for \$100 (and second place pays, too) (116)
  - Dangerous combined with sunk cost fallacy (117)
  - Get creative with it! Labor lockout? Resume immediately, but place funds with an escrow until agreement is reached. (117-118)
  - Start negotiations with a pre-planned exit strategy (119)
  - Assign and reward a "devil's advocate" of your strategy
- Susceptibility to Framing (120)
  - Creativity key. Don't dig bigger holes. (122)
  - Reference points.

"When Rationality Fails: Biases of the Heart" in *Negotiation Genius* by Malhotra and Bazerman

- Traps: conflicting motivations, egocentrism, overconfidence, irrational optimism, the illusion of superiority, self-serving attributions, regret aversions (126)
- But "primal" signals like emotion tell us critical information. (127-128)
- Strategy: decide what you want before the negotiation. Stick to it! (128)
  - Like Ulysses in the *Odyssey* bound by rope, listening to siren song. (126-127)
- Egocentrism: "fair" biased toward us... from John Rawls, assess what is fair under the "veil of ignorance" – you don't know which role you will assume in the negotiation. (131-132)

- Overconfidence: unrealistic optimism leads to rejecting good offers, not developing contingencies (133)
    - Positive illusions serve well when we implement decisions already made. (134)
    - Imagine your negotiation partner is cooperative, competent (unless evidence denies) (134)
  - "Victory has a thousand fathers, but defeat is an orphan." – JFK (135)
    - Own mistakes; admire winners and learn from them (135)
    - Understand reason why the other acted before reacting (136)
  - Regret aversion: remember to weight omissions just as much as commissions. (137)
    - Beware of illusory escapes from regret that actually dig the hole deeper (137)
    - Judge decisions based on the information available to you at that time (*Maxims* from Richard Zeckhauser)
- 

## Session #6: Examining the Different Angles of a Deal (*Mon, 9/26/2022*)

### Negotiation Strategy

"Racing and Fixing Cars" in *The Power of Noticing* by Bazerman

- Critical to gather all relevant information —> read, ask, listen (4)
  - "What do I wish I knew?" (5)
- Expand your options! Richard Zeckhauser! (11)

"There's Something Wrong with This Picture" in *The Power of Noticing* by Bazerman

- Game theoretic loss environments, e.g. two pay auction.
  - Think about other's strategy, set hard limit, cut out rising emotion (121-122)
- Begin with skepticism if something is too good to be true (122)
- Don't shut off brain and hope something good will continue (Madoff, warts) (124)
- Keep it simple, stupid! (126)
- When you buy, somebody is selling. Think. Notice "too good to be true." (132)

"Silk Purses" in *The Art of Negotiation* by Wheeler [AKA, the CREATIVITY PLAYBOOK]

- Book too long? Cut it in two! (203)
- Litigation over "just plane smart"? Arm wrestle for publicity!
- You are more creative solving other people's problems than your own. (205)
- "Hardball tactics smother creativity." (208)
- Creative approach to hire talent: process, or "how," of negotiating – relationships! (209)
- Breaking deadlocks: "it's all the attitude you bring in" (210)
  - "Muse who proposes, editor who disposes" – but don't critique too soon! (211)
  - "Healthy defiance of reality" tempered "by the recognition that not everything is negotiable." (212) (So many examples from your life!)
- To learn, compare and make analogies to prior experiences. (215)
  - One value add when composing executive journals.



- Introduce your ideas at the right moment – when the other side feels heard (217)
  - Align incentives (218)
- 

## Session #7: Enhancing Mutual Gains (Wed, 9/28/2022)

### Negotiation Strategy

"Create More Value" in *Good for You, Great for Me* by Lawrence Susskind

- Propose packages that are good for them and great for you. (45)
- Prepare to create value (47)
  - What is your/their walk-away option? Your their interests, ranked? (47)
  - Helpful to talk about with others.
- Explore interests and add issues (48)
  - Ask and listen. Model by revealing your own interests. (48)
- Play the What-If game. (49)
- Bring new parties to the table. (50)
- Negotiating strategic alliances (52)
  - Pay close attention to partner's unique needs and interests (53)
  - Focus more on creating value, less on distributional battles (55)
  - Emphasize the relationship's long-term importance (55).
  - Give strategic partners the benefit of the doubt. (56)
  - Avoid surprising partners you care about. (57)
- When you are in over your head, hire an agent! Mandate: create value. (68)
  - When... you're unfamiliar with the issues or rules at hand (69)
  - When... you have a poor relationship with your partner (70)
- How to use an agent effectively (71)
  - Examine reputation closely (71)
  - Clearly communicate the agent's responsibilities (71)
  - Link agent compensation to performance (72)
- Explore the role of the other side's agent... is their mandate too narrow? (73)
- Make it easy for the other agent to explain why your proposal should be accepted. (74)

"Creating Value in Negotiation" in *Negotiation Genius* by Malhotra and Bazerman

- Consider giving up something you value in exchange for something even better (61).
- Negotiation genius does whatever it takes to maximize the value of the deal. (63)
- More issues = more currency. (63)
- How to tell you reached Pareto efficiency? Consider how well you understand the concerns of the other side. Not well? You probably burned value. (66)
- Contingency contracts to create value, settle disputes, detect deception. (69)
  - Caution: dangerous if other party is more informed than you. (70)
  - Caution: set clear, objective measure on which to base contract.
  - Caution: ensure contingency contracts are aligned with incentives.

- To prepare, think of all your possible interests. Goal: give the other side lots of ways to make you happy. (72)
- Create scoring system, e.g. divide up 100 points among all issues. (73)
  - Develop a Package Reservation Value of X points. (73)
- Post-settlement settlements (78)
  - Literally sign agreement first. Say "Either we both benefit, or we stick to our old agreement." (79)

## **Session #8: Addressing Power Imbalances (Mon, 10/3/2022)**

### **Dispute Resolution Tactics**

"You Can't Get What You Want If You Don't Know What You Want" in *Negotiating at Work* by Kolb and Porter

- n-negotiations vs. N-negotiations (6)
- Women more often are asked for favors than men (7)
- Learn all you can about the what and the who (10)
  - Organizational culture, precedent of others who asked, all players and what their preexisting web of interests and valleys of action are.
  - Learn the style and preferences of the person you'll be negotiating with (11).
- Don't just back down if the other person refuses. Come armed with information to show why your request is reasonable (11)
- Ask yourself, "What do I need to succeed in a new role?" (12)
  - Negotiate the contours of any task, job, or team project so everyone can be successful.
- When you are seeking new opportunities is the best time to negotiate! (17)
- "Yes, and... here's what I'll need to be successful." (18)
- Talk to your network to learn what to ask for, how to ask for it, and which angles and creative ideas you have no idea about... yet! (24)
- Small wins can add up to change organizational culture over time (24)
  - e.g. teaching linear algebra at KLS led to Jay Bahn teaching multivariable calculus.

"Power at Play in Negotiation: Moves and Turns" in *Negotiating at Work* by Kolb and Porter

- "Take it or leave it!" Sit quietly. Thirty, forty seconds. Then, "If the choice is take it or leave it, of course I'll leave it. But I can't imagine that's what you meant. I think what you mean is you'd like me to think over your last offer and that we can continue tomorrow." (119)
- Strategic moves / dirty tricks... how to deflect into a turn to push negotiation forward (120)
  - Don't defensively countermove. Instead, reframe, refocus. (120)

- Be sure to charitably interpret – some “moves” are genuine attempts to gather information (128)
- Identify the questions that will be most difficult to answer (129)
  - You know your strengths (make them visible). Also know your weaknesses. (129)
  - Know the other person’s “good reasons” for saying no.
- Prepare around 5 common categories of “moves”:
  - Challenging competence or expertise (124)
  - Demeaning your ideas (125)
  - Criticizing style (ad hominem) (125)
  - Threats (126)
  - Sympathy or flattery designed to silence you (126)
- Six major turns (131)
  - Interruption, e.g. silence, get up to drink water / use the bathroom. You could even reschedule the whole meeting. (131-132)
  - Naming, to show you recognize a tactic. Humor or irony can help to cast the intention in a positive light. Don’t blame them! (132)
  - Questioning, either to discover information (“So what really concerns you?”), or to pressure other side to justify demeaning assertion (“How would you define an excellent year?”). Essentially, “What would you do in my position?” (134)
  - Correcting, to provide a new interpretation or new facts, or to provide a different and more legitimate motive to your actions (135-136)
  - Diverting, to shift focus on to “the problem, not the people.” You can divert by suggesting a previously unexplored avenue from your creative options (136)
  - Focusing on the future, to divert by saying, “Maybe there were issues in the past, but now we need to focus on the present and future.” (137)
- Learn to recognize opportunities to turn (138)
- Find your own style – practice, practice, practice (139)
- Moves often stem from “good reasons to say no.” Moves give you a window into how the other side sees your situation (140).

These turns really resonated with me, especially interruption, naming, and diverting.

"First-Mover Advantage: The Unbroken Peace Treaty" in *Negotiating The Impossible* by Malhotra

- US-Morocco peace treaty (52)
- Seek to control the framing of the negotiation from the start (53)
- If the current frame is disadvantageous, reframe as quickly as possible (54)
  - Ex Invent “Group of Financial Experts” to framingly select smaller number
- Preempt disputes by reframing. Leadership role may be less attractive if you advertise that it is more low-level and bureaucratic. (56)
- Act before you need to act. High-leverage moments.

Thoughts: all great in theory, but I’m grasping at straws for how I’d apply it in practice. Analogies... framing through excitement shared about some STEM topic, or reaching out to

Nicole about Project 2 teams (acting before [?] you need to act), or ... hard to think of. I don't have much practice!

"The Power of Process: Negotiating the U.S. Constitution" in *Negotiating The Impossible* by Malhotra

- James Madison reshaped the process of the Constitutional Convention by presenting the Virginia Plan as an alternative anchor to the original Articles of Confederation. (60-63)
    - Reset starting point of discussions (63)
    - Build coalitions (63)
    - Gag-rule: keep debates confidential from the public early on (63-64)
  - Long list of aspects of process you can shape (64)
  - Prepare so well you are a Madison: you have the facts at your fingertips, can anticipate arguments and counterarguments, and have already examined the strengths and weaknesses of your own argument. (67)
- 

## **Session #9: Breaking Social and Organization Barriers (Wed, 10/5/2022)**

### **Dispute Resolution Tactics**

"Success and Likeability" in *Lean In* by Sheryl Sandberg

- Success and likeability are positively correlated for men, negatively for women (50)
- Intuitive fear of achievement for women... could recommend this very chapter to women friends. Women should be empowered! (Loosely from 52)
- Idea: rather than ask everyone for a progress update, ask everyone to share progress they know other people are making. (55-56)
- Indebtedness to man's favor higher than indebtedness to a woman's... (56)
- Men negotiate more than women. (57)
- Women often must justify negotiations. (59)
- "Relentlessly pleasant" strategy recommendation for women. (60)
- "If you please everyone, you aren't making enough progress." (65)

"It's a Jungle Gym, Not a Ladder" in *Lean In* by Sheryl Sandberg

- Sheryl tells the story of her own winding path
- Role at Google: worst-paying, lowest level, etc., but Eric Schmidt reframed: "Only one criterion matters when picking a job – fast growth. If you're offered a seat on a rocket ship, you don't ask what seat. You just get on." (73-74)
  - Career spreadsheet reduced to one column: potential for growth (74)
- Extremes to find middle ground, e.g. don't give your opinion unless asked (76)
- Take risks in career... it will all work out anyway

"Lead Them Into The Trading Zone" in *Good for You, Great for Me* by Lawrence Susskind

[AKA, Dealing with Stubborn or Irrational Partners]

- Your negotiation partner is perfectly rational; you don't understand how the world looks to him (17)
- Or partner's seemingly irrational stance is part of a hard-bargaining strategy that has worked for your partner in the past (19)
  - State there are limits beyond which you will not be pushed. (20)
  - Or insist on bringing others to the table with written memos of proceedings.
- Partner truly is irrational? You could lay out multiple defensible deals in writing, set clear deadline on accepting, and try hard to contact higher-ups in the partner's company. (20)
- DON'T: respond irrationally, make unilateral concessions, lose your cool. (21)
- DO: focus on meeting your own interests, prepare carefully for each interaction, summarize each exchange in writing, know when it is time to walk away. (21)
- What to do about competing commissioned studies?
  - Joint fact-finding: both parties agree on how information will be gathered, analyzed, and interpreted. (24)
  - Scope the dialogue, jointly choose expert advisors, define appropriate methods of analysis, clarify responsibilities, assess tentative findings together, communicate results. (25-28)
- How to negotiate with a 900 pound gorilla (behemoth dominating your market) (31)
  - Seek an elegant solution (i.e. create even more value for other party) (32-33)
  - Appeal to principle: trick is to figure out how the other side is measuring success, then think of a way to meet that goal at the lowest cost to you. (34)
    - Appeal to the right person (higher executives) – loyalty & reliability
  - Form strategic alliances with your competitors (36-37)
- Overcoming "Not in my Backyard" Syndrome (38)
  - Initially <10% of people are in favor or opposed to construction. The swayable ~75% are your audience. Show them why benefits *to them* outweigh drawbacks *to them*. (38-39)
  - Redistribute gains so even "losers" win. Can be nonfinancial. (41-42)

---

## **Session #10: Charting the Negotiation Structure (Mon, 10/17/2022)**

### **Dispute Resolution Tactics**

"Nonverbal Communication" in *What Every Body is Saying* by Joe Navarro

- Genuinely like ==> raise eyebrows when walk into room (2)
- Not so much ==> slightly squint (2)
- "Eye blocking" ==> we squint / avert eyes from threats / unpleasantness (3)

Ten Commandments

1. Competently and effortfully observe your environment (7)
2. Observe in context. (10)
3. Learn universal nonverbal behavior. (10)

4. Recognize idiosyncracies by individual (12).
5. Establish baseline behavior so you can compare (12).
6. Watch for multiple consecutive tells. (13)
7. Look for changes in behavior. (13)
8. Detect false signals. (15)
9. Distinguish comfort from discomfort. (15)
10. When observing others, be subtle about it. (17)

“Living Our Limbic Legacy” in *What Every Body is Saying* by Joe Navarro

- Reptilian, Mammalian (Limbic), Human (Neocortex) parts of the brain (22)
- Limbic brain hardwired for survival, instinctual: honest. (23)
- Freeze, flight, or fight, in that order (26)
  - Freeze: makes you “invisible,” pause before action to consider (27)
    - Even freeze during interviews!
    - Freezing responses in others should be further explored. (29)
  - Flight: modern form is feet pointing away in a conversation, or leaning away, closing/rubbing eyes. Uncomfort ==> distance. (31)
  - Personal thought: body language is cumulative, rarely “right now.” It often makes less sense to ask, “What is my body language right now?” and more to ask, “What has my body been saying since I entered the room?”
  - Fight: often verbal aggression; avoid. (34)
- Limbic brain “leaks” how it’s feeling into body language (35)
  - Personal thought: listening to your limbic brain can help identify when you’re struggling with school or life.
- Pacifying behaviors: adult version of sucking thumb... notice these: they come after we feel bothered or stressed. (37)
- Common example is covering “suprasternal notch,” right below the neck, above sternum. (38)
  - Also rubbing forehead, cheek, back of neck, or legs. (40-41)
- Ask, “Why is this person pacifying?” (42)
  - Can occur in innocent people who are just nervous (47)
  - More examples: ventilate (shirt or hair), self-hug, yawning.
- Establish pacifying baseline. You can experiment with saying things to see if they lead to discomfort (50)

“Getting a Leg Up on Body Language” in *What Every Body is Saying* by Joe Navarro

- Most honest body part is the feet! (53)
  - Crucial for survival, our feet react unconsciously. (54)
- Read bottom up: feet to face. (56)
- Happy feet = wiggles/bounce with joy, very happy (57) [So true for me that Mom noticed!]
  - Shoulders/arms begin to vibrate, too; don’t misinterpret impatience (59)
- Direction of feet, toward desirable, away from unpleasant (60)
- Knee clasp ==> ready to go (while seated) (62)

- Gravity-defying behavior (bounce, arch foot to sky, rocking) ==> happy (64)
- Starter's position (weight on ball of foot) ==> preparing for action (65)
- Splay, or taking up more space, is territorial ==> dissatisfaction (66)
  - To reduce tension in an argument, unsplay yourself. (67)
- Off-balance (legs crossed, e.g.) ==> comfort (68-69)
  - Read crosses and uncrosses for information
  - We tilt subconsciously toward the person in favor (71)
- When you meet someone, lean in to hearty handshake, then step back. If person steps toward you, they are comfortable / favor you. (75)
- Leg kicking indicative of nervousness (79). [Jiggling common from nervousness.]
- Locked ankles indicate discomfort (81).

"Beyond Hard Bargaining" in *Winning Together* by Bruno Verdini

- Insights from key negotiations in landmark US-Mexico negotiations
- Adaptive leadership (9)
- Not too many details because it's the intro chapter. Lots of lists of desirable properties, if you're curious.

## Session #11: Cultivating Poise and Aplomb (Wed, 10/19/2022)

### The Psychology of Negotiation

"Presence of Mind" in *The Art of Negotiation* by Michael Wheeler

- How to act when emotions run high:
    - Put emotions to creative use (78)
    - Be upbeat, confident, full of *poise* (78)
    - Most pressure people feel in a negotiation is self-imposed (79)
  - Great negotiators all share presence of mind (79)
    - "buttressed by tenacity and underlying optimism" (79)
    - Calm and alert (80)
    - Patient and proactive (80)
    - Practical and creative (80)
    - Underpinned by assurance and humility (81)
  - Posturing, deception, miscommunication, confrontation: all feared perils (86)
  - So be a well-centered negotiator, taking emotions in stride (87)
  - Peak performance, like star athletes: in the zone = no mental distractions (88)
  - To gain focus, practice focus, e.g. with tennis mantra like "bounce/hit...bounce/hit" (89)
  - "Be quick, but don't hurry." (89) - Coach John Wooden
  - Mindfulness/meditation to be here now, not rehashing the past (90)
  - To prepare emotionally: (93)
1. What do you want to feel going into a negotiation? —> Confident, warm, slightly wary
  2. Why? —> Anxiety out of mind puts my best, real me out there.

3. What can you do to put yourself in that state? —> Give yourself time to decompress. Dance. Do pushups. Think of Dad.
  4. What can throw you off in a negotiation? —> Feeling unprepared, making too-low first offer, realizing I missed information, forgetting my BATNA's warm shield, threats / verbal abuse / stonewalling, too much happening in real life distracting me.
  5. What can you do to regain balance? —> Drink water, "go to the balcony," reaffirm value of friendship, ask to adjourn.
  6. What do you want to feel when you are done? —> Win-win happy, new friend, satisfied with my performance / not making the same mistake twice.
- 

## Session #12: Managing Our Emotions (Mon, 10/24/2022)

### The Psychology of Negotiation

"Uncover Your Yes" in *The Power of a Positive No* by William Ury

- Don't start from No, from what we are against.  
Start from what we are for, from a deeper yes. (27)
  - Essentially, create a vision so strong you lean on it to say no to other things.
- "Never strike out of anger." Refocus your purpose, your "yes."
- Go to the balcony: detach to gain clarity – slow down (30).
- Can reschedule: "let me get back to you tomorrow," or "let me refill my water." (32)
- Be aware of your emotions: take control of them (33)
- Why? Uncover your interests to empower your YES. (35)
  - Create by saying No. What else do I get to say Yes Into?
  - Protect by saying No. (37)
  - Change by saying No. (37)
- Find your bedrock, basic needs by listening to emotions (39)
- Apply your values for a powerful positive No.
- What is your deeper purpose? Vision, heart and soul. (41)
- Clear intention is the power of your Yes (43).
  - Create one single intention. (Can list many and distill.)
- Determine whether to say no first, then how (45).
- Emotions like anger can become resolve when transformed into positive intention (46).
- Uncover your YES: you are for your needs, with direction, with energy (49).

"Emotions Are Powerful, Always Present, and Hard to Handle" in *Beyond Reason* by Fisher and Shapiro

- Emotions can divert attention from substantive matters (5)
- Positive emotions make it easier to meet substantive agreements (7).
- Emotions inform you of the relative importance of your concerns (10).

"Address the Concern, Not the Emotion" in *Beyond Reason* by Fisher and Shapiro



- Five core concerns:
  - Appreciation: your feelings and ideas are acknowledged as having merit
  - Affiliation: you're treated as a colleague
  - Autonomy: others respect your freedom to decide
  - Status: you are considered an equal
  - Role: your role is personally fulfilling

"See Your Blind Spots: Discover How You Come Across" in *Thanks for the Feedback* by Stone and Heen

- See your blind spots! Everybody has them. (3)
- Long road from my thoughts and intentions to others' stories about me, which is the source of their feedback. (5)
- The face leaks information about our true thoughts (7)
- The part of the brain that processes human voice TURNS OFF when we speak. We can't hear our own tone like that of others. (9)
- Your behavioral patterns are often invisible to you, comically obvious to others.
- Email body language: be cautious to clarify what you mean. (10)
- We often discount emotions that count double to others (11)
  - Insight: be calm, centered, and open when feedback comes. Feelings can never be contested.
- We judge by our intent, others judge by our impact (12-13)
  - The "fix" is to separate intentions from impact when discussing feedback. (14)
  - Corollary: always share impact when discussing feedback.
- Set up a trigger to remember your blind spots! (15)
- Ask, "What do you see me doing, or failing to do, that is getting in my own way?" (15)
- Honest mirror vs. supportive mirror (17)
  - Give friends guidance on which kind of mirror you want them to be
- Change from the inside out: discuss true feelings, or change feelings (19).

"Learn How Wiring and Temperament Affect Your Story" in *Thanks for the Feedback* by Stone and Heen

- People process feedback in different ways.
  - Baseline (heritable), swing (bam! feedback), sustain (how long until baseline) (24-26)
  - For me, positives may be amplified and negatives slightly muffled.
  - Bad news is emotionally louder than good news (27).
  - Recall positive feedback to sustain good feelings longer. Not just hedonistic: it's a virtuous cycle to peace of mind (or vicious down to pessimism).
- Feelings exaggerate feedback: our current focus is our whole world (34)

Broad takeaways:

1. To say No, be convinced of a visionary Yes.
2. Address four core concerns: appreciation, autonomy, status, fulfillment.
3. For feedback, separate intent from impact, then change from the inside out.

Out true feelings leak out. Treat heart and soul of other with tender care.

---

### **Session #13: Communicating in Heated Discussions (Wed, 10/26/2022)**

#### **The Psychology of Negotiation**

“Sort Out the Three Conversations” in *Difficult Conversations* by Stone, Patton, and Heen

- Three parts: What Happened, The Feelings Conversation, The Identity Conversation (7-8)
  - Explore your blind spots, what you don’t know (8)
    - Personal insight: retain the personal confidence to filter facts to form your own nuanced interpretations
  - Never assume intentions (10)
  - Focus on systematic error rather than people, like Corrections of Errors (COEs) at Amazon or Who Destroyed 3 Mile Island by Nickolas Means.
  - Difficult conversations often intertwined with our ego and identity (15)
- Move toward a learning conversation (16)
  - Shift your purpose for the conversation to unraveling the complexity of intentions and the reality of joint contribution to problem solving (16).
  - Information to share and questions to ask (17)

“Are You My Mentor?” in *Lean In* by Sheryl Sandberg

- Asking a successful person can be a “total mood killer” (82)
- Women shouldn’t treat finding a mentor as finding Prince Charming (84)
  - Mentors arise naturally from work together (85)
- “Mentors select protégés based on performance and potential. Mentors continue to invest when mentees use their time well and are truly open to feedback.” (86)
  - “Excel, and you will get a mentor.” (86)
  - “Asking a stranger a pointed, well-thought-out inquiry can yield results.” (87)
- Figure out what you want to do before you talk with someone who can hire you. (87)
- Mentorship can be deeply reciprocal. (88)
  - Mentee can be a bright spot in a day (if positive and prepared)... avoid complaining to mentor
- We gravitate to those who remind us of ourselves. Seek women to mentor - get away from sexual connotations! (90)
- Peers can also mentor and sponsor one another (94).

---

### **Session #14: Exploring Reconciliation in Conflicts Around Values (Mon, 10/31/2022)**

## Dispute Resolution Tactics

“Back to the Drawing Board” in *Winning Together* by Bruno Verдини

- Misunderstandings grew into a court case when good-faith negotiation could have worked re: lining Colorado river canal (93-94).
- Earthquake forced greater creativity and collaboration. (98-99)
  - Sarukhán: “In public policy, countries must never waste a crisis.”
- Personal insight: get to know all the actors, form solid relationships through actions, seek best for community.
- You need an agreement everyone can buy into. (105)

“Broadening Perspectives” in *Winning Together* by Bruno Verдини

- Great value in common metrics and common understanding (114-115)
  - I often take this for granted in science. It’s a miracle!
- “You have to create a safe space, where conversations can be had on the nitty-gritty. [...] Great rhetoric is not going to do it.” (115-116)
- Be able to argue every side’s position. Then search for max joint gains. (121)

“Torso Tips” in *What Every Body Says* by Joe Navarro

- Torso leans away from unpleasant (86)
  - We can twist away/turn away, too (86)
- Ventral denial = turning vulnerable front organs away = sign of deteriorating relationship (88)
- Ventral fronting = turn toward / lean into what we like (89)
  - Stiff/rigid may imply disagreement, or simple nervousness (89)
  - To let someone know you are listening, lean forward (91)
- Torso shield = crossed arms = discomfort (92)
  - Place in context of the person’s baseline: sudden, tight grip => discomfort
- Bow = respect — for eastern countries, slight bow to show respect (96)
- Clothing: torso is prime space to make a statement (98)
  - Always be cognizant of the message you send (100)
  - For me, simple, semi-formal or T-shirt unadorned with logos
- Preening: we appear well when we are well. (101)
  - Personal insight: when I am overwhelmed, my acne worsens.
- Torso splay = territorial display reflecting indifference to authority (102)
- Sharp, equal shrugs => speaker confidently supports what they are saying (105)
- Half shrug could => not committed to what was just said. (105)
- Weak shoulder display = shoulders slowly rise to turtle head => uncomfortable (106)

“Knowledge Within Reach” in *What Every Body Says* by Joe Navarro

- Arms: defy gravity when excited. (110)
- Arm withdrawal as self-restraint (112)
- Arm movement restricted => fear (or past abuse) (112)

- Sign of child abuse (bruises on ventral side — falling bruises are on the outside) (115)
- Arms behind back => don't touch me (117)
- Touch is important for well-being, positive touching (118)
- Arms akimbo = hands on hips, thumbs back = authoritative (121)
  - Bad in business world, but can be useful for women (121)
- More space taken by arms = more dominant.
- Arms as conduits of affection — good to be a big hugger! (130)
  - When meeting someone, if a hug is too much, leave arms relaxed and palms visible. (130)
- Establish rapport by touching on the arm between the elbow and shoulder — touch is vital to generation connection. (132)

#### “Getting a Grip” in *What Every Body Says* by Joe Navarro

- Hands: keep them visible, hiding —> negative impression (135)
- Handshake: try to leave positive impression (137)
  - Holding hands is commonplace in many cultures —> accept as sign of trust (138)
- Finger pointing is rude everywhere —> instead gesture with open palm (141)
- Dry sweaty hands before a handshake; sweaty palms => lying (143-144)
- Quivering hands => fear or joy, by context (145)
- Hand steepling (fingertips touching, palms not) => high confidence (148)
  - Fingers interlaced (hand wringing) => low confidence (149)
- Steepling is so powerful it radiates confidence: use in presentations / interviews.
- Thumb sticking out of pocket is high confidence —> try it! (151)
- Thumbs up (in any position) => confidence, gravity-defying (152)
- Thumb in pocket, hands out, indicates low-confidence or low status (153)
- Genital framing is a show of dominance (156)
- Liars tend to gesture less, touch less, move less than honest people. (158)
- Stroking hands together is a strong pacifying behavior (158)
- Neck touching on any sort indicates discomfort (159)
  - Reliable, worth investigating if you see it.

#### “The Mind’s Canvas”

- Faces are our mind's canvas (165)
- Negative emotions make us tense —> tighten jaw, flare nose wings, squint eyes (167)
- Positive emotions —> loosen jaw, unfurrow brow, widen eyes, make lips full (160)
  - Head tilt to the side —> expose neck —> high confidence (170)
- Pupils dilate when we like something, constrict if not —> do not ignore (172)
- Arched eyebrows —> comfort, lowered —> discomfort (175)
- Eye blocking for negative news/imagery (176)
  - Even brief touch of the eye indicates unease
- Eye flash, quick, staccato widening —> positive emotional event (179)
- Sudden absence of eye gestures in a story —> less commitment to the story, whether less interested or actually lying (181)

- Eye gaze common for lovers (or psychopaths) —> love, interest, or hate (182)
- Looking away is a sign of comfort (no threat detected) in conversation (182)
- Blinking/fluttering may reflect an internal struggle (183)
- Looking askance (slightly away) —> suspicious, unconvinced (185)
- Real smile is corners of mouth up + eyes (186)
- Fake smile is corners of mouth sideways + no eyes (187)
- Biting, tightening, and disappearance of lips —> stress (188)
- Lip pursing —> disagree or are considering another thought — very reliable! (191)
- Tongue jutting is brief sticking out of tongue —> indicates a screw up or if they've gotten away with something, like hoodwinking you (195)
- Blush/blanch reveal internal emotional state (198)
- Facial displays of disgust are very honest.... but don't roll your eyes. (199)
- "Keep your chin up" —> gravity defying behavior implies confidence (202)
- The rule of mixed signals: the negative signal is more honest (203)

## **Session #15: Building Coalitions and Forging Consensus (Wed, 11/02/2022)**

### **Dispute Resolution Tactics**

"Deep Value Differences" in *The Consensus Building Handbook* by John Forester

- Values run deeper than interests (463)
- Must honor and address value differences, not ignore in fear (464).
  - To bridge the gap, hard work, skill, sensitive exploration of issues, creativity (464)
- Careful: context of public suspicion of "neutral" or "joint work" (467)
- We often cast preferences as needs based on core values (468)
  - Personal insight: creatively find different way to meet core needs.
  - Careful: too quick of a counteroffer can spit in the face of a core value. (468)
  - And if you fix certain constraints that are actually flexible, we both lose value (469).
- Balance respect and skepticism in value conflicts (470)
  - Others may have something to teach us — respectfully skeptical (472)
- Avoid presuming how the other sees the world (472)
  - Idea: create space to privately air anxiety, communicate real needs (474)
  - Find your underlying interests: don't tie yourself to one vision of how to satisfy them (474)
- People enter negotiations with issues (what makes me sad) rather than interests (what makes me happy) (474)
  - i.e., salary is an issue, financial security is an interest
- Listen to stories from other side (475)
- Role of mediator is to help parties to understand in fresh and deeper ways what they are already quite convinced they knew all about (476).

- “When values conflict, assume the need for all parties to learn: about each other, about the issues, about the options.” (478)
- Value irreconcilability is an option, but not a presumption that threatens to snuff out desirable options never explored . (479)
- Need strong ground rules. (489)
- \*\*\* Learn detail, not doctrine. (490)
- Then listen, learn, invent, propose. (491)

“Why Break Robert’s Rules” in *Breaking Robert’s Rules* by Cruikshank and Susskind

- Robert’s Rules is a tiny book from the 1800s advocating for the stuffy proceduralism of Maseeh exec (presider, motions, one question at a time, etc.)
  - Problems include majority rule (11), no convergence to a wise decision (11), and too much power to process experts (13).

“What is Consensus?” in *Breaking Robert’s Rules* by Cruikshank and Susskind

- Broad solidarity (among informed participants), not unanimity. (19)
- 1. Make representatives truly accountable to the represented. (20)
- 2. First clarify mission, set agenda, set ground rules. (20)
- 3. Next engage in joint fact finding. (20)
- 4. Brainstorm ideas that leave everybody better off. (21)
  - a. Group problem solving, not a test of will.
- 5. Each committee member presents draft agreement to constituents (21).
- 6. Think ahead about what could go wrong in implementation (22).
- Assigning responsibilities: clarify all the parameters (mission, budget, roles, deadline, etc.) (24)
- Let people vent concerns, then *invent* solutions! (27)
  - People must feel comfortable voicing unpopular opinions.
  - The onus is on the unhappy (and every else to listen) to propose workable packages satisfying their needs (31-32).
- Group Leadership Styles:
  - Majority rule (leader as savior) (33)
  - Leader as pure process manager (34)
  - Leader as convener: get right people at the table, set right process, then let group lead itself. Professional neutral can aid here. (35)

## **Session #16: What You Stand for: Ethics in Negotiation (*Mon, 11/07/2022*)**

### **The Impacts of Negotiation**

“Introduction: The Need for Wisdom” in *Practical Wisdom* by Schwartz and Sharpe

- Inspired by Nicomachean Ethics by Aristotle (5)
- Purpose of profession is its telos (7)

- Working for incentives ≠ working for the telos of an activity (9)
  - e.g. focus on learning and connection at college, not grades
  - Personal insight: shifts away from standard economics.

“What Wisdom Is: The Janitor and the Judge” in *Practical Wisdom* by Schwartz and Sharpe

- “The aims of the practice ... need to be embodied by the institution in which that practice takes place” —> at every level (16)
- Framing situations in line with the aims of the practice often reveals the moral thread and which path to take. (21, loosely)
- Moral imagination = able to perceive what is before us in the light of what could be (22)
- Practice: we learn to be brave by being brave (26)

“Wisdom and Happiness” in *Practical Wisdom* by Schwartz and Sharpe

- Job < career < calling (meaningful, engaging, discretion-encouraging work) (282)
- Phronesis: to perceive, feel, deliberate, and act appropriately

“When We Ignore Unethical Behavior” in *Blind Spots* by Bazerman and Tenbrunsel

- Motivated blindness: best interest not to notice (80)
  - Auditors are often motivated not to point out flaws (83)
  - People are often overpolite — white lies (personal insight)
  - We often fail to question a sudden windfall
  - Motivated blindness is a psychological explanation for ignoring unethical behavior (86)
- Beware of indirect unethical behavior, e.g. through an intermediary as in pharmaceutical companies selling rights to a drug so others can price gauge (89)
- “When people stand by the unethical actions of their subordinates, they own that unethical action.” Should hold accountable! (91)
- Slippery slope: hard to notice gradual erosion of ethical standards. (93)
- Outcome bias: as in Zeckhauser, judge by the information available at the time (95)
  - Sometimes good decisions have bad outcomes (and vice versa)
  - Judge by information from BEFORE the decision.
- Identifiable victims vs. statistical victims: bias toward specifics (99)

“Sharks, Saints, and Samurai: The Power of Ethics in Negotiation” by Young

- Thesis: ethics is not a detractor, but a major source of negotiation power. (145)
- Nelson Mandela commandeers a supreme moral high ground.
- “Sharks” are hustlers, dirty tricksters, “saints” are disciples of *Getting to Yes*; and both implicitly view ethics as a weakness, a temptation—resisting. (147)
- “Principled” negotiation is doing the right thing for its own sake (149).
- These “samurai” of negotiation are trusted, liked, and feared. (149)
  - Not “playing the rules of the game” more cleverly, but changing the rules (150)
- Resist temptation to maximize unexpected power (150).
- Stand strong even if you lose a contract (they may come back).
- Joint fact finding to find the true right answer. (152-153)

- Do whatever serves the souls of this world.
- 

## **Session #17: Disabling Dirty Tricks (Mon, 11/14/2022)**

### **The Impacts of Negotiation**

“Map Backward to Craft a 3-D Strategy” in *3-D Negotiation* by Lax and Sebenius

- Story of Roosevelt campaign near-disaster turned success with “how much are you willing to pay us?” photograph fee (229)
  1. Think beyond price to map the full interests at play. (229)
  2. Beware unwarranted assumptions when assessing the deal / no deal balance. (230)
  3. Don’t become a prisoner of your own problems and perception. (231)
    - a. “Assess counterpart’s interests as they see them.”
  4. Don’t limit your tactics to “at the table” (232)
  5. Frame deal / no deal balance as “the art of letting them have your way” (232)
  6. Ethics should form a consistent part of your interests. (253)
- Map backwards from success: Need (1) target deal and (2) clear understanding of how counterpart sees deal / no deal balance. (233)

“Avoiding Common Traps” in *Negotiating with the Devil* by Robert Mnookin

- Should you negotiate with the enemy or not? (15)
  - Recall “fundamental attribution error” — failure to account for context rather than purely personality when analyzing decisions. (16)
- Intuitive vs. analytical systems à la Kahneman—speedy, emotional (17)
- Negative Traps and Positive Traps (18)
  - Tribalism vs. Universalism (all people different/same)
  - Demonization vs. Contextual Rationalism (i.e., fund. attr. bias)
  - Dehumanization vs. Rehabilitation and Redemption
  - Self-righteousness vs. Fault on all sides
  - Zero-sum vs. Appeasement
  - Call to battle vs. Call for peace
- Each column is a “cluster of reinforcing prisms that can distort judgment.” (20)
- Be aware of these tendencies, consider both sides, don’t hastily decide. (21)

“Bargains and Its Alternatives” in *Negotiating with the Devil* by Robert Mnookin

- Like Spock from Star Trek, run through the exercise of strict logic to analyze the value of the moves you can make. (25)
  - Become aware of what actions you can take to help/harm other, e.g. publicized lawsuit to erode trust in corporation. (27)
    - But of course this is attractive to neither, so brainstorm.
- My interests, my adversary’s interests (28)
- My alternatives, my adversary’s alternatives (and odds of success) (29)



- Potential win-win outcomes (30)
- Costs: time, money, manpower, spillover (e.g. reputation, precedents) (31)
- Implementation (authority, time, enforcement) (32)

“Confronting Lies and Deception” in *Negotiation Genius* by Malhotra and Bazerman

- Pre-empt by *looking* prepared so other won't feel tempted to lie (199)
  - Arrive on time, prepare to discuss the details, be organized, speak intelligently on areas of their business, recall fine details from previous sessions, reply efficiently to other side + listen well (200)
- Signal your ability to gain information (200)
  - “We'll be talking with others next week, so is this really ...?”
- Ask less threatening, more indirect questions (201)
- Don't lie. Send honesty to evince honesty. (202)
  - Make intentions explicit. “I know there's a lot at stake, and that's more likely to make everyone guarded and skeptical. But the more honest we are the easier to develop a mutually rewarding relationship. Let me start by sharing ...” (203)
- Detect lies: gather information from multiple sources; or set a trap (ask question you know the answer to, and to which the other side has an incentive to lie); or triangulate the truth (ask related questions like IP 18.405).
  - Ask clear, focused questions. Look out for responses that do not answer the question you asked. (207)
  - Create contingency contracts — put their money where they mouth is. (208)
- Warn script and confront script: always give opportunity to save face. (211)
- Smart alternatives to lying: reputation and relationships long term so much more. (213)
  - Prepare to answer tough questions. (214)
  - Don't feel compelled to answer under time pressure. (214)
    - “I'll get back to you with an estimate next time.”
  - Refuse to answer certain questions. (215)
    - “We cannot share for strategic reasons.”
  - \* Why are you tempted to lie? You dislike reality? Change it! (217)
    - Eliminate constraints that tempt you to lie. (217)

Circled in the left margin: DON'T EVER LIE.

---

## Session #18: Dealing with Mistrust and Anger (Wed, 11/16/2022)

### The Impacts of Negotiation

“Critical Agreements” in *The Art of Negotiation* by Wheeler

- Story of negotiation release of kidnapped brother.
- 1. Use tactical moves to assess strategy. (169)
- 2. Be decisive in the face of risk. (170)

3. Focus on your ultimate objective, not immediate consequences. (170)
4. Be consistent. (170)
5. Be prepared to force agreement, but time moves well. (170)
  - Reach, free, and negotiable: three tiers.
    - Don't waste time asking for what you won't get. Don't pay for what is free. (170)
  - Your *no*'s indicate interests. Hard no, pliable no. Power of a Positive No!
  - Moves, turns, and power plays (175)
    - Kolb and Porter: correcting, interrupting (silence of break), diverting, naming.
  - Dance in the "shadow negotiation" about defining roles, power, and relationships. (179)
  - When you're the one who said something foolish, reframe with spunk, humor, friend, and family, then get back to the business of tikkun olam (181).

"Reframe Your Picture: From Unfriendly to Friendly" in *Getting To Yes With Yourself* by Ury

- "Is the universe a friendly place?" –Einstein (65)
  - Arm to the teeth or see partners in growth.
- To reframe the external situation, reframe the internal picture of life. (67)
- Can you believe life is on your side? That the universe is friendly? (67)
  - Jedi power of manifested faith.
- 1. Remember your connection to life. Interconnectedness. (70)
  - Climb Swiss Alps. Body melts away. Optical delusion dissolves. (73-74)
  - Daily, exercise inner mountaintop. Connect: Then bring the crisp air down to Earth.
- 2. Make your own happiness. (76)
  - Perception of scarcity causes conflict. But we can expand the pie. (77)
  - Happiness is not something to pursue outside, but the make inside. (78)
  - Spirituality, Inward Exploration: what do we really want in life?
  - \* Paradoxically, the less dependent we feel on others to satisfy our needs for happiness, the more mature and truly satisfying our relationships with others are likely to be. (81)
- 3. Appreciate life's lessons. Grateful —> happy, not the reverse. Wittgenstein's "absolute safety" (82-85).
  - Say "Yes" to life, Viktor-Frankl-style. (87)

## Session #19: The Power of Persuasion (*Mon, 11/21/2022*)

### The Psychology of Negotiation

"Winning States of Minds" in *The Political Brain* by Drew Westin

- Win not red or blue states, but states of mind. (3)
- Politics is about identity and community. (5)
  - Clinton's ad: hope and American dream, Midwestern. (7)
  - John Kerry: military, Northeastern intellectual liberal (ack!) (9)

- “This guy isn’t like me,” stuck in neural pathways of voters. (10)
- E.g. Don’t say which law school... “law school” > “Harvard Law School” when connecting to ordinary voters.
- When linking concepts, build a story as a tight network of congruous ideas. Simple, direct, strong. (11 is example of opposite.)
- “Political persuasion is about networks and narratives.” (12)
- Republican strategists realized the road to victory is emotional intentions. (13)
- When someone makes an emotional appeal, the only counter is a stronger emotional appeal. (15) e.g. Bush v. Gore on gay rights
- Before we reason, we need a reason to decide. That is emotion. (16)

“Rational Minds, Irrational Campaigns” in *The Political Brain* by Drew Westin

- Founding fathers envisioned dispassionate electorate. (25)
- But is public opinion the result of manipulation by special interests? (27)
- Issues-based news is less profitable [... THAT’s why I’ve never seen a news network carefully explain a bill. THAT is what we need.] (30)
- Democrats assume voters act rationally, rather than emotionally (31).
- Ugly postmodernism routine of he said / she said instead of adjudicating a single truth. (34)
- Marketplace of emotions, not marketplace of ideas. (35)
- Key strength is to read the emotional pulse of people.
- Little pieces like a smirk or lack of smile can reveal our character. (43)
- Emotion ≠ demagoguery! Can play not to fears and prejudices, but hopes and dreams.

“Trickle-Up Politics” in *The Political Brain* by Drew Westin

- Important how voters feel about candidates... same traits are not opposites, e.g. both warm and angry (119)
  - Emotional associations a better predictor than voter’s own prediction! (119)
- Anxious voters rely more on issues. No anxiety => issues have no effect. (120)
- False consciousness: ideological systems blind people to their material interests (122).
- Background music and imagery is far more impactful than script. (129)
  - Ger experts on your team to read the emotional responses from different constituencies.
- Democrats fail to run emotional campaigns because we feel reason > emotion.
  - But reason is NOT means and ends. Reason is only means. (133)
  - Therefore we require a bulwark of values, of emotional acuity.

“Strategies of Influence” in *Negotiation Genius* by Malhotra and Bazerman

1. Highlight their potential losses rather than potential gains (160)
2. Spread out their gains and lump together their losses (162)
3. (Cialdini) Make outrageous request, then back up: contrast effect (165)
4. (Cialdini) Make small request, then later larger ones that naturally follow (166)
5. Justify your asks: “I am asking for X because ...” (168)
6. (Cialdini) Leverage social proof: show how everyone is buying it / hiring you (170)

7. Make token unilateral concessions, e.g. meet conveniently for them or bring coffee. (171)
8. Use reference points to make your offers and demands seem more reasonable. (172)

Defend against influence strategies:

- Explicitly separate information from influence (174)
- Rephrase their offer in other terms, i.e. loss frame to gain frame (175)
- Create a scoring system, or appoint a devil's advocate. (174-175)
- If possible, do not negotiate under time pressure. (175)

“Crafting Compelling Messages” in *When the Headline is You* by Ansell and Leeson

- “Say all you have to say in the fewest possible words, or your reader will be sure to skip them; and in the plainest possible words, or he will certainly misunderstand them.”  
—John Ruskin (85)
- Repeated exposure to one person's opinion has as much influence as shared opinions from many people. (85)
- Messaging Maxims:
  - Use simple words (86)
  - Keep sentences short—pause, next thought—demonstrates clarity of thought (88)
  - Create standalone messages to withstand contextless editing (89)
  - Avoid qualifiers (“I think ...,” e.g.) to sound confident (91)
  - Scratch your “but”... just don't use this word. Use “and”. (91)
- Does it pass the “says so-and-so” test?
  - “Everyone deserves high quality math education,” says Newhouse.

## **Session #20: Tackling Uncertainty in Science-Based Disputes (Mon, 11/28/2022)**

### **The Impacts of Negotiation**

“Tearing Down Walls” in *Winning Together* by Bruno Verdini

- Frame negotiations as environmental—without borders (127)
- Mexicans showed US officials MExicali Valley restoration on a field trip! (127)
- Combine interests creatively... no, “This is what I want and I won't budge.” (129)
- Push, push, push, creatively and persistence and rapport. (135)

“Protecting and Perfecting” in *Winning Together* by Bruno Verdini

- Dealing with Spoilers (140)
- Managing public communication: media too volatile, need privacy for packages (143)
  - Victory speech includes some concessions, but also the reasons why.
  - Instead of media, they released carefully constructed press releases. (143)
  - Limit information publicized: keep spoilers out! (144)

- “Communicate succinctly, and only with people to whom the results are meaningful. Do not empower an enemy to come out of the woods.” (145)
- “People understand an issue at different points in time. You need to not ... jump ahead of them. Because if you do they feel left behind, they dig in ....” (146)
- “You need openness, to listen to every proposal carefully, even if you immediately realize it is not something you agree with.” (148)
- You need side talks and informal spaces (149)
- POTA = point of tentative agreement (150)

“Fair Enough” in *The Art of Negotiation* by Michael Wheeler

- “If we are not four ourselves, who will be? If we are only for ourselves, who are we?”  
–Hillel the Elder (240)
- Accept too-good-to-be-true offer? VIRTUE IS REWARDED. (241)
- Tell the whole truth in negotiation? YES, and still persuade. (243)
- For buyers, ask clear, focused questions. Direct. (243)
  - “Are there any potential problems with the property that could concern me?”
- Morality checklist: (249)
  1. Universality check
  2. Reciprocity check (golden rule)
  3. Publicity check
  4. Legacy check (“Is this how you want to be known and remembered?”)

## **Session #21: Negotiating for Whom and for What Purpose (Wed, 11/30/2022)**

### **The Impacts of Negotiation**

“Coda” in *Good for You, Great for Me* by Susskind

- Revise initial objectives after asking good questions. Confidence to improvise. (198)
- Talk comfortably about what tradeoffs you are willing to consider. Find trading zone quickly, or discover there is none. (199)
- Ask “what if” questions. Secure an openminded mandate from back table. (202)
  - Best for back table to authorize creativity for implementability.
- Never compromise for worse than your walkaway option. (203)
  - Okay to take a break to reassess.
- \* Find deal space, THEN let cooperation turn to competition.
  - At this point, everyone is at least guaranteed better than their BATNA. (204) This is what happened in Coastal Risks.
  - To justify distributional claims, you must write the other side’s victory speech. (205)

“Conclusion: The Three Wins” in *Getting to Yes with Yourself* by Ury

- A win WITHIN: (The biggest, most important YES) (170)

1. Put yourself in your shoes (what do you *really* need?)
  2. Develop your inner BATNA (satisfy deepest needs no matter what)
  3. Reframe your picture (choose to say “yes” to life despite challenges)
  4. Stay in the zone (what can you let go?)
  5. Respect them even if (impeccable speech to all)
  6. Give and receive (surprise somebody with a gift)
- A win for OTHERS: far smoother if you have a strong internal YES (173)
  - A win for the WHOLE: our world is abundant... the obstacle is us. (175)
    - Nelson Mandela: iron internal “yes” reshaped a nation. (176)
  - Ury’s passion is peace, to prevent and stop wars. (177)
  - The key to peace is inner peace. (177)
  - Winning the game of life: internal attitude of “yes” for peace of mind and heart, peace in family, peace in larger world. (178)