

Getting Past No – William Ury

Navigate the obstacles that stand between you and Yes. Reach the optimal solution when both sides engage in the problems that divide them.

Getting Ready – Breaking Through Barriers to Cooperation

- **Negotiation** is the process of back and forth communication aimed at reaching agreement with others when some of your interests are shared and some are opposed
- **Joint Problem Solving**
 - Jointly attack the problem instead of attacking each other
 - Identify the interests (concerns, needs, fears, desires) that motivate opposing positions
 - Explore different options for meeting interests
- **Five Barriers to Cooperation** - the sequence of the above 5 steps are important, but you must continually circle back to the beginning of the process
 1. Your Reaction – regain your mental balance and stay focused
 2. Their Emotion – help the other side regain their mental balance to stay focused
 3. Their Position – accept what they say and reframe it to deal with the problem; act as if they were your partner
 4. Their Dissatisfaction – bridge the gap between their interests and yours; help them ‘save face’ to make it look like a victory for them
 5. Their Power – show them that they cannot win by themselves
- **Change the Game:** do the opposite of what you naturally feel like doing in difficult situations
- **Meeting Preparations**
 - Prepare, Prepare, Prepare - before, after, and then adapt Lessons Learned
 - Interests – a party’s position on what they want; tangible motivations
 - Figure out and rank your interests – don’t trade off on the important interests
 - Figure out their interests and their perceptions
 - Options – do not explore on a single solution; explore creative options to satisfy interests
 - Standards – independent measuring stick that decides what is a fair solution (i.e. market value, equal treatment, law, historical experiences); do your homework
 - Alternatives – Best Alternative to a Negotiated Agreement (BATNA)
 - Identify your BATNA – consider three alternatives
 - Identify their BATNA
 - Proposals – commit on what you aspire to and would be content with

Using the Breakthrough Strategy

- **Don't React: Go To The Balcony** – step back, collect your wits and view the situation objectively
 - Action provokes reaction and reaction provokes counter reaction, which is a futile and costly confrontation
 - Striking back rarely advances your immediate interests and damages your long-term relationships. You may win the battle, but lose the war
 - Breaking off all communication can be a costly mistake; don't lose sight of your interests
 - Recognize Tactics
 - Stone Wall – refusal to budget
 - Attacks – intimidation to make you uncomfortable
 - Tricks – manipulate you into giving in
 - Know Your Hot Buttons
 - Buy Time To Think
 - Pause and Say Nothing – quick to hear, slow to speak, slow to act
 - Rewind The Tape – repeat what you heard; neutralize the impact
 - Take A Time Out – call a caucus to discuss the new offering
 - Don't Make Important Decision On The Spot
 - Don't Get Mad, Don't Get Even, Get What You Want
- **Don't Argue: Step To Their Side**
 - Disarm the person by defusing hostile emotions; get them to hear your point of view by doing the opposite of what they expect
 - Listen Actively
 - Acknowledge Their Points
 - Agree Without Conceding
 - Build A Working Relationship
 - Express Your Views Without Provoking
 - Don't say "yes, but"....say "yes, and"
 - Make "I" statements, not "You" statements
 - Acknowledge Differences With Optimism
- **Don't Push: Build Them A Golden Bridge**
 - Mediate so that your proposal is not rejected because it's not their idea
 - Build on their ideas
 - Ask for constructive criticism
 - Offer them a choice
 - Satisfy their unmet interests
 - Don't dismiss them as irrational
 - Don't overlook basic human needs
 - Help them save face to back away without backing down
 - Don't rush - don't ask for a final commitment until the end

- **Don't Reject: Reframe**

- Redirect the other side's attention away from positions
 - Identify interests
 - Invent creative options
 - Discuss fair standards
- Treat hard-line positions as an informative contribution to the discussion
- Ask Problem Solving Questions
 - Why
 - Why Not
 - What If
 - Ask for Advice
 - Why Is That Fair
 - Make Questions Open Ended
- Reframe Tactics
 - Go around Stone Walls – ignore it, reinterpret it or test it
 - Deflect Attacks – reframe as an attack on the problem to be solved jointly
 - Expose Tricks – ask clarifying questions to turn tricks to your advantage
- The Turning Point – Changing the Game

- **Don't Escalate: Use Power To Educate**

- Break through the barrier of power plays - An eye for an eye makes everyone blind (M. Ghandi)
- Let them know the consequences - warn, don't threaten
- Demonstrate your BATNA
- Tape the Third Force
 - Build a coalition of supporters
 - Use third parties to stop attacks
 - Use third parties to promote negotiation
- Let them know their choices
- Negotiate even when you are winning
- Forge a lasting agreement
 - Minimize risks
 - Build dispute resolution procedures
- Reaffirm your relationship
- Aim for mutual satisfaction, not victory

- **Turning Adversaries Into Partners**

- Your goal is not to win over them, but to win them over
- Be patient and persistent
- Small breakthroughs add up to major breakthroughs