



Book Getting Past No

Negotiating in Difficult Situations

William Ury
Bantam, 1993
First Edition:1991
[Listen now](#)

- play
- pause

00:00
00:00

Recommendation

Best-selling author William Ury has the topic of negotiation down cold. Reading this classic book (originally released in 1991) is a pleasure and the reasons it became a bestseller are obvious: It is clear, concise and eminently readable. This book has such wide appeal that *BooksInShort* recommends it to all businesspeople and to anyone who ever needs to negotiate about anything – from cops bargaining with hostage takers to consumers pushing for the best car prices. Read this book and become a better negotiator.

Take-Aways

- The “breakthrough negotiation” strategy hinges on controlling your instinctive first reactions and approaching your goal in an indirect way.
- The strategy has five steps: be a dispassionate observer, understand the other side’s interests, reframe the argument, build a “golden bridge” and educate the other side.
- Know what you want to accomplish and how you want to attain your goal.
- Convert your opponents into partners.
- The objective of a negotiation is to satisfy your interests, certainly better than if both parties had pursued their best alternative to a negotiated agreement, or BATNA.
- Preparation is the linchpin of successful negotiations.
- Joint problem solving requires parties to focus on their interests, not their positions.
- When people feel threatened or under attack, they respond instinctively, aggressively and negatively.
- Stay mentally detached during a negotiation, so you can more easily identify the three most common disruptive tactics: attacks, stonewalling and deception.
- Defuse an intransigent counterpart’s hostility by doing something unexpected.

Summary

The Negotiation Revolution

In today’s interconnected, contentious world, conflict is a way of life. But so is negotiation, which is any interactive communication process undertaken to reach an agreement with other parties. Negotiations do not have to be formal. They can take place in stores, with children or at work. A negotiation happens whenever you want something from another person.

“The turning point of the breakthrough method is when you change the name of the game from positional bargaining to joint problem solving.”

To avoid the stress of negotiating, convert a process that is usually based on confrontation into a process grounded in joint problem solving. Using this approach, both parties pay attention to the problem at hand without involving their egos.

In mutual problem solving, the participants focus on five touchstones necessary for a solution that benefits everyone: “interests, options for satisfying those interests, standards for resolving differences fairly, alternatives to negotiation and proposals for agreement.” Each party’s interests include their fears, needs, concerns and desires. Once people identify their needs, begin seeking ways to fulfill them.

“Conflict is a growth industry – and so, naturally, are difficult negotiations.”

Alas, in the real world, obstacles arise to prevent this from working smoothly. The first obstacle is your reaction to the process. You may want to acquiesce to preserve your relationship with the other person. Or, that individual may be aggressive or intractable because he or she is afraid or distrustful. In that case, you may want to be assertive. The secret is to control your instincts, act strategically, and know your final goal and how you want to reach it.

“The key word in an agreement is ‘yes’.”

Begin by getting organized for the negotiation. Good negotiators should spend one minute preparing for every minute they will be in discussions with the other party. As you plan and pursue your negotiation, heed these principles:

- **Identify everyone’s specific interests** – Rank your interests, so you don’t mistakenly bargain away a less important one for a more important one. Understand what matters to the other individuals involved, including their priorities and their perceptions of the facts. Taking the time to delve into their interests is very important. Try to discover their emotional attitude toward the issues and toward you. Talk to people who know them (co-workers, friends, customers) to learn more about them and determine if they are honest.
- **Create options that satisfy everyone** – Identifying your counterparties’ interests enables you to present options that may satisfy everyone. Perhaps you can expand the number of choices under discussion, as opposed to considering only the obvious options. Sticking to your original negotiating stance is a common mistake that limits your options and blocks you from uncovering new alternatives. Focus on your interests, not your position.
- **Present industry standards that can solve differences** – These standards could provide useful precedents from common practices in science, cost analysis, technical measures or other areas. Referring to standards advances negotiations and bypasses confrontations. Standards are neutral, so both parties should find it easier to view them as objective.
- **Consider other alternatives to negotiations** – Contrary to common perception, the object of a negotiation is not just to reach a settlement, but to reach a better settlement than if both parties had pursued their best alternative to a negotiated agreement, or BATNA. Your BATNA is meaningful, since it gives you power. For instance, if you ask your boss for a raise, having another job offer gives you more leverage and confidence. If you disagree with a salesperson, your BATNA may be to talk to the store manager. Measure any possible agreement against your BATNA. If you fail to reach an agreement, your BATNA becomes your plan B. If your BATNA is more lucrative or more favorable than the negotiated offer, consider exploring your BATNA. But, remember, your counterparty also has a BATNA.
- **Develop agreement proposals** – A proposal is a draft agreement you are prepared to sign. “Aim high” but set your goals realistically. Don’t expect to get everything you ask for, but know what would satisfy you. Determine if any of the alternative proposals would work out even better than your BATNA. Then, practice what you want to say. Rehearse the negotiation session with a friend who can present counterarguments for practice. Try to anticipate how the other parties will respond to your points to reduce the possibility of getting surprised.

“Breakthrough Negotiation” Step by Step

The breakthrough negotiation strategy converts the other side into your partner in reaching a solution. This changes the rules of the game by shifting away from confrontation. It transforms problems into opportunities for both parties to get what they want.

“Negotiation is more about asking than it is about telling.”

Making this transformation requires education. To make breakthrough negotiation work, you must help the other party approach the problem in a new way. During the negotiation process, control your instinctive reactions and use an indirect approach. Use the five stages of the breakthrough negotiation strategy in this order:

Step One: “Go to the Balcony”

As a bargaining session heats up, cool your instinctive feisty reaction to wage combat by mentally detaching yourself from your negotiation, as if from a higher perspective, like a balcony. Do not respond automatically. Calmly evaluate the situation. Become an observer. Instead of being emotionally entwined, focus on your goal. Know what you want. Stay rational and calm.

“The single most important skill in negotiation is the ability to put yourself in the other side’s shoes.”

When people feel attacked, they respond instinctively and badly. The most usual response is to fight back, which produces short-term gains, but long-term losses. Other common responses to feeling challenged range from surrendering to the other side’s demands to terminating the relationship. That may have some merit (no one likes to feel victimized), but it has negative financial and emotional consequences. Instead, govern and control your instincts.

“The other side’s mind is often like a cluttered attic, full of old resentments and angers, gripes and stories. To argue with them just keeps all this stuff alive. But if you acknowledge the validity of what they say, it begins to lose its emotional charge. In effect, the stuff begins to disappear from the attic.”

Resist the tendency to lose your objectivity when feeling threatened. Reacting mindlessly will aggravate the original problem. Break this cycle by deciding not to react. Enter a dispassionate state of mind, where you can produce constructive responses. When you are detached, you will find it easier to identify the three most common

disruptive tactics: attacks, stonewalling and deception. Once you label your opponents' tactic, you can think about it and craft a strong response. Don't be afraid to slow down the discussion by asking the counterparties to repeat what they've said. Take notes, so you can track their earlier positions. People who use even one of these tactics often use all three in combination to keep you off balance.

Step Two: "Step to Their Side"

Don't get drawn into an argument. Put yourself in your counterparties' shoes. Then, defuse their negativity and hostility by acting unexpectedly. They think you are going to be obstinate and aggressive. Instead, do something surprising, like agreeing with them. Acknowledge the merits of their position and treat them respectfully. State that their point of view is valid. When you listen to them, they will start to listen to you. Be an active, responsive, careful listener, and encourage them to explain whatever is on their mind.

"A common mistake in negotiation is to dwell on a single solution, your original position."

Former U.S. Secretary of Defense Robert McNamara did something unexpected while discussing the 1962 Cuban missile crisis with Russian and Cuban diplomats at a 1989 symposium. McNamara surprised the audience when he said he understood that the Cubans and Russians secretly installed atomic weapons in Cuba because they thought the U.S. was going to invade the island, even though the U.S. had no intention of doing so. This surprising remark made people more interested in what he had to say.

"The first casualty of an attack is your objectivity – the faculty you need most to negotiate effectively."

One way to express your views in a volatile situation is to talk in the first person. Instead of saying the other parties acted irresponsibly, turn the situation around and say you feel distressed by their behavior. This technique emphasizes your needs, perspective and desires, but does not focus on other people's inappropriate conduct or negative decisions.

Step Three: "Reframe"

When you are dealing with stubborn counterparties, move the negotiations ahead by reframing the situation. Don't reject their arguments. Instead, rephrase them so you can "tackle the problem together." Show that you understand their position. This gives you a way to try to change their stance by identifying shared interests and alternative solutions.

"Inventing options for mutual gain is a negotiator's single greatest opportunity."

Reframing, in effect, means beginning to treat your opponents as partners in finding solutions and working together to forge a creative result that benefits everyone. To break a logjam, try asking your counterparts for advice about solving a problem in the negotiation. Frequently, they will provide it. That can start the reframing process. Similarly, asking basic questions, such as "Why do you need that?" and "Why not try it this way?" can jump-start new ways of looking at an issue. Asking problem-solving questions can also shift the other party away from counterproductive tactics, such as personal attacks or deception.

"The combination of seemingly opposite responses – acknowledging your counterparty's views and expressing your own – is more effective than either alone."

If someone asks you to make a critical decision immediately, don't do it. Request a time-out. Use techniques to buy time to think, such as saying your lawyer has to review all the documents before you sign anything. If the other side imposes an unreasonable deadline, test the deadline. For instance, if a management representative says the company must have a labor contract by 5 p.m., union negotiators could respond that they must take any settlement back for a full-membership vote, which would take at least a week. Breaching the deadline will prevent you from yielding to the other side's ultimatum.

Step Four: "Build Them a Golden Bridge"

To get a lasting deal, be sure that all the involved parties develop crucial decisions jointly and that any agreements cover all the participants' basic interests and priorities. Deals can fall apart when people are made to look weak before their subordinates or when the agreement itself becomes seemingly overwhelming or intimidating. Pressuring the other side and dictating instructions will drive people away. Instead, when you remain far from an agreement and negotiations get tough, create a structure between your position and your counterparties'. Build a "golden bridge" across the chasm. To erect the bridge, present good ideas to the other side and ask for constructive criticism so people will adopt your ideas as their own. Involve them in crafting a solution that meets everyone's mutual interests. This allows them to join you in finding a superior solution, to end the negotiation with something they wanted and to keep their dignity intact.

"Most negotiations are won or lost even before the talking begins."

The pivotal human needs for recognition, respect and autonomy play an important role in negotiations. The Campbell Soup Company once wanted to buy a highly successful steakhouse to turn it into a chain. Campbell's representative negotiated with the owner for six weeks without making much progress. When the negotiator finally asked the owner why he was reluctant to sell, the man said he had built the business himself and was personally invested in its success. Money was not his main focus; he simply wasn't ready to relinquish control and the recognition that came with being the owner. With this new understanding, Campbell's negotiator offered a partnership under which the owner would operate his restaurant and help develop the chain. The longer he stayed, the more money he would get for his share of the business. This satisfied the owner's interests and Campbell was able to make the deal.

Step Five: "Use Power to Educate"

When the going gets heated, avoid the temptation to "escalate" the battle. Instead, explain the consequences of negative behavior and show the other parties that they have an alternative course toward a lasting, beneficial relationship, but only if you can "break through barriers" together. Help them understand that they cannot win

without you. If necessary, explain your BATNA.

“Follow the biblical dictum: ‘Be quick to hear, slow to speak and slow to act’.”

When you hit insurmountable obstacles in a negotiation, change the environment. This includes turning your adversary into a negotiating partner without being vindictive. After all, “your goal is not to win over them, but to win them over.” That requires patience and perseverance, but if you create the right atmosphere, a small breakthrough can open many doors. Collaborate with your counterparts to prepare a “victory speech” in which they can explain how the settlement benefits their side. This can defuse their critics and keep your golden bridge intact.

About the Author

William Ury, Ph.D., is a negotiator, public speaker and author. He is co-founder and senior fellow of the Harvard Negotiation Project. He is the co-author of *Getting to Yes* and *Getting Disputes Resolved*, and the author of *The Third Side*, *Getting to Peace* and *The Power of a Positive No*, among other books.
