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