

## GETTING TO YES

*Negotiating Agreement Without Giving In | Roger Fisher & William Ury*

### EXECUTIVE OVERVIEW

**Getting to Yes** introduces *Principled Negotiation*, a revolutionary method for negotiating agreement without giving in. The authors challenge traditional positional bargaining—where parties take opposing stances and haggle toward compromise—and present an alternative approach that produces wise agreements efficiently while preserving relationships. The method focuses on separating people from problems, exploring underlying interests rather than stated positions, generating creative options for mutual gain, and using objective criteria to resolve differences. This approach transforms negotiation from a contest of wills into collaborative problem-solving.

### THE PROBLEM: POSITIONAL BARGAINING

Traditional negotiation involves taking positions (demands or offers) and making concessions to reach agreement. This approach suffers from critical flaws:

Approach	Characteristics	Drawbacks
<b>SOFT Bargaining</b>	Participants are friends; goal is agreement; make concessions to cultivate relationship; trust others; yield to pressure	Vulnerable to exploitation; produces sloppy agreements; often results in feeling bitter and taken advantage of
<b>HARD Bargaining</b>	Participants are adversaries; goal is victory; demand concessions; distrust others; apply pressure; dig into positions	Damages relationships; inefficient; produces unwise outcomes; creates contest of wills; often leads to deadlock

Both approaches share common problems: they produce unwise agreements that don't satisfy parties' true interests, they're inefficient and time-consuming, they endanger ongoing relationships, and they become exponentially worse with multiple parties involved.

### THE SOLUTION: PRINCIPLED NEGOTIATION (THE FOUR PRINCIPLES)

#### PRINCIPLE 1

##### Separate the People from the Problem

Negotiators are people first—with emotions, values, and different perceptions. Deal directly with people problems (perception, emotion, communication) separately from substantive issues. Work side-by-side attacking the problem, not each other. Be soft on the people, hard on the problem. Address psychological issues using psychological techniques, not substantive concessions.

#### PRINCIPLE 2

##### Focus on Interests, Not Positions

Positions are what people say they want; interests are why they want it. Compromising between positions rarely satisfies underlying needs. Ask "Why?" and "Why not?" to uncover interests. The most powerful interests are basic human needs: security, economic well-being, belonging, recognition, and control over one's life. Acknowledge interests as part of the problem.

#### PRINCIPLE 3

##### Invent Options for Mutual Gain

Don't search for the single "right" answer under pressure. Separate inventing from deciding. Brainstorm a wide range of possibilities before evaluating. Look for solutions that provide mutual gain by reconciling differing interests or making one side's gain cost the other side little. Use creative problem-solving techniques and avoid premature judgment.

#### PRINCIPLE 4

##### Insist on Using Objective Criteria

When interests conflict directly, don't let it become a contest of wills. Insist outcomes be based on fair standards independent of either side's desires—such as market value, precedent, scientific judgment, professional standards, efficiency, costs, equal treatment, tradition, or law. Frame issues as a joint search for objective criteria; reason and be open to reason; never yield to pressure.

#### ★ BATNA: YOUR SOURCE OF NEGOTIATION POWER

**Best Alternative To a Negotiated Agreement (BATNA)** is the standard against which any proposed agreement should be measured. It's what you'll do if the negotiation doesn't produce an agreement. **Key Actions:** (1) Develop your BATNA—know your walk-away alternative; (2) Consider improving it before negotiating; (3) Estimate the other side's BATNA; (4) Don't reveal your bottom line; instead, consider any agreement better than your BATNA. The stronger your BATNA, the greater your power. Protecting yourself means knowing when to walk away.

### DEALING WITH DIFFICULT SITUATIONS

#### When They're More Powerful

- Develop your best BATNA to protect yourself
- Weak BATNA? Improve it or develop other alternatives
- Focus on interests and objective criteria, not relative power
- Use principled negotiation to leverage what power you have

#### When They Won't Play

- **Use Negotiation Jujitsu:** Don't push back when they attack; deflect attacks onto the problem
- When they assert positions, ask about interests and criteria
- Reframe attacks on you as attacks on the problem
- Ask questions instead of making statements; use silence

#### When They Use Dirty Tricks

**Recognize the tactic and raise it explicitly.** Common tricks include: (1) *Deliberate deception* (phony facts, ambiguous authority, dubious intentions); (2) *Psychological warfare* (stressful situations, personal attacks, good-guy/bad-guy routine, threats); (3) *Positional pressure tactics* (extreme demands, escalating demands, lock-in tactics, take-it-or-leave-it). **Response:** Separate the people from the problem, focus on interests and merits, and explicitly negotiate the rules of the negotiation game itself.

### KEY IMPLEMENTATION INSIGHTS

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#### Three Stages of Negotiation

- **Analysis:** Gather information, diagnose people problems, identify interests and options
- **Planning:** Generate ideas, decide how to handle people issues, set realistic objectives

#### Critical Success Factors

- Build working relationships based on mutual understanding
- Listen actively and acknowledge what the other side says
- Communicate clearly; speak about yourself, not them

- **Discussion:** Communicate, acknowledge differences, jointly generate options, seek agreement on standards

- Base relationship on perceptions, not misconceptions
- Be purposive and forward-looking, not reactive

### CORE BENEFITS OF PRINCIPLED NEGOTIATION

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**Produces Wise Agreements:** Satisfies legitimate interests, resolves conflicting interests fairly, is durable, and considers community interests. **Efficient:** Avoids the transactional costs of digging into positions and digging out again. **Amicable:** Separating people from problems allows you to deal empathetically with people while remaining hard on substance. **Applicable Everywhere:** Works whether there are two parties or many, one issue or several, whether dealing with friends or adversaries, in business negotiations or international diplomacy. **Protective:** If the other side learns the method, it becomes easier, not harder, to use.