

## **Getting to Yes: Negotiating Agreement Without Giving In**<sup>[1]</sup>

**Roger Fisher, William Ury, and Bruce Patton**

Roger Fisher, William Ury, and Bruce Patton present a four-step method for interest-based negotiation in Getting to Yes: Negotiating Agreement without Giving In. Their step-by-step strategy creates win-win situations that allow the negotiating parties to create mutually acceptable agreements. The authors understand that some people are more powerful than others and that some negotiators will resort to “dirty” tricks in order to win or to create a beneficial outcome. They present four fundamental principles of negotiation and offer some suggestions on how to overcome some of these obstacles to negotiation:

- *Separate the people from the problem:* Fisher, Ury, and Patton argue that negotiators need to distinguish between people problems and substantive issues. People problems or relationship issues include misperceptions, emotions, and communication issues; they are most easily overcome if the parties recognize that people interpret reality differently. These problems can lead to a breakdown in negotiations even if there is room for agreement on substantive issues, demonstrating the importance of recognizing the other side’s perceptions and interests in order to overcome the people problems.
- *Focus on interests, not positions:* Often in negotiation, people take extreme positions in order to counter the argument of their opponent. A position is something already decided at the beginning of a negotiation, whereas an interest is the need, hope, fear, motivation that underlies the position. A negotiation that focuses on interests gives parties an opportunity to create value at the table and leads to more durable solution. If one side takes the other parties’ interests into account, the other side will be more motivated to do the same.
- *Invent options for mutual gain:* By inventing options for mutual gain, the negotiators commit to satisfying the interests of all parties in the best way possible. Multiple options that allow both sides to benefit will result in an outcome that is less likely to break down. Fighting over original positions assumes that there must be a winner and a loser in the process of negotiation. Creating options for mutual gain will ensure that parties’ interests are met and a larger pie is created, which can be divided between the parties.
- *Insist on objective criteria:* Objective criteria give both sides more guidance as to what is a fair outcome from the negotiation. For example, objective criteria could include the market value of a product or a scientific judgment that provides guidance for the reasonable outcomes from negotiation.

In addition to these principles, Fisher, Ury, and Patton argue that negotiators should always understand their alternatives. Parties should never accept an agreement that is worse than the one they might have gotten or that may make them worse off than before negotiation. The authors stress the importance of knowing the BATNA, or the Best Alternative To a Negotiated Agreement. Understanding the alternative to a negotiated settlement allows the parties to manage more effectively differences in power and to understand that they are negotiating to produce something better than that alternative.

As a process, parties should begin with an analysis of the problem, the other party’s interests and perceptions, and the existing options. The parties should plan ways of responding to the situation and discuss the problem in order to find a solution on which they can agree. The method of principled negotiation put forth by Fisher, Ury, and Patton enables fairness and mutual gain and maintains relationships by allowing parties to focus on interests.

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