

RANDOM HOUSE  BOOKS



Getting Past No

Roger Fisher & William Ury

Contents

[About the Book](#)

[About the Author](#)

[Also by Roger Fisher & William Ury](#)

[Title Page](#)

[Dedication](#)

[Author's Note](#)

[Overview: ***Negotiating with Difficult People***](#)

[STEP 1. Don't React](#)

GO TO THE BALCONY

[STEP 2. Disarm Them](#)

STEP TO THEIR SIDE

[STEP 3. Change the Game](#)

DON'T REJECT ... REFRAME

[STEP 4. Make It Easy to Say Yes](#)

BUILD THEM A GOLDEN BRIDGE

[STEP 5. Make It Hard to Say No](#)

BRING THEM TO THEIR SENSES, NOT THEIR KNEES

[Conclusion: ***TURNING ADVERSARIES INTO PARTNERS***](#)

[Analytical Table of Contents](#)

[End Notes](#)

[Copyright](#)

About the Book

We all want to get to yes, but what happens when the other person keeps saying no?

How can you negotiate successfully with a stubborn boss, an irate customer, or a deceitful coworker?

In *Getting Past No*, William Ury of Harvard Law School's Program on Negotiation offers a proven breakthrough strategy for turning adversaries into negotiating partners. You'll learn how to:

- STAY IN CONTROL UNDER PRESSURE
- DEFUSE ANGER AND HOSTILITY
- FIND OUT WHAT THE OTHER SIDE REALLY WANTS
- COUNTER DIRTY TRICKS
- USE POWER TO BRING THE OTHER SIDE BACK TO THE TABLE
- REACH AGREEMENTS THAT SATISFY BOTH SIDES' NEEDS

Getting Past No is the state-of-the-art book on negotiation for the twenty-first century. It will help you deal with tough times, tough people, and tough negotiations. You don't have to get mad or get even. Instead, you can get what you want!

About the Author

William Ury co-founded and serves as associate director of Harvard's Program on Negotiation. He is co-author (with Roger Fisher) of *Getting to Yes: Negotiating Agreement Without Giving In*, a two-million-copy bestseller translated into twenty-two languages. He is also co-author (with Jeanne M. Brett and Stephen B. Goldberg) of *Getting Disputes Resolved: Designing Systems to Cut the Costs of Conflict*, which won the Center for Public Resources Book Award for excellence and innovation in alternative dispute resolution.

A specialist in negotiation and conflict resolution who has taught at Harvard Business School, Ury trains corporate executives, labor leaders, diplomats, and military officers. His clients range from AT&T and American Express to the State Department and the Pentagon. He has served as a mediator in business, labor, and international disputes;

As director of the Nuclear Negotiation Project at Harvard Law School, Ury authored *Beyond the Hotline: How Crisis Control Can Prevent Nuclear War*. He was a consultant to the White House on the creation of nuclear risk reduction centers in Washington and Moscow. Ury also served for five years as associate director of the Avoiding Nuclear War Project at Harvard's John F. Kennedy School of Government.

Ury received his B.A. from Yale College, and his M.A. and Ph.D. degrees from Harvard University.

Also by William Ury

Getting to Yes: Negotiating Agreement Without Giving In
(with Roger Fisher)

Beyond the Hotline: How Crisis Control Can Prevent Nuclear War

Getting Disputes Resolved: Designing Systems to Cut the Costs of Conflict (with Jeanne M. Brett and Stephen B. Goldberg)

Windows of Opportunity: From Cold War to Peaceful Competition in U.S.-Soviet Relations (edited with Graham T. Allison and Bruce J. Allyn)

Getting past no

Negotiating with difficult people

William Ury

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*For Roger Fisher
with gratitude*

Author's Note

Ten years ago Roger Fisher and I wrote a book called *Getting to Yes*, which presented a step-by-step “dance routine” for negotiating mutually satisfactory agreements. That book continues to have considerable appeal, but there are questions almost every reader ends up asking: “What if the other side hasn’t read your book? What if they won’t dance that way? What if their answer is *no*?”

Getting Past No responds to these tough questions. I have tried to distill the techniques of successful negotiation in difficult situations into an all-purpose, five-step method called “breakthrough negotiation.” If *Getting to Yes* outlines a dance routine, *Getting Past No* shows how to get a reluctant partner to dance. While the two books complement each other, each stands on its own. You don’t need to have read the earlier book in order to understand and appreciate this one.

In writing this book I faced several troublesome language problems. What should the difficult person be called? “The other person” seemed too bland, while “adversary” risked reinforcing a win-lose mindset. In the end, I have relied principally on the term “your opponent.” By definition, “opponent” doesn’t mean an enemy but simply someone who has taken a position opposite to yours.

Then there was the question of pronouns. Should the opponent be “he” or “she”? I tried interchanging “she” and “he,” but readers found it confusing. At last I fell back on using “he” and “him” as generic pronouns. I apologize to any readers offended by this usage.

In working on successive drafts, I often felt like the opera tenor whose finale was greeted with enthusiastic cries of “Encore! Encore!” After the fifth encore, the tenor asked the

audience, “How many more times do you want me to sing?” And the answer came back: “Until you get it right!”

My audience has been equally demanding. I am immensely grateful for the comments and suggestions of those who read drafts, including Linda Antone, James Botkin, William Breslin, Nancy Buck, Stephen Goldberg, Richard Haass, Deborah Kolb, Linda Lane, David Lax, Martin Linsky, David Mitchell, Bruce Patton, John Pfeiffer, John Richardson, Carol Rinzler, Jeffrey Rubin, James Sebenius, Dayle Spencer, William Spencer, Daniel Stern, Douglas Stone, Elizabeth Ury, and Janice Ury.

I should also mention my enormous debt to the Program on Negotiation at Harvard Law School. Over more than a decade my colleagues there have provided me with intellectual stimulation and camaraderie. My ideas on negotiation have been forged and tested in the freewheeling seminars and conversations that take place under the Program’s hospitable roof.

Another Harvard colleague and friend, Ronald Heifetz, generously allowed me to use his evocative phrase “going to the balcony,” a metaphor for taking a step back and getting some perspective.

I would also like to thank two able research assistants. Sarah Jefferys and Annette Sassi rummaged through the Harvard libraries for relevant books and articles, assiduously collecting negotiation examples. In addition, Annette wrote many insightful memos commenting on the evolving manuscript.

Throughout the process my assistant Sheryl Gamble proved indefatigable, working around the clock to help me meet publisher’s deadlines. With unfailing good spirits she managed successive crises and kept my office under control.

Without my agent, Raphael Sagalyn, there might not have been a book. He urged me to move my work on *Getting Past*

No from the back burner to the front, provided valuable feedback, and put me together with Bantam.

Bantam's fine team improved the book considerably. It has been a privilege to work with Genevieve Young, a superlative editor who took the time to coach and coax me through endless drafts. Danelle McCafferty, my line editor, applied her skillful pencil to the finished manuscript and cheered me along through the last stretch. Betsy Cenedella provided meticulous copy editing.

Let me end with a personal note. Shortly before I began writing this book, I had the great fortune to marry Elizabeth Sherwood. Little did I realize that she came from a family of determined and devoted editors. Dorothy, Richard, and Benjamin Sherwood marked up each successive draft with skill and savvy. Elizabeth read the book aloud with me from start to finish, making it leaner and more lucid. My greatest debt is to her: Her love and support got me past *Getting Past No*.

William Ury
January 1991
Santa Fe, New Mexico

Overview

Negotiating with Difficult People

Diplomacy is the art of letting someone else have *your* way.

—DANIELE VARE, Italian diplomat

Daily life is full of negotiations that can drive you crazy. Over breakfast you get into an argument with your spouse about buying a new car. You think it's time, but your spouse says, "Don't be ridiculous! You know we can't afford it right now."

You arrive at work for a morning meeting with your boss. You present him with a carefully prepared proposal for a new project, but he interrupts you after a minute and says, "We already tried that and it didn't work. Next item."

During your lunch hour you try to return a defective toaster-oven, but the salesperson refuses to refund your money because you don't have the sales slip: "It's store policy."

In the afternoon you bring an already-agreed-upon contract to a client for his signature. You have trumpeted the deal to your associates and made the necessary arrangements with manufacturing. But your client tells you: "I'm sorry. My boss refuses to okay the purchase unless you give us a fifteen percent discount."

On your drive home you flip on the radio, only to learn that yet another airplane has been hijacked by terrorists who threaten to kill all the passengers unless the government meets their demands. You feel sympathy for the families of the hostages but wonder out loud how anybody can negotiate with madmen.

In the evening you need to return some phone calls, but the line is tied up by your thirteen-year-old daughter. Exasperated, you ask her to get off the phone. She yells, “Why don’t you get me my own phone line? All my friends have them.” You try to reason with her, but she slams her door.

Each of us has had to face tough negotiations with an irritable spouse, an ornery boss, a rigid salesperson, a tricky customer, or an impossible teenager. Under stress, even nice, reasonable people can turn into angry, intractable opponents. Negotiations can bog down or break down, consuming our time, keeping us awake at night, and giving us ulcers.

These kinds of situations call for more than just ordinary negotiation skills. How do you deal with someone who won’t listen to you? Someone who throws a temper tantrum in order to get his way? Someone who tells you: “Take it or leave it!”

How do you handle someone who constantly interrupts you? Or who accuses you of being unreliable and incompetent? Or who tries to make you feel guilty? Or who threatens you with dire consequences unless you give in?

How do you negotiate with someone who uses false, phony, or confusing information? Someone who leads you to believe you have an agreement, only to make yet another last-minute demand? Or who drags his feet endlessly? Or who just plain refuses to negotiate?

Ideally, you would engage the other person in a game of problem-solving negotiation. You would begin by identifying his interests—his concerns, needs, and desires. You would proceed to explore different options for meeting both sides’ interests. Your goal would be to reach a mutually satisfactory agreement in an efficient and amicable fashion.

But what if your opponent is not interested in this kind of negotiation? You may want to get to yes, but what if his answer is no? How do you get *past* no?

Five Challenges

To get past no, you need to understand what lies behind the “no.” What makes your opponent refuse to cooperate? It is easy to believe that stonewalling, attacks, and tricks are just part of his basic nature, and that there is little you can do to change his difficult behavior. But you *can* affect his behavior if you can deal successfully with his underlying motivations.

Behind your opponent’s attacks may lie anger and hostility. Behind his rigid positions may lie fear and distrust. Convinced he is right and you are wrong, he may refuse to listen. Seeing the world as eat-or-be-eaten, he may feel justified in using nasty tactics to defend or avenge himself.

Further, your opponent may dig in and attack, not because he is unreasonable but because he knows no other way to negotiate. He is merely using the conventional negotiating tactics he first learned in the sandbox. In his eyes, the only alternative is to give in—and he doesn’t want to do that.

Even if he is aware of the possibility of cooperative negotiation, he may spurn it because he does not see how it will benefit him. Even if you can satisfy his interests, he may be afraid of losing face as he backs down from his position. And if it is *your* idea, he may reject it for that reason alone.

Moreover, if he regards negotiation as a win-lose proposition, he will be determined to come out the winner. Feeling more powerful, he may not see why he should engage in problem-solving negotiation. He may be guided by the precept “What’s mine is mine. What’s yours is negotiable.”

Frustrated and angered by your opponent’s intransigence, you may feel like striking back. Unfortunately, this will probably provoke him even further. Or you may feel like giving in just to get him off your back. However, not only will you lose, but he may be encouraged to demand more. The

problem you are up against is not only your opponent's behavior but your reaction, which can easily perpetuate the very behavior you would like to stop.

To get past no, you must overcome each of these barriers to cooperation: *his* negative emotions, *his* negotiating habits, *his* skepticism about the benefits of agreement, *his* perceived power, and *your* reaction. You thus face five challenges.

The first step is to control your own behavior. Instead of reacting, you need to regain your mental balance and stay focused on achieving what you want. The first challenge is *Don't react*.

Next you need to help your opponent regain *his* mental balance. You need to defuse his negative emotions—his defensiveness, fear, suspicion, and hostility. You need to break through his resistance and get him to listen. The second challenge is to *Disarm your opponent*.

Once you have created a favorable negotiating climate, you need to get your opponent to stop bargaining over positions and start exploring ways to meet both sides' interests. You need to break through his stone walls, deflect his attacks, and neutralize his tricks. The third challenge is to *Change the game*.

Once you have engaged your opponent in problem-solving negotiation, you need to overcome his skepticism and guide him to a mutually satisfactory agreement. You need to bridge the gap between his interests and yours. You need to help him save face and make the outcome appear as a victory for him. The fourth challenge is to *Make it easy to say yes*.

Your opponent may still believe, however, that he can prevail through superior power. You need to enhance your negotiating power and use it to bring him to the table. You need to deploy your power without making him an enemy who resists you even more. The fifth challenge is to *Make it hard to say no*.

The Breakthrough Strategy

This book lays out a five-step strategy for meeting these challenges—the strategy of breakthrough negotiation. Taken in sequence, the five steps enable you to change the game from face-to-face confrontation to side-by-side problem-solving. While no method can guarantee success, the breakthrough strategy will maximize your chances of getting what you need in even the toughest negotiations.

The breakthrough strategy is counterintuitive: It requires you to do the opposite of what you might naturally do in difficult situations. When your opponent stonewalls or attacks you, you feel like responding in kind. When he insists on his position, you want to reject it and assert your own. When he exerts pressure, you are inclined to retaliate with direct counterpressure. But in trying to break down your opponent's resistance, you usually only increase it.

The essence of the breakthrough strategy is indirect action. You try *logo around* his resistance. Rather than pounding in a new idea from the outside, you encourage him to reach for it from within. Rather than telling him what to do, you let him figure it out. Rather than trying to break down his resistance, you make it easier for him to break through it himself. In short, breakthrough negotiation is the art of letting the other person have *your way*.

Breakthrough negotiation can be used with any opponent—with an irascible boss, a temperamental teenager, a hostile co-worker, or an impossible customer. It can be used by diplomats trying to stave off a war, lawyers trying to avoid a costly court battle, or spouses trying to keep a marriage together. It is an all-purpose strategy that anyone can use.