



# Better Negotiating

by Prof. Seth Freeman  
<http://www.betternegotiating.com>

November 2004

At Least One Really  
Helpful Idea Every Issue

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Monthly Newsletter of  
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### Negotiation of the Month-

## Turning a Holiday Fight Into Peace with Common Interests

Fighting had become a holiday tradition for Student David Abala\* and his two sisters. Every November they would bitterly disagree about what to give their parents, who would pay what, and how much each would do. Eager to prevent another round of aggravation as the new holiday season began, David decided to take another tack by preparing for their annual gift-giving conversation. It paid off dramatically.

First, he thought about their various **interests**-- his, each of his sisters', and the common interests they shared. He also thought carefully about **setting and scheduling**, which led him to suggest a meeting at their folks' house when they were gone, instead of the usual phone calls. This change helped a lot, allowing them to talk face to face while they prepared snacks in the kitchen over a glass of wine. David found that from the very beginning their conversation had a much more collaborative tone than it had in past.

**At this point there was  
a visible shift from  
arguing to collaborating**

To start the discussion, David suggested a simple **ground rule**: each of them in turn would make a case without interruption. Only after would they discuss solutions. This approach worked very well, since it forced each of them to actually listen to each other. In the past they had interrupted and argued with each other from the start. David also planned to go last so he could draw their comments together and give them a way to **attack the problem instead of each other**. After each sister had spoken, he

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Common Interest Challenge-  
What Common Interests might  
be worth appealing to when  
you are with family this  
holiday?

briefly **summarized** their points, and pointed out that all of them felt the most important thing was to find a present their parents would really like. He also noted two other **common interests**- equal participation and shared cost.

At this point, there was a visible shift from arguing to collaborating. David turned to his sisters, confirmed that they both agreed, and asked them what they thought they should do next. After talking some more, they agreed the best way to select a gift would be to have each sibling take turns buying the gift each year. That way, if a sibling was having trouble picking a gift, the sibling could get help from the others. They also agreed they would support the choice the designated gift picker made. For the first time their conversation had gone very well; there wasn't even a hint of the old animosity they'd endured in the past. David's conclusion? By going last and pointing out their **common interests**, he'd helped the family focus on what they all cared about, instead of their separate opinions.

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\*I changed his name to protect his privacy

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## **Readers' Survey Questions of the Month-** **"If I Could Give One Piece of** **Advice on Negotiating..."**

If you could give a friend one piece of non-obvious advice about negotiating, what would it be? What aspect of negotiating do you most need help with? What question do you most wish I'd ask my readers about negotiation? To submit answers to any or all of these questions, simply click on our dedicated survey webpage by going to <http://www.ezquestionnaire.com/surveys/default.asp?SID=1365>. I'll report an anonymous summary of readers' answers in an upcoming edition of Better Negotiating.

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## **Five Minute Refresher-** **Yessable Proposals and If We** **Agree/If We Disagree**

To persuade another negotiator, you must prove you're reasonable and that it's wise for her to agree. High-pressure tactics sometimes work, but often backfire. Usually it's wiser to bring her to her senses, not her knees. But how?

One way is to use two tools students learn in my negotiation course. The first is called 'a Yessable Proposal.' The second is called, 'If We Agree/If We Disagree.'

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**Tenant: "If we agree to cancel the rent increase and limit the renovation work I'm due under the lease, you keep a reliable tenant, and avoid big cash expenses. If we disagree and I decide to move, you'll need to spend a lot of cash upfront to renovate the place fully for a new tenant, and it may be months before you find another reliable one."**

Together they can help you show you understand the other person and that your idea is in her interests.

## **Yessable proposal.**

A Yessable proposal is an offer you designed to be attractive and satisfying to the other negotiator- an offer that serves her needs well, as well as your own.

To create one, go do four things: (1) list HER interests; (2) list lots and lots of creative options (i.e. possible deal terms); and (3) identify HER alternatives to agreement (i.e., what she'll do if we don't agree), especially her worst alternatives (a.k.a. 'WATNA'). Then (4) pick the options most likely to satisfy you both. Those options are your Yessable proposal.

## **If We Agree/If We Disagree.**

Your proposal will be so attractive that it will be easy for her to agree to. Since, though, she may not see how wise it is for her, you may need to help her by using 'If We Agree/If We Disagree' Here you first ask yourself two questions: how her saying 'yes' to your proposal help her interests, and how will saying 'no' hurt them?

To answer the first question, review her interests and then list specific reasons why your Yessable proposal is good for her. ("If we agree, you satisfy your need for Y by.... You also make sure you Z by....")

To see how saying 'no' will hurt her interests, review your list of her worst alternatives. Then use them to list reasons why a 'no' will be unwise for her. ("If we disagree, you may not satisfy your need to Y .... You'll also have a problem getting Z ....and you'll have to worry about W").

## **It's All in the I FORESAW IT**

By the way, if you develop an I FORESAW IT\* plan, you will almost automatically create both tools. There's even an 'if we agree/if we disagree' template in the I FORESAW IT form I've created. You can find that form too on my website at <http://www.betternegotiating.com>. Simply click on "I FORESAW IT template."

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\*I FORESAW IT is a ten letter mnemonic students use to prepare for any negotiation. For details, go to <http://www.betternegotiating.com>. Simply click on "I FORESAW IT"

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See the overwrought trailer to the Negotiator by visiting CNN's review at the address below and scrolling down to the box with the phrase, "entire trailer"

<http://www.cnn.com/SHOWBIZ/Movies/9808/06/review.negotiator/>

"How did you know? This is one of the best gifts I ever got."

## Better Negotiating at the Movies-

### **The Negotiator**

*A new feature, "Better Negotiating at the Movies" looks regularly at flicks from a negotiator's perspective.*

Like many Hollywood movies, *The Negotiator* should include a warning: Don't Try This At Home. This thrill ride stars Samuel L. Jackson as a hostage-taking police negotiator, and Kevin Spacey as the colleague who must talk him into giving up. They talk a lot about negotiating tactics. (One false principle- 'never say no.' Better- say no if you must, but keep talking about what's possible.) They also take risks that no sane negotiator would ever take.

*The Negotiator* illustrates the danger of trying to learn to negotiate (or do anything else) from a Hollywood picture. Screenwriters talk about 'upping the action', which means making a script more exciting, and someone has clearly upped the action here with wild stunts and gambles.

Drama and risk are the opposite of what skilled negotiators usually want when they're dealing with a conflict. Instead, seasoned negotiators talk about **going slow to go fast, de-escalating, being hard on the problem, soft on the person, and listening** - strategies that bore movie audiences to death but that save lives and create great deals.

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## Links of the Month-

**Looking for a Book on Negotiation?** Check out The University of Florida's Guide at

<http://web.uflib.ufl.edu/cm/business/books/negotbks.htm>

**Seth Freeman's** webpage offers articles, links, information about training, and other useful information for negotiators.

<http://www.betternegotiating.com>

## Next Month in Better Negotiating-

Here are some things you can expect in our next edition-

- **Skill Building- Gift Giving with the I FORESAW IT-** how to use a negotiating tool to give better gifts.
- **Five Minutes Till the Meeting-** A new feature on managing crises.
- **Negotiation of the Month-** Finding a Wise, Caring Solution When Your Spouse Says, "Let's Lend \$10,000 to My Family."

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