

How to Negotiate Better in Three Steps Part One

May 6, 2011

When many people think of negotiation, they picture big business mergers, world summits, and lawsuits, but the truth is that negotiation is part of everyone's lives in some form or fashion. If a person ever bought a car or sought a promotion, he or she probably utilized negotiation. Looking at an even more basic level, if a person ever attempted to resolve a dispute with a significant other, he or she probably used negotiation. To paraphrase Roger Fisher, one of the authors of the outstanding book *Getting to Yes*, considering how much we all negotiate, every one of us should be experts in the matter. Unfortunately, this is not the case. Too often, people approach negotiation as an exercise in fighting rather than problem solving, which leads to anger, frustration, and either failure or only partial success. In an article I recently wrote for a local newspaper I briefly described Interest Based Negotiations (IBN) and its use in politics and everyday life. Developed by Fisher, Ury, and Patton and explained in detail in their book *Getting to Yes*, IBN attempts to move people away from combative positional arguments and move them towards cooperative problem solving based on each side's interests.

In the following three part series, I attempt to summarize their theories into three basic steps that anyone can use in almost any situation. However, this series is not intended to supplant or replace *Getting to Yes* or the hard work of its authors. If you are interested in learning more about IBN I highly advise you read *Getting to Yes* and its follow up books. Moving on to today's subject, the following is step one of three of how to negotiate better in everyday situations.

Step one: have a backup plan. Not all negotiations are successful and in the event that negotiations do not lead to the desired results, it is very important to develop an alternative way to reach your goals. *Getting to Yes* calls this plan the Best Alternative to a Negotiated Agreement (BATNA). The purpose of this backup plan is to be the best alternative in the event that the negotiation fails. For example, if you are negotiating the purchase of a car from a neighbor, your BATNA could be to buy a similar car from someone else. A BATNA should be developed in detail, not just a vague idea. Rather than thinking "my backup plan is to buy the car somewhere else" explore the backup plan. Talk to the other sellers, gather prices, and make a firm commitment to the actions you will take if current negotiations fail.

Beyond the obvious benefit of such a plan, there is a major underlying benefit of developing a BATNA: confidence. Having a fully developed BATNA gives a person greater confidence and thus greater negotiating power because that person understands that he or she is not bound and tied to that negotiation. Compare these two scenarios: You are negotiating the purchase of a car from a neighbor and you have no other option but to get that particular car from that particular neighbor. It does not matter how unreasonable the neighbor acts or how much he insists you pay for the car, because you do not have a backup plan you are bound and tied to the results of that negotiation and will act accordingly. You are at the mercy of the power of the seller. In short, you have little, if any, negotiating power. In scenario two, you found alternative places to purchase the car before negotiating with the neighbor. You know that in

the event that the negotiation is not meeting your needs, you can walk away and still have a way to meet your goals. With the knowledge that the negotiation truly is a voluntary process, you can negotiate with confidence that you control your part in the process.

Developing a BATNA can also help in interpersonal negotiations. For example, you wish to attend a friend's baseball game this Saturday but your significant other adamantly wants you to accompany him or her to a wedding the same day and the two of you are "negotiating" your weekend plans. A possible BATNA could be to go to the game regardless of your significant other's feelings, or to attend the wedding and try to catch the next baseball game. Both of these backup plans have drawbacks, but remember they are the best alternatives, not the perfect alternatives. Just like the purchasing a car example, the BATNA serves two purposes, it provides for an alternative in the event negotiations fail and reinforces your confidence and power in the negotiations.

It is easy to overlook the necessity of a BATNA, especially for informal negotiations such as in the above example. However, the importance of a properly utilized BATNA cannot be overstressed. A BATNA is not a hammer used to threaten the other side, but instead a frame that provides support, confidence, and power through that confidence so that you can better work towards obtaining your desired results.

Want to comment on this article? Join the conversation at our official blog:
<http://thesuttonlawoffice.blogspot.com/>

Adam M. Sutton, Esq.