

The big bang: The evolution of negotiation research

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Getting to Yes: A Big Bang

There have been few instances in the history of social science in which a practitioner-oriented book served as the wellspring for cutting-edge academic research for over two decades. *Getting to Yes* by Roger Fisher and William Ury is such a book, a timeless book containing timeless concepts that continue to unravel themselves like a mysterious DNA process.¹ In writing this article, we toyed with several analogies, such as “great wine” and “DNA material.” Neither seemed to capture the sheer enormity of the book and the universality of the concepts. So we opted for big and settled upon the “big bang.” The big-bang theory is the dominant scientific theory about the origin of the universe. In 1927, Belgian priest Georges Lemaitre was first to propose that the universe began with the explosion of a primeval atom. We liken the explosion of that atom to the publication of *Getting to Yes*, and we see the current universe of negotiation theory and research to be a result of this big bang. Just like the big-bang theory of the universe, there is no way to ever prove that *Getting to Yes* expanded and facilitated the study of negotiation, but in this article, we are going to try to do so by citing some of the most influential empirical research on negotiation since the book’s publication in 1981.

The core elements of *Getting to Yes* are stated simply and succinctly in the Table of Contents as powerful maxims that have served as mantras for countless negotiators:

- People: Separate the people from the problem
- Interests: Focus on interests, not positions
- Options: Invent options for mutual gain
- Criteria: Insist on using objective criteria

We organize our discussion of the research on negotiation as direct derivatives of these core ideas. In addition, we focus on two more ideas put forth in *Getting to Yes*:

- The BATNA (Best Alternative To a Negotiated Agreement) principle
- Soft versus Hard bargaining style

People: Separate the People from the Problem

Fisher and Ury’s powerful maxim “Separate the people from the problem” heralded three landmark events in the scholarly study of negotiation: relationships, emotions, and subjective perceptions. First, Fisher and Ury revisited the importance of relationships, arguing that “every negotiator has two kinds of interests: In the substance and in the relationship.”² That is, negotiators strive to achieve favorable negotiated outcomes but also place value on their relationship with the other party. It is not surprising, then, that research shows that negotiators are thus more likely to allocate resources *equally*, rather than selfishly, and friends are less competitive with each other than they are with strangers.³ Ironically, whereas people are more cooperative when they deal with friends, this does not always translate into better quality deals—i.e., integrative agreements, where both parties receive better outcomes. Friends are often too willing to compromise and thus fail to invent options for mutual gain.⁴

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Getting to Yes also recognized the role that emotions can play in negotiation: Whereas negative emotions tie people to the problem, positive emotions partition people from the problem. Happy negotiators behave more cooperatively and identify greater mutual gain.⁵ Furthermore, emotions not only affect the negotiator experiencing them, but as Fisher and Ury argue, they can create emotional reactions in other parties. Consistent with

their claim, negotiators are less demanding against angry opponents and, thus, are more likely to concede.⁶

Finally, in their own words, Fisher and Ury asserted that what matters most in understanding conflict is not reality itself but individuals' perceptions of it: "Conflict lies not in objective reality, but in people's heads."⁷ One way in which subjective perceptions undermine conflict resolution is through *reactive devaluation*, which refers to negotiators perceiving concessions made by the opponent as benefiting the opponent.⁸ *Getting to Yes* offered remedies as to how to change subjective perceptions that undermine conflict resolution, and the authors tell their readers, "Don't deduce their intentions from your fears."⁹ One way to avoid reactive devaluation is to encourage individuals to evaluate proposals objectively, according to their merits. That is, reactive devaluation can be reduced if individuals evaluate proposals before learning that the proposals were offered by the other party.¹⁰

Focus on Interests, Not Positions

Fisher and Ury's discussion of interests versus positions opens with the now-famous dispute where two people are arguing about whether to open a window in a library. The librarian discerns the underlying interests of the involved parties (one person is afraid of a draft; the other wants fresh air) and proposes a solution that meets the needs of both parties (opening a window in another room). As this anecdote emphasizes, for the librarian to invent a creative solution to the problem, she first had to identify the interests underlying the parties' respective positions. However, to identify interests, negotiators first must overcome a key error that prevents them from doing so: the fixed-pie perception.

The fixed-pie perception, a term coined by Fisher and Ury in *Getting to Yes*, refers to the often-faulty belief that people's interests are fundamentally and directly opposed, such that a gain for one party represents a loss for the other party. The two people arguing over whether the window should be open reflected this particular error; they assumed that their interests were as fundamentally opposed as their positions were (window open or closed), and this prevented their realization of other positions available (open a window in another room). Numerous research programs have established the presence and persistence of the fixed-pie perception in producing suboptimal negotiation agreements, preventing negotiators from expanding the pie. This work has also opened the

floodgates to a longer list of biases and shortcomings that plague even the most sophisticated of negotiators as researchers struggle to identify what cognitive challenges negotiators confront and how they might overcome them.¹¹

Invent Options for Mutual Gain

Mutual gains benefit both parties, and Fisher and Ury encouraged negotiators to focus on these as opportunities to increase bargaining value and develop the relationship. In order to invent options for mutual gain, however, Fisher and Ury noted that negotiators need to overcome four obstacles that prevent such opportunities, and the fixed-pie perception is one such obstacle.¹² The second obstacle negotiators face is making *premature judgments*: at times, negotiators commit to a specific course of action and then find it difficult to change course even if doing so could yield a better, mutually beneficial outcome. One catalyst of premature judgment is time pressure. Under time constraints, negotiators tend to commit to a course of action, making them impervious to new information.¹³ However, when negotiators sense no immediate need to complete the negotiation, they are better able to achieve integrative outcomes.

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A third obstacle negotiators face is that they tend to *search for a single answer*. Returning to the window example, both negotiators focused on a single outcome (e.g., open a window, close a window) and negotiated for this particular position. Such a single-minded focus on a particular position can create feelings of dissatisfaction. However, if negotiators translate their interests into different constellations of offers, where each offer has an equivalent value to the other offers (e.g., open a window in this room or in the room next door), negotiators are better able to conceive of different types of outcomes that would be equally acceptable.¹⁴ Such *multiple equivalent offers* have been empirically demonstrated to improve the negotiator's outcome.¹⁵

The final, most important, obstacle is that Negotiator A often assumes that Negotiator B is responsible for meeting and satisfying Negotiator A's interests. Such an approach to negotiation prevents

each negotiator from considering the other party's perspective and from considering whether there are ways to overcome conflicting interests. Rather, if negotiators consider how potential outcomes can best serve the other party's interests as well, then negotiators are better able to invent options for mutual gain. For example, they may be quicker to realize where they share interests (on compatible issues) or where they might logroll (i.e., conduct value-added tradeoffs) to achieve joint value.¹⁶

Insist on Using Objective Criteria

Instead of settling a negotiation through a power struggle, *Getting to Yes* encourages that "the solution is to negotiate on some basis independent of the will of either side—that is, on the basis of objective criteria."¹⁷ For example, Fisher and Ury encourage negotiators to use fair standards to produce fair outcomes. Research finds that while there is no question that individual negotiators care about fair standards, the fair standards they generate and place on the table are biased in their own favor.¹⁸ The person who puts more hours into a job considers hourly pay fairer than the person who gets the work done in fewer hours (and consequently prefers to be paid for the job, not by the hour). Rather than strategically generate biased "objective standards," most negotiators tend to believe these biased standards are fair to begin with. Such biased standards of fairness reflect the negotiator's attempt to cope with the uncertainty surrounding what a fair outcome would be.¹⁹ When the uncertainty of the negotiation is reduced, such as when people communicate face to face, rather than by email, people are less likely to generate biased standards (i.e. the example of hourly versus piecemeal work).²⁰

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The BATNA Principle

Perhaps of all the principles articulated in *Getting to Yes*, people remember the BATNA concept most. BATNA refers to the negotiator's "Best Alternative To a Negotiated Agreement," the alternative that negotiators can turn to if they fail to reach an agreement in the current negotiation. Fisher and Ury's nine pages on the BATNA concept became

a gold standard for negotiation researchers. Whereas the prescriptive advice is straightforward (i.e., negotiators want to identify and strengthen their BATNA), the implications for research and theory on BATNA are deep and provocative, and the concept has evolved through two somewhat distinct research eras. Early on, the BATNA first was (and still is) conceived of as a source of power. A pervasive finding is that negotiators with more attractive BATNAs capture a greater share of the bargaining zone.²¹ As time progressed, researchers revealed that BATNA also served as an anchor point for negotiators in evaluating their negotiated outcomes. Tightly controlled investigations illustrated that negotiators were easily manipulated by various focal points, most notably their BATNAs, which led them to agree to outcomes that were close to the value of the BATNA. Perhaps paradoxically, they were more satisfied with outcomes anchored by their BATNAs than were negotiators who agreed to outcomes that were closer to, and anchored by, their aspirations.²²

Soft Versus Hard Bargaining Style

On page 13 of *Getting to Yes*, Fisher and Ury contrast the soft versus hard bargaining styles. The soft bargainer gives in too much; the hard bargainer is positional and gives up nothing. Fisher and Ury recognized such habitual styles as a problem. They believed that negotiators should not choose between tough and soft styles but use the principled style, one where the negotiator acts as a problem-solver whose goal is "a wise outcome reached efficiently and amicably" (p. 13). The scholarly investigation of negotiator style has two distinct lines of research: whether such styles influence negotiator behavior, and how perceptions of others as "hard" or "soft" negotiators affect the perceiver's reactions and behavior.

In recent years, there has been a dramatic breakthrough in understanding basic personality factors and thus how personality affects different negotiator styles. For example, Barry and Friedman recently measured personality styles and found that more friendly, gregarious, or "softer" styles resulted in worse outcomes for the negotiator.²³ That is, the more people were Extraverted (i.e., talkative, assertive) or Agreeable (i.e., cooperative, generous), the less likely they were to claim resources at the bargaining table. Further exploration by Barry and Friedman revealed that Extraversion and Agreeableness put some negotiators at a disadvantage because they increased the negotiator's susceptibility to anchoring effects caused by the other party's extreme first offers. However, when

Extraverted and Agreeable negotiators held high aspirations, they were no longer at a disadvantage.

Negotiators also see the reputations of other negotiators as "hard" or "soft." Glick and Croson argue that negotiators' reputations are built fairly quickly in negotiation communities and affect how others deal with them.²⁴ They found that investigations of reputations in a community of MBA students yielded four profiles: Liar-manipulators (who will do anything to gain advantage), tough but honest (negotiators who don't lie but make very few concessions), nice and reasonable people (who may make concessions), and cream puffs (who always make concessions). People act much tougher when dealing with someone who has a reputation for being a liar but are much more reasonable with other profiles. And most notably, people are more likely to use tough strategies with liars for defensive reasons but might use tough strategies with cream puffs for opportunistic reasons.

Somewhat paradoxically, while people may say that they will act tougher around those they expect to be tough, some evidence suggests that these people may actually be likely to cave in. Diekmann, Tenbrunsel, and Galinsky recently demonstrated that during negotiations, there can be a disconnect between how people intend to react to a competitive opponent and how they actually behave.²⁵ In one study, MBA students reported that they would negotiate more aggressively with a competitive opponent than with a noncompetitive opponent. However, when these same students conducted a negotiation five weeks later, the same participants who claimed they would be more aggressive when facing a competitive opponent set less aggressive expectations and ultimately agreed to worse outcomes than participants who believed they were facing a noncompetitive opponent. Why? When negotiators forecast how they believe they might behave, they fail to consider their motivation to "get to yes."

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Negotiation: Front and Center

No other area of management study in organizational behavior has remained front and center stage for as long as negotiation has. And the trajectory suggests that there is more to come. The

negotiation universe continues to expand, especially as it crosses regional, national, and ethnic divides to show how negotiation differs across cultures.²⁶ *Getting to Yes* is probably the best gift that was ever given to the empirical study of negotiation. It is safe to say that if an idea is traceable to *Getting to Yes*, it is worth testing. We have provided evidence indicating how research has generally supported the assertions in *Getting to Yes*. An obvious question is: what if anything has been proven wrong? Quite frankly, we are hard pressed to identify ideas that have been shown to be outright wrong. Perhaps it is more accurate to point out that *Getting to Yes* sometimes makes complex ideas look simple. The truth is that the simple ideas are not intuitive, and people often have a devil of a time actually putting them into practice.

Endnotes

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¹⁹ Messick & Sentis. 1983; as cited in Bazerman, M. H., et al. 2000. Negotiation. *Annual Review of Psychology*, 51: 279–314.

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