

Kluwer Mediation Blog

Principled negotiation's greatest hits

Charlie Woods (Core Solutions Group / Scottish Universities Insight Institute) · Friday, June 8th, 2018

The International Association of Mediators conference in Edinburgh last month provided a great opportunity to reflect on the lessons learned from the application of a principled negotiation approach, as set out in 'Getting to Yes'. The conference benefited from the experience of over a hundred leading mediators from around twenty countries, along with policy makers and others who had put theory into practice. It also featured a major contribution from William Ury (one of the authors of the seminal work) who addressed delegates, Scotland's First Minister and members of the public in the Scottish Parliament.

This opportunity to reflect led me to try and compile a 'desert island discs' selection of some of the greatest hits from this growing body of work. For those unfamiliar with the format it involves choosing eight records you would rescue if shipwrecked on a desert island. The idea is that you are marooned there on your own, so William Ury's latest book 'Getting to yes with yourself' would probably be essential reading! My eight 'discs' would include:

- Go to the balcony – keep your eye on the bigger picture/prize – remain calm, find time to think
- Listen carefully – to what's said and not said – try to empathise – see the world as a friendly place
- Get into their shoes – try to understand things from different perspectives – who are the constituencies outside the negotiation – don't short circuit the understanding stage
- Give to gain – build trust and demonstrate positive intent
- Separate the people from the problem – be respectful, have care for the human dimension (what's going on in lives beyond the negotiation) – think about how physical space can influence mood
- Build a golden bridge that can attract – write your negotiation partner's victory speech – reframe to attract or change perspective – acknowledge other's perspectives and provide reassurance to help engagement – consider who might best deliver messages or make offers
- Develop your BATNA – don't be a pushover – be prepared to say no positively if required – be forgiving
- Look for positive sum options and ideas that meet needs and interests of all parties and wider constituencies – have regard to real and perceived fairness

While on the musical theme, the conference dinner involved a great contribution from Scottish jazz musicians Tom and Phil Bancroft. They reminded me of the value of improvisation when mediating to help parties get to yes. The beauty of the mediation process is that it has the flexibility to allow this improvisation, while providing a tune to return to should you begin to lose your way!


To make sure you do not miss out on regular updates from the Kluwer Mediation Blog, please [subscribe here](#).


Profile Navigator and Relationship Indicator

Includes 7,300+ profiles of arbitrators, expert witnesses, counsels & 13,500+ relationships to uncover potential conflicts of interest.

Learn how **Kluwer Arbitration** can support you.

Learn more about the newly-updated *Profile Navigator and Relationship Indicator*



 Wolters Kluwer

The graphic features a black background with white text and a circular icon. The icon depicts a group of five stylized human figures, with a magnifying glass positioned over the central figure. The background is accented with horizontal lines in blue and green.

This entry was posted on Friday, June 8th, 2018 at 8:55 am and is filed under [Dispute Resolution](#), [International Mediation](#), [Mediation Practice](#), [Negotiation](#), [Personal Development](#), [Scotland](#), [Uncategorized](#)

You can follow any responses to this entry through the [Comments \(RSS\)](#) feed. You can leave a response, or [trackback](#) from your own site.