

Book Review: Lawrence Susskind, *Good for You, Great for Me: Finding the Trading Zone and Winning at Win-Win Negotiation* (PublicAffairs 2014)

As featured in IAM and the Daily Journal

By Jan Frankel Schau (ADR Services, jfschau@schaumediation.com)

Sitting beside my 87-year-old parents in the mediation of a business dispute in which they were defendants in an alleged constructive fraudulent conveyance forever changed my perspective on the meaning of "winning" at negotiation. I saw what goes on in the room when the mediator leaves and what a challenge it is to create a solution that satisfies both those present and those at the "back table" in a way that permits parties to find peace and satisfaction. So it was with great eagerness that I dove into Lawrence Susskind's new book, *Good for You, Great for Me: Finding the Trading Zone and Winning at Win-Win Negotiation*.

Professor Susskind, co-founder of the Program on Negotiation at Harvard Law School and founder of the Consensus Building Institute, is a thought leader in negotiation and mediation. Susskind goes beyond *Getting to Yes* and even beyond Professor Robert Mnookin's *Beyond Winning*, to a kind of "win-win 2.0" for the next generation of negotiators, moving negotiation several steps beyond the basics.

The book is structured around six moves that can be made to assure that negotiations meet one's objectives. First, Susskind lays out ways to lead even the most stubborn and irrational partners into an acceptable trading zone. To do this, he provides great strategies for appealing to each side's "back table" (corporate boards, public constituents, family members) by creating sometimes unlikely coalitions and mapping that crucial territory at the outset.

Next, Susskind demonstrates creative ways to add value by proposing packages he calls "good for them and great for you." What-If proposals assist the negotiator in figuring out what options might be available that would be best for his or her side and still within a broadly contoured trading zone. In a chapter entitled, "Expect the Unexpected: Use Contingent Offers to Claim More than the Other Side," Susskind describes the art of improvising, contingent agreements and other insightful ways to respond to both surprise and lack of rationality, and even lies in negotiations.

I found it fascinating that Susskind advocates that negotiators "write the victory speech" for the other side. What that means is to win by ensuring that the back table of your opponent approves the deal best for you. He suggests that most apparent two-party negotiations are actually multiparty negotiations when you consider those seated at the back table who need to be included in a winning coalition that facilitates their ultimate acceptance of the final deal.

Susskind's focus is on both offense (how to create a coalition that will approve your best deal) and defense (how to block a coalition that may thwart your efforts). It frankly had not occurred to me that negotiators should always identify and consider not only their own BATNA (best alternative to a negotiated agreement), but the other side's BATNA as well. This simple, elegant bit of advice could be valuable in every mediation.

Once you arrive within the trading zone, each side needs to communicate to the other's back table that their negotiator may be turning down a "very reasonable offer" which at a bare minimum satisfies their needs in the negotiation, because their negotiator believes the alternative may be better. Once that reasonable offer has been made, the back table may weigh in on their appetite for risk and their confidence in their negotiator's ability.

Susskind suggests that a shrewd negotiator will eventually offer a counterpart two options

(both acceptable to his own side), with a request to check with their back table about which of the two proposals they prefer. Susskind recognizes that negotiation seldom goes as planned, even with the best strategies. In fact, he discusses “predictable surprises” and identifies ways to bring talks back on track.

As a thought leader, he also offers ideas about facilitation by professional neutrals in business, construction, and public governance, and even suggests a need for “dispute prevention,” rather than merely turning to professional neutrals once a dispute has arisen.

Finally, the author suggests that as organizations flatten by eliminating multiple layers of management, encouraging cooperation becomes paramount if the organizations are to move forward productively and harmoniously. Susskind does not advocate compromise, but rather “facilitative leadership,” by which he means helping teams and networks of employees and partners set workable agendas, solve problems in creative ways, and support one another when confronted by expected and unexpected obstacles.

Good for You, Great for Me ends with a coda called, “Finding the Sweet Spot in Your Next Negotiation,” in which Susskind notes that most negotiators fail to probe carefully into what the other side wants and needs, which makes it harder to enter the trading zone. Traditional “hard bargaining” may backfire because the other side may walk away from the negotiation if they think it is headed hopelessly out of bounds. He advocates investing heavily in value creation: new product lines or not-yet-considered business alliances.

It is refreshing and insightful to avoid compromise and concessions by focusing on win-win negotiations. Susskind is adamant that no negotiator should ever accept an agreement that is worse than no agreement. Sub-optimal deals for either side are not what we are after. What we seek is being confident in negotiating a solution that satisfies all parties by meeting or exceeding their “walk away” point and then finding the sweet spot of victory in getting even beyond that in the outcome. If you are facing a skilled negotiator, she will already have written your victory speech to your back table so that you and your clients can hold your heads up and claim a win that you achieved. This requires both empathy and self-interested cooperation. After all, “[t]he point of win-win negotiation is not to make friends, it is to get a good deal, maintain or improve relationships, and enhance your reputation.”

Good for You, Great for Me is worth your time as a guide to creating more value and success in every negotiation. I highly recommend it.

[Purchasing Information](#)