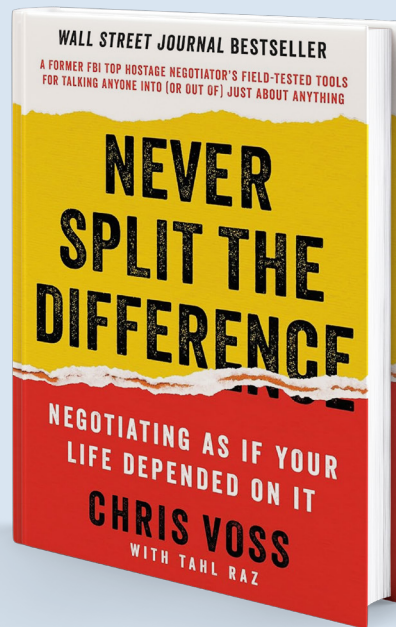


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Never Split the Difference Negotiating As If Your Life Depended On It

By Chris Voss

Chris Voss is one of the preeminent practitioners and professors of negotiation skills in the world. He is the founder and principal of The Black Swan Group, a consulting firm that provides training and advises Fortune 500 companies through complex negotiations. He currently teaches at the University of Southern California's Marshall School of Business and Georgetown University's McDonough School of Business, and has lectured at other leading universities, including Harvard Law School, the MIT Sloan School of Management, and Northwestern University's Kellogg School of Management.

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A Book Review by Soundview

Negotiating As If Your Life Depended On It

As a former international FBI hostage negotiator, Chris Voss has created a system of negotiating techniques that work for all situations. Whether in a high-stakes negotiation (such as a hostage or kidnapping) or negotiating with your child at bedtime, his system prepares the reader for assessing their counterpart, asking the right questions, and using intuition to guide the situation to the most ideal solution. Two decades of FBI experience and fifteen years of negotiating hostage situations has led Voss to educating others on how to fine tune their negotiating skills as if their life depended on it. His tools and the ones the FBI used had to work. The failure to work meant someone died. The question as to why they worked is what drew his conclusion that the same tools can be used in all negotiating situations.

Chris Voss's curiosity to prove his theory brought him to a negotiating class in Harvard. As the class paired into groups, he "swindled" his intelligent partner of all his allotted money for the project. During the discussion, his partner has no idea how this happened. As one of the smartest students in class, he couldn't see that Voss was simply asking questions to get what he wanted.

Voss states, "In my short stay [at Harvard], I realized that without a deep understanding of human psychology, without the acceptance that we are all crazy, irrational, impulsive, emotionally driven animals, all the raw intelligence and mathematical logic in the world is lit tle help in the fraught, shifting interplay of two people negotiating."

In other words, you can be the most intelligent person in the room, but you need a solid understanding of human psychology to win the negotiations you're faced with, while keeping in mind the only adversary is the situation itself. The person in front of you is merely your partner in helping to solve the problem the situation is presenting.

Become a Mirror

Mirroring is an effective tool to making the other person feel as they are being heard and encourages them to elaborate on what they're saying, feeling, and thinking.

Voss gives us an example:

In 1993, he was faced with a hostage situation with two bank robbers. Based on what one of the robbers had said, his team felt as if the surrender would be quick and fairly easy. Unfortunately this assumption was wrong. However, to lead to the surrender, Voss knew the men on the other end of the phone had to be heard.

He says, “Most people approach a negotiation so preoccupied by the arguments that support their position that they are unable to listen attentively.” It’s difficult to be a good listener. Especially faced with high-stakes in front of you. Voss’s suggestion is to, instead, approach a negotiation with your entire focus on the other person and what they have to say. Being a good listener makes them feel safe, calms them down, and opens them up to discussing what it is they truly want from the situation.

How to become a good listener comes to a few things. One, using your voice as a tool. Most of the time, a positive and playful voice is encouraging. It helps to put the other person at ease, believing you are a good natured person. However, in this high stakes negotiation, Voss used what he calls his “late-night FM DJ Voice” which intentionally reached into the robber’s brain to flip an emotional switch and calm him down. Once calm, Voss could then use the mirror technique to get to the surrender.

The exchange went like this:

Voss: “We’ve got a van out here, a blue and gray van. We’ve been able to get a handle on the owners of all the vehicles except this one in particular. Do you know anything about it?”

Chris Watts (the bank robber): “The other vehicle’s not out there because you guys chased my driver away.”

Voss: “We chased your driver away?”

By mirroring what Watts said in the late-night FM DJ voice, Voss was able to coax out information they didn’t know before while instilling a calmness in Watts. This built a rapport and connection enough to eventually lead to the surrender.

Just like Voss used this in the hostage situation, anyone can use this technique for day to day situations. For example, a difficult boss who is making a time consuming ridiculous task can reroute his ask with a little mirroring.

“Let’s make two copies of all the paperwork”

“I’m sorry, two copies?”

This kind of exchange gets the employer to describe his reasoning, realize it may be overkill, and come up with a solution in a less brash way. Mirroring is a human behavior where we copy to comfort. Through speech patterns, body language, vocabulary, tempo, and tone of voice, it’s usually unconscious. Conscious or not, it’s a sign of bonding that leads to trust.

Label their Emotion

Just like mirroring, emotion is a key tool in negotiating. Most people approach a negotiation with high emotions and ignore them. This only builds those emotions up, making each party more defensive. Instead of denying those emotions, it’s best to label them upfront.

Another example Voss gives his readers is a case from 1998. At least three armed fugitives were holed up on the twenty-seventh floor of a high-rise in Harlem. In his late-night FM DJ voice, Voss put himself in their shoes. He told them, “It looks like you don’t want to come out. It seems like you worry that if you open the door, we’ll come in with guns blazing.”

Instead of making demands or asking questions, Voss labeled their emotion (worry) with the information that seemed like it would be most fitting (they’ll be attacked.) After more talking, all three fugitives came out of the building. The reason they surrendered? They all gave the same answer, “We didn’t want to get caught or get shot, but you calmed us down. We finally believed you wouldn’t go away so we just came out.”

By using persistent tactile empathy, Voss was able to keep these three armed fugitives from hurting themselves or others. Labeling neutralizes the negative and reinforces the positive. A more common situation people might experience is a family gathering. Voss explains, you can use the same labeling technique to neutralize any conflict because of a family member’s emotions presenting by getting to the root of their underlying feelings.

For example, we’ll pretend there’s a large family dinner where your cranky grandfather is present. Maybe he is crossing his arms, slamming down silverware and bucking back on everyone who talks to him. Instead of addressing this behavior as rude or inappropriate, you could instead label it:

“We don’t see each other all that often. It seems like you feel like we don’t pay any attention to you.” This labels his emotions (loneliness) in a non confrontational way, allowing him to realize that you’re listening, attempting to understand him. To offer a solution, you can then say, “This is a real treat for us. We want to value this time without and hear what you have to talk about.”

From there, he may drop his cranky guard and be willing to have a civil conversation around the table, valuing the time together instead of arguing about it. Voss states, “Research shows that the best way to deal with negativity is to observe it, without reaction and without judgment. Then consciously label each negative feeling and replace it with positive, compassionate, and solution-based thoughts.

Calibrated Questions

One of the strongest tools, and the one Voss constantly refers back to, is the calibrated question. These are open-ended questions that are carefully thought out to remove aggression from the conversation and drive the other person to come to the solution you wanted all along. It gives the illusion of control to the other side and creates a reasonable solution to the problem at hand.

Another hostage situation Voss was in was between two Pitts-



Every moment in your life is a negotiation in some sense.”

burgh drug dealers. One drug dealer had kidnapped the other drug dealer's girlfriend. Typically, when the FBI gets involved with these situations, they ask single answer questions to gain proof that the person kidnapped is safe. Questions like: “What is Martin's father's name?” or in this case, “What was the name of the girlfriend's teddy bear when she was little?”

However, the drug dealer who needed help getting his girlfriend to safety asked, “How do I know she's all right?” Not expecting this, the kidnapper went quiet, then volunteered to put her on the phone. It forced him to pause and consider how to come up with a solution.

Calibrated questions are open-ended. There is no direct “yes” or “no” answer to them, and usually they're usually along the same as what is commonly known as reporter questions. They're “who, what, where, when, why, and how?” Though, Voss cautions to stick mostly with the how. Instead of saying, “You're screwing me out of money. You need to stop”, try, “How am I supposed to work for the amount you're offering?” Instead of saying, “No, I can't pay the \$36,000 ticket price to the car”, try “I'm sorry, I only have \$30,000 to spend. How am I supposed to pay what you're asking?”

This line of questioning gives the chance to show the other person what the problem is, consider it, and offer a solution in a non confrontational way. And if you are able to come up with the right calibrated questions in advance, you'll guide your counterpart to coming up with the solution you have in mind before the conversation even starts. You're giving the other person the illusion of control, when in fact it is you, the listener, who is complete control over the negotiation.

The Black Swan

You don't know what you don't know. This is what Voss calls the “unknown unknowns.” The Black Swan is a metaphor for all things you don't know. Before the seventeenth century, people didn't know that black swans could exist. When Dutch explorer Willem de Vlamingh visited Australia, all of a sudden the unthinkable and unthoughtful became real. He saw a swan with black feathers. The point is that in every conversation, people are holding black swans even if they don't know it.

In any negotiation, it's the negotiator's job to search for these black swans using Voss's presented tools. This is important to note because many people enter the state of negotiation with the knowledge of their experiences and use that knowledge to predict how it's going to go.

Predictions may be handy, but each case is different, and each

person is carrying a set of unknown-unknowns that could completely derail the prediction that's being held. By using the right questions, with the right language, while empathizing the counterpart's emotions, effective negotiators look for black swan information so they can find the leverage they need to create the solution they desire. While doing so, everything is a clue. From their facial expressions to their “crazy” actions. It may be a clue as to how they're feeling about information being presented or the system of beliefs that's guiding their actions.

Here are some of the techniques to flush out black swan information:

- Let the information you know (from past experience and knowledge) guide you. However, don't let it blind you. Every case is different. There could be something new and unpredictable in each scenario.
- Black Swans pull out leverage: “Positive (the ability to give someone what they want); negative (the ability to hurt someone); and normative (using your counterpart's norms to bring them around)”
- Actively try to understand the other side's worldly beliefs.
- Review all the things you hear from your counterpart.
- Get face time to read their expression, body language, etc.

The concept of the Black Swan is what prompted the name of Voss's organization: The Black Swan group, where he teaches people his negotiation techniques and they can practice in drawing out their own information for the likely scenarios they will be in.

Voss leaves us with one final thought, “Whether it's in the office or around the family dinner table, don't avoid honest, clear conflict. It will get you the best car price, the higher salary, and the largest donation. It will also save your marriage, your friendship, and your family.”

Every conversation with another person. Every scenario you find yourself in. Every moment in your life is a negotiation in some sense. The tools Voss presents will steer those negotiations away from the conflict people tend to run away from and diffuse the conversation into an act of creative problem solving. Use the tools. Practice the system. Find the Black Swans. And embrace the negotiation process instead of fearing it.

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