

Never Split the Difference:

Negotiating as if Your Life Depended on It

(Chris Voss)

Summary

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Never Split the Difference

Chris Voss (former FBI top hostage negotiator)

Thesis:

- Because people are irrational, impulsive, and emotionally-driven, raw intelligence and logic don't help in a negotiation.
- You can learn to use your emotions, instincts, and insights to connect better with others, influence them, and achieve more.

1-The New Rules

How to Become the Smartest Person in Any Room

Heart vs. Mind

All humans suffer from cognitive bias, unconscious, irrational brain processes that distort the way they see the world.

People have two systems of thought:

1. Fast: the animal mind, instinctive, emotional
2. Slow: the rational mind, deliberate

Our animal mind steers our thoughts. When we hear a suggestion or question, we immediately have an emotional reaction. That reaction guides and informs our rational mind.

Life is Negotiation

Most interactions you have are negotiations that express a simple, animalistic urge: I want. Negotiations serve two distinct functions:

1. Information gathering
2. Behavior influencing

By the way you deliver your questions and statements, you can affect a person's animal mind.

Trying to negotiate before you deliberately address the emotional underpinning is like trying to make an omelet without knowing how to crack an egg.

2-Be a Mirror

How to Quickly Establish Rapport

Listen

- It's not easy to listen well. The voices inside our heads take up much of our brain power.
- Your thoughts about the situation are pointless until you can help the person feel heard and safe. It's more effective to first focus on what the other person has to say.
- When you hurry in a negotiation, you can't gain the other person's trust or get sufficient information from them to correctly assess the situation. Slow it down.

Use Your Voice

You can use your voice to intentionally reach into someone's brain and flip an emotional switch. Vocal choices include:

1. Direct Assertive: Avoid this one in most cases. The other person will perceive you

are trying to dominate them. They will react with aggression or passive aggression. You will lose their trust and willingness to talk.

2. Positive/Playful: Use this as your default voice. Relax and smile as you speak. This helps put you and the other person in a positive frame of mind making both of you more likely to problem solve than fight.
3. Late-night FM DJ: Use this one to convey quiet, self-assurance without confrontation. Inflect your voice downward as you talk slowly and clearly.

Mirror

Mirroring is a neuro behavior which imitates the other person to bring comfort. When we convey similarity, we increase trust.

In negotiation, focus on mirroring words. Repeat the last one to three key words the person said. Use a soft, inquisitive tone. If you

pause, the other person will often elaborate on what you said.

Being right isn't the key to successful negotiation. Having the right mindset is.

Process: Confront without Aggression

1. Use the late-night FM DJ voice.
2. Start with, "I'm sorry..."
3. Mirror: Repeat the last few key words using a soft inquisitive tone.
4. Silence: Pause for at least four seconds.
5. Repeat: (until you get the information you need).

3-Don't Feel Their Pain, Label It

Tactical Empathy

- Tactical empathy is understanding the feeling and mindset of another in the moment, hearing what is behind those feelings, and using that understanding to increase your influence in the moments that follow.
- When you closely observe a person's face, gestures, and tone of voice, your brain begins to align with theirs in a process called neural resonance. Empathy is not about agreeing with the other side. When you understand the other, you can succeed at what Sun Tzu called "the supreme art of war," subduing the enemy without fighting.

Labeling

- Labeling validates someone's emotion by acknowledging it. This lessens their anxiety.
- First, spot feelings by paying close attention to how people respond to your words.
- Once you spot an emotion to highlight, label it aloud. Never begin labels with, "I." Use these instead:
 - ▶ It seems like...
 - ▶ It sounds like...
 - ▶ It looks like...
- Once you give a label, be quiet and listen.

Neutralize the Negative, Reinforce the Positive

Two levels of behavior:

1. Presenting behavior: what you can see or hear
 2. Underlying feeling: hidden part that motivates the behavior (ex, anger, fear)
- Anger disrupts you and the other person's ability to properly evaluate and respond to situations.
 - Fear of real or imagined threats can incapacitate a person.

Emotional Best Practices:

- Imagine yourself in the other person's situation. What is motivating their behavior?
- Label negative influences (anger, fear) to get them into the open and establish safety.
- Pause after you label or mirror something. This gives an opening for the person to elaborate giving you more information.
- List the worst things the other person could say about you (**Accusation Audit**). Say those aloud to the person. This shows you can see things from their perspective.
- Use labels to reinforce and encourage positive perceptions and dynamics. This shows you appreciate and understand them. We all want others to appreciate and understand us.

4-Beware “Yes” - Master “No”

Everyone has two primal urges:

1. the need to feel safe and secure
2. the need to feel in control

Getting a person to say “no” early in negotiations, can:

- allow them to bring forth the real issues
- protect both of you from making ineffective decisions.
- help them feel safe, secure, in control
- move everyone’s efforts forward.

TIPS

- Don’t push a person for “yes” early in negotiations. That will make them feel insecure, trapped, or out of control.
- View “no” as the beginning of negotiation.
- It may help to intentionally mislabel one of their emotions to elicit a “no.” [ex. It seems like you want this project to fail.]

5-Trigger the Two Words That Immediately Transform Any Negotiation

Before you can achieve any behavioral change in your counterpart, you must convince them that you truly understand their dreams and feelings. Don’t work for a “you’re right.” Instead, work for a “**that’s right.**”

Seek to understand and positively affirm the person:

- Use pauses to encourage them to keep talking.
- Use encouragers such as “Uh-huh” or “I see” as you actively listen to the person.
- Mirror: Repeat back their key words.
- Label: Put a name on what you think are their feelings. Identify with those feelings.

(ex. It all seems so tragically unfair. I can now see why you sound so angry.)

- Paraphrase: In your own words, repeat back the gist of what the other person is saying.
- Once they seem so be softening, Summarize: [paraphrase + label] Repeat the meaning of what the person is saying along with the underlying emotions. If you do this well-enough, the person will say, “**that’s right**” or something that gives a clear indication that they believe you understand them.

6-Bend Their Reality

- Look beyond the surface to discover the purpose of what the person wants.
- Meeting halfway (splitting the difference) often leads to bad deals for both sides.
- Don’t let deadlines entice you to do impulsive things.
- Be alert to “fair.” If the person suggests you are being unfair, ask them to explain how you are mistreating them.

Leverage

For leverage, persuade the person they have something concrete to lose if the deal falls through.

- Anchor their emotions with an accusation audit acknowledging their fears about you. Then give them an offer in a way that plays on their loss aversion.
- Generally, let the other person go first in money negotiations. Don’t fall for an absurd first offer followed by something they want

- you to think is generous. Be cautious.
- When you ask, use a range based on research. Make sure the low number is what you want and the top number is an **extreme anchor**.
 - Pivot to non-monetary wants. Offer them something non-monetary that is low cost to you, but important to them. Ask for something low-cost to them and important to you.
 - Talk in odd numbers. Numbers ending in zero seem like temporary placeholders. A precise odd number seems calculated and permanent.
 - After making an extreme anchor, surprise them with some type of unrelated gift. This

sets up a reciprocity dynamic which stimulates their need to give something back.

Salary Negotiation Tips

- Be **pleasantly** persistent on a non-salary request that they are unlikely to offer. They may counter with a larger salary offer.
- Ask them to define success for your position. This costs them nothing while providing you with a plan for a raise.
- Ask, “What does it take to be successful here? If they hire you, they will watch to see if you follow their advice. They become your unofficial mentor.

7-Create the Illusion of Control

Successful negotiation gives your counterpart the illusion of control while you define the conversation.

Note: The listener in a conversation has more power than the talker because listening can provide the information you need to effectively direct the conversation.

Use Calibrated Questions

Introduce your ideas as non-accusatory questions. Example:

Avoid:	Use Instead:
You can't leave.	What do you hope to achieve by going?
Aggressive Statement of Fact	Gentle Nudge Question Calibrated to Engage Problem-Solving

Calibrated questions will only work if you remain emotionally calm. Make sure your tone is non-accusatory. Do not counter-attack when

you face a verbal assault. Apologize if you said or did something that motivated the attack. Don't try to force a person to admit you are right.

Avoid These Sentence Starters:	Use These Sentence Starters:
can, is, are, do, does, who, when, where	what, how
These invite a yes/no or a simple fact without engaging a person in problem-solving	These engage a person in helping you solve a problem.

Sample Calibrated Questions

- What about this is important to you?
- How can I help to make this better for us?
- What is the biggest challenge you face?
- How can we solve this problem?
- What are you trying to accomplish?
- How am I supposed to do that? (must use non-accusatory tone)

8-Guarantee Execution

Yes is Nothing Without How

Use carefully calibrated questions to convince your counterpart that the final solution is their idea. Key questions:

- How will we know we're on track?
- How will we address things if we find we are off track?

After they answer, summarize until you get a "that's right." If they say "you're right," it means they aren't fully committed. If they say "I'll try," it means they'll try to fail. When you hear either of those, return to "how" questions until they define implementation terms. Then summarize what they said until you get a "that's right."

Be alert that those you interact with may not be the only people who can break the deal. To determine if anyone behind the scenes could break the deal, try questions such as these:

- How does this affect the rest of your team?
- What do your colleagues see as their main challenges related to this?

Spot Liars, Deal with Jerks, Charm Everyone Else

- Be watching for the Pinocchio Effect.
 - ▶ Using more words than usual. (nervous)
 - ▶ Using more third person pronouns (they, him, her, their) instead of "I." (deflecting responsibility)
 - ▶ Using complex sentences as if trying to baffle you with B.S.

- Pay attention to vocal tone and body language. If it doesn't match their words, the person is either lying or unconvinced. Use labels to uncover the source of incongruence.

You: So we're agreed.

Them: Yes (but tone didn't agree)

You: It seems like there was hesitation in your voice.

Them: Oh, it's nothing really.

You: This is important. Let's make sure we get it right.

- Use the rule of three. Get them to agree to the same thing three times.
 1. They agree to something.
 2. Summarize what they said until you get a "that's right."
 3. Ask a calibrated how or what question about implementation. (How will we gauge our success?)
- Introduce yourself informally (first name) to help your counterpart see you as a person. Use their first name, but not excessively like a slick salesperson.
- Use a multi-step, "No" to gain empathy and encourage them to outbid themselves. The key is to use a deferential tone like a plea for help.
 - ▶ How am I supposed to do that?
 - ▶ Your offer is generous. I'm sorry, that doesn't work for me.
 - ▶ I'm sorry, but I'm afraid I just can't do that.
 - ▶ I'm sorry, no.

9-Bargain Hard

There are three types of negotiators, Analyst, Accommodator, and Assertive. The best

negotiators incorporate characteristics of all three types into their strategy.

	Analyst	Accommodator	Assertive
They see themselves as:	realistic, prepared, smart	personable, relationship-focused	honest, logical, direct
Others see them as:	cold, standoffish	friendly, too talkative	aggressive, harsh
Their view on business relationship:	as long as they don't cause conflict, they preserve the relationship	the relationship is most important	needs mutual respect
They care about:	acquiring facts, info	building relationship	being heard
Their negotiation mindset:	Time = preparation Silence = time to think	Time = relationship building Silence = anger	Time = money, goal Silence = chance to speak more
Their characteristics:	methodical, diligent, skeptical, reserved problem-solver, slow to answer calibrated questions	optimistic, peace-seeking, distractible, poor time manager, hides hesitancy, may overpromise	focus on getting it done, spars intellectually, will only listen if they think you hear them
Their views on reciprocity:	Giving = give only things they have thoroughly considered; Receiving = are suspicious if you give first	Giving = likely to give up something first; Receiving = take it as confirmation of positive relationship	Giving: give them an inch, they'll take a mile; Receiving: if they give up something, they expect something of value in return
Tips for them to be effective:	Smile when speaking to people.	Reduce chit-chat. Don't promise what you can't deliver.	Soften your tone. Use calibrated questions and labels.
Tools to use when you negotiate with them:	Use labels to compare analysis and data to explain your reasons.	Use what/how calibrated questions focused on implementation.	Use mirrors, calibrated questions, labels, summaries that lead to a "that's right."
How to get them to re-engage:	Show them you are ready to get something accomplished.	Say you are sorry.	Invite them to re-engage.

Be Prepared

- Set a goal and a tiered offer plan: 65% > 85% > 95% > 100% (a non-rounded precise looking number). When offer reductions get smaller and end with a precise number, it appears you can't go lower.

- Plan some labels and calibrated questions.
- Prepare some statements to respond to their extreme anchors (I'm sorry, that doesn't work for me.)

10-Find the Black Swan

Black Swan = hidden and unexpected piece of information

Leverage

To get leverage, you must persuade your counterpart that they have something real to lose if the deal falls through.

- Positive Leverage: Your ability to provide or withhold things that your counterpart wants.
- Negative Leverage: Your ability to make your counterpart suffer. Caution: Threats cause people to react irrationally. Instead, subtly use labels to suggest possible loss.

Avoid Threats: ex.	Use Labels Instead: ex.
If you don't pay on time, I will destroy your reputation.	It seems like you strongly value the fact that you've always paid on time.

- Normative Leverage: Your ability to use your counterpart's norms and standards to advance your position.

Know Their Worldview

- Have several people listening to the conversation. Compare notes to determine your counterpart's likely worldview.
- Once you understand a person's worldview, you can build influence. Position your demands within the worldview that your counterpart uses to make decisions. People defer to the authority of their worldview.

Similarity Principle

- Listen carefully. Try to find something you have in common. Find a way to subtly express your understanding of their worldview.
- When people think you understand them, you will gain influence with them.

It's Not Crazy, It's a Clue

- When you see or hear something that makes no sense, begin to look for a Black Swan.
- Why you may mistakenly think your counterpart is crazy:
 - ▶ They may be operating with incomplete information.
 - ▶ They may be operating under constraints they don't want to admit.
 - ▶ They may have interests unrelated to the topic under negotiation.

Tips to Unearth Black Swans

- Work to uncover what information they are using. Arrange for someone they trust to give them information they are missing.
- Arrange for some casual face time. In a casual setting, they may volunteer information as you watch for non-verbal clues.
- Observe people in unguarded moments such as interruptions, odd exchanges, or breaks.

Overcome Fear of Conflict

- Most of us don't like conflict. We give in to get along. This leads to discontent.
- Honest, well-managed conflict can energize problem-solving and collaboration.
- Improve all your relationships by:
 - ▶ Listening well (watch non-verbals)
 - ▶ Speaking clearly and empathetically
 - ▶ Treating others and yourself with respect
 - ▶ Being honest about what you can and cannot do.