



# Life Is Negotiation

Field-Tested Techniques in Emotional Intelligence and  
Tactical Empathy from an FBI Negotiator | Chris Voss

While you might be curious how FBI negotiators get some of the world's toughest bad guys to give up their hostages, you could be excused for wondering what hostage negotiation has to do with your life. Well...

# Life is negotiation. We spend most of our days negotiating for something.

The majority of the interactions we have at work and at home are negotiations that boil down to the expression of a simple, animalistic urge: *I want*.

In the FBI's hostage negotiating team's early days, we were all deep into Roger Fisher and William Ury's book, *Getting to Yes*.

It was genius.

But no matter how many agents read the book with highlighters in hand, it failed to improve how we as hostage negotiators approached deal making.

There was clearly a breakdown between the book's brilliant theory and everyday experience. Why was it that everyone had read this bestselling business book and endorsed it as one of the greatest negotiation texts ever written, and yet so few could actually follow it successfully?

Were we morons?

So we started developing new techniques. As we did this, the negotiating world split into two currents: Negotiation as learned at the country's top schools continued down the established road of rational problem solving, while, ironically, we meatheads at the FBI began to train our agents in an unproven system based on psychology, counseling, and crisis intervention. While the Ivy League taught math and economics, we became experts in empathy. And our way worked.

Below I will share with you a few of the field-tested techniques that helped me and my colleagues in some of the most high-pressure and high-stakes situations you can imagine. But first, I ask you to erase everything you've been taught about negotiation. Instead, you have to come to embrace the reality that you are not rational, there is no such thing as "fair," compromise is the worst thing you can do, and the real art of negotiation lies in mastering the intricacies of No, not Yes. I guarantee if you erase everything you think you know about negotiation and apply these methods in your next conversation, you'll walk away surprised at what you achieved.

## The Golden Rule Is Wrong

Don't treat someone the way you want to be treated—treat them the way they need to be treated based on what's driving them. How they got to the moment in time where they are across the table from you, and what drove them there, is different than how you got there. What happened to them the night before they encountered you is different than what happened to you the night before. They've got cards to reveal to you if you can just get your mind around this tactical (and ethical) idea.

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# Be A Mirror

The FBI's approach is grounded in Tactical Empathy. It is about how to confront without being confrontational. It is about using listening as a martial art, balancing the subtle behaviors of emotional intelligence and the assertive skills of influence to gain access to the mind of another person. One of the simplest ways to engage in tactical empathy is through mirroring. We fear what's different and are drawn to what's similar. Mirroring is the art of insinuating similarity, which facilitates bonding. Use mirrors to encourage the other side to talk and reveal their strategy.

Mirroring as practiced by the FBI is different from how you may know it. It focuses on the words only, and not body language or tone of voice. This mirroring is simply repeating the last 3 words (or critical few words) of what someone has just said.

“Of what someone has just said?”

“Yeah, the words that they have just used...how they tried to get their point across... hey wait a minute, you just did it to me!”

That was literally the conversation I had with a colleague who challenged me on whether not mirroring could keep someone talking. I only half-jokingly refer to mirroring as magic or a Jedi mind trick, because it gives you the ability to disagree without being disagreeable.

To consider just how useful that can be, think of the average work place: invariably there is still someone in a position of authority who arrived at that position through aggressive assertiveness, sometimes outright intimidation, with “old school” top-down, command-and-control assumptions that the boss is always right. And let’s not delude ourselves, whatever the enlightened rules of the “new school,” in every environment (work or otherwise) you will always have to deal with forceful Type A people who prefer consent to collaboration.

If you take a pit bull approach with another pit bull, you generally end up with a messy scene and lots of bruised feelings and resentment. Luckily, there’s another way without all the mess. Step it up a notch with just four simple steps:

1. Use the late-night FM DJ voice (smooth, calming, soothing—think Barry White).
2. Start with “I’m sorry...”
3. Mirror.
4. Silence. At least four seconds, to let the mirror work its magic on your counterpart.
5. Repeat.

# Calm The Schizophrenic

People who view negotiation as a battle of arguments become overwhelmed by what they want to say and the voices in their head hearing themselves saying it. Negotiation is not an act of battle, it's a process of discovery. The goal is to uncover as much information as possible.

To quiet the voices in your head, make your sole and all-encompassing focus the other person and what they have to say.

Slow. It. Down. Going too fast is one of the mistakes all negotiators are prone to making. If we're too much in a hurry, people can feel as if they're not being heard and we risk undermining rapport and any trust we may have built up.

Put a smile on your face. When people are in a positive frame of mind, they think more quickly, and are more likely to collaborate.

*“To quiet the voices in your head, make your sole and all-encompassing focus the other person and what they have to say.”*

# Make a Hypothesis—Or Ten

A good negotiator, going in, is prepared for possible surprises; a great negotiator aims to use her skills to reveal the surprises she is certain exist. Don't commit to assumptions; instead, view them as hypotheses and use the negotiation to test them rigorously.

Negotiation involves not only the use of information you have gained through research to affect the outcome, it requires gathering it *in the negotiating process* to further your ability to influence.

Experience has taught great negotiators that they are best served by holding multiple hypotheses—about the situation, about the counterpart's wants, about a whole array of variables—in their mind at the same time. Present and alert in the moment, they will use all the new information that comes their way to test and winnow true hypotheses from false ones.

In negotiation, each new psychological insight or additional piece of unknown information that arises heralds a step forward and allows one to discard some hypothesis in favor of another. You should engage the process with a mindset of discovery. Your goal at the outset is to extract and observe as much information as possible. That, by the way, is one of the reasons that really smart people often have trouble being negotiators—they're so smart they think they don't have anything to discover.



## Beware “Yes.” Master “No.”

It’s critical to break the habit of attempting to get people to say “yes”. Being pushed for a “yes” makes people defensive. Our love of hearing “yes” makes us blind to the defensiveness we ourselves feel when someone is pushing us to say it.

Though “yes” is the final goal of a negotiation, don’t aim for it at the start. What went through your mind the last time you picked up the phone and the voice on the other end said, “Have you got a few minutes to talk?” “Would you like to make more money?” How enthusiastic were you when the voice belonged to your significant other and he or she said, “Can we talk?” Every one of these seemingly innocent requests for “yes” caused your stomach to tighten a little (or a lot).

“No” is not a failure. We think that “No” is the anti-“Yes”, and therefore a word to be avoided at all costs. But, oftentimes, it really just means “Wait” or “I’m not comfortable with that.” Learn how to hear it calmly. It is not the end of the negotiation, but the beginning. Mastering the timing of intentionally triggering it is magic.

““No” is not a failure. ... Learn how to hear it calmly.

# The “F” Word: Why It’s So Powerful, When To Use It and How

The most powerful word in negotiations is “Fair.” As human beings, we’re mightily swayed by how much we feel we have been respected. People comply with agreements if they feel they’ve been treated fairly and lash out if they don’t.

A decade of brain-imaging studies has shown that human neural activity, particularly in the emotion-regulating insular cortex, reflects the degree of unfairness in social interactions. Even non-human primates are hardwired to reject unfairness. In one famous study, two capuchin monkeys were set to perform the same task, but one was rewarded with sweet grapes while the other received cucumbers. In response to such blatant unfairness, the cucumber-fed monkey literally went bananas.

The most common use of the word fair is a Judo-like defensive move that destabilizes the other side. This manipulation usually takes the form of something like, “We just want what’s fair.” Think back to the last time that someone made this implicit accusation of unfairness to you, and I bet you’ll have to admit that it immediately triggered feelings of defensiveness and discomfort. These feelings are often subconscious and can lead to an irrational concession.

A second use of the “F” bomb is more nefarious. In this one, your counterpart will basically accuse you of being dense or dishonest by saying, “We’ve given you a fair offer.” It’s a terrible little jab meant to distract your attention and manipulate you into giving in.

Whenever someone tries this on me, I think back to the last NFL lockout.

Negotiations were getting down to the wire and the NFL Players Association (NFLPA) said that before they agreed to a final deal they wanted the owners to open their books. The owners’ answer?

“We’ve given the players a fair offer.”

Notice the horrible genius of this: Instead of opening their books or declining to do so, the owners shifted the focus to the NFLPA’s supposed lack of understanding of fairness.

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# Bend Reality

Once you know the power of introducing what's "fair," you can then bend reality to manipulate what constitutes as "fair." You can bend your counterpart's reality by anchoring his starting point.

For example, let's say you are negotiating on a deal. Before you make an offer, emotionally anchor your counterpart by saying how bad it will be. When you get to numbers, set an extreme anchor to make your "real" offer seem reasonable, or use a range to seem less aggressive. The real value of anything depends on what vantage point you're looking at it from.

The best negotiators simply recognize the human psyche as it is. We are emotional, irrational beasts who are emotional and irrational in predictable, pattern-filled ways. Using that knowledge is only, well... rational.

*“What we don't know can kill us, and our deals. But uncovering what we don't know can totally change the course of a negotiation and bring us unexpected success.”*

# Create The Illusion of Control With Listener's Judo

Who has control in a conversation, the guy listening or the guy talking? The listener, of course. That's because the talker is revealing information while the listener, if he's trained well, is directing the conversation toward his own goals. He's harnessing the talker's energy for his own ends.

When you try to work these skills into your daily life, remember that these are listener's tools. They are not about strong-arming your opponent into submission. Rather, they're about using the counterpart's power to get to your objective. They're listener's judo.

The art of putting listener's judo into practice involves remembering four things:

Don't try to force your opponent to admit that you are right. Aggressive confrontation is the enemy of constructive negotiation.

Avoid questions that can be answered with "yes" or with tiny pieces of information. These require little thought and inspire the human need for reciprocity; you will be expected to give something back.

Ask calibrated questions that start with the words “How” or “What.” By implicitly asking the other party for help, these questions will give your counterpart an illusion of control and will inspire them to speak at length, revealing important information.

Don’t ask questions that start with “Why” unless you want your counterpart to defend a goal that serves you. “Why” is always an accusation, in any language.

## Bargain Hard

Top negotiators know, however, that conflict is often the path to great deals. And the best find ways to actually have fun engaging in it. Conflict brings out truth, creativity, and resolution. So the next time you find yourself face-to-face with a bareknuckle bargainer:

Identify your counterpart’s negotiating style. Once you know that, you’ll know the correct way to approach them.

Prepare, prepare, prepare. When the pressure is on, you don’t rise to the occasion, you fall to your highest level of preparation. So design an ambitious but legitimate goal and then game

out the labels, calibrated questions, and responses you'll use to get there. That way, once you're at the bargaining table, you won't have to wing it.

Get ready to take a punch. Kickass negotiators usually lead with an extreme anchor to knock you off your game. If you're not ready, you'll flee to your maximum without a fight. So prepare your dodging tactics to avoid getting sucked into the compromise trap.

Set boundaries without anger. The guy across the table is not the problem; the situation is.

## Find The Black Swans

What we don't know can kill us, and our deals. But uncovering what we don't know can totally change the course of a negotiation and bring us unexpected success. Finding these Black Swans—those powerful unknown unknowns—is intrinsically difficult.

Here are some of the best techniques for flushing out the Black Swans and exploiting them. Remember, your counterpart might not even know how important the information is, or even that they shouldn't reveal it. So keep pushing, probing and gathering information.

Let what you know—your known knowns—guide you but not blind you. Every case is new, so remain flexible and adaptable. No hostage taker had killed a hostage on deadline, until he did.

Black Swans are leverage multipliers. Remember the three types of 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).

Work to understand the other side's "religion"—the beliefs they hold that are larger than themselves. Digging into worldviews inherently implies moving beyond the negotiating table and into the life, emotional and otherwise, of your counterpart. That's where Black Swans live.

Review everything you hear from your counterpart. You will not hear everything the first time, so double check. Compare notes with team members. Use backup listeners whose job is to listen between the lines. They will hear things you miss.

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# Life is Negotiation

Negotiation serves two distinct, vital life functions—information gathering and behavior influencing—and includes almost any interaction where each party wants something from the other side. Your career, your finances, your reputation, your love life, even the fate of your kids will at some point hinge on your ability to negotiate.

Getting what you want out of life is all about getting what you want from—and with—other people. Conflict between two parties is inevitable in all relationships. So it's useful—crucial, even—to know how to engage in that conflict to get what you want without inflicting damage.

The first step to achieving a mastery of daily negotiation is to get over your aversion to negotiating. You don't need to like it; you just need to understand that's how the world works. Negotiating does not mean browbeating or grinding someone down. It simply means playing the emotional game that human society is set up for.

**In this world, you get what you ask for; you just have to ask correctly.  
So claim your prerogative to ask for what you think is right. 📌**

# Info



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**ABOUT THE AUTHOR** | Chris Voss is one of the preeminent practitioners and professors of negotiating 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 University of Southern California's Marshall School of Business, and has taught at many other business schools, including Harvard University, the Sloan School of Management, the Kellogg School of Management, and Georgetown University's McDonough School of Business. He lives in Los Angeles, California.

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