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**A FORMER FBI TOP HOSTAGE NEGOTIATOR'S FIELD-TESTED TOOLS  
FOR TALKING ANYONE INTO (OR OUT OF) JUST ABOUT ANYTHING**

**NEVER  
SPLIT THE  
DIFFERENCE**

**NEGOTIATING AS IF YOUR  
LIFE DEPENDED ON IT**

**CHRIS VOSS**

**WITH TAHL RAZ**

# NEVER SPLIT THE DIFFERENCE

— NEGOTIATING AS IF YOUR LIFE DEPENDED ON IT —

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HARPER  
BUSINESS

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# **DEDICATION**

**For my mother and father  
who showed me unconditional love  
and taught me the values of hard work and integrity**

# CONTENTS

*Dedication*

## **CHAPTER 1 | THE NEW RULES**

*How to Become the Smartest Person . . . in Any Room*

## **CHAPTER 2 | BE A MIRROR**

*How to Quickly Establish Rapport*

## **CHAPTER 3 | DON'T FEEL THEIR PAIN, LABEL IT**

*How to Create Trust with Tactical Empathy*

## **CHAPTER 4 | BEWARE “YES”—MASTER “NO”**

*How to Generate Momentum and Make It Safe to Reveal the Real Stakes*

## **CHAPTER 5 | TRIGGER THE TWO WORDS THAT IMMEDIATELY TRANSFORM ANY NEGOTIATION**

*How to Gain the Permission to Persuade*

## **CHAPTER 6 | BEND THEIR REALITY**

*How to Shape What Is Fair*

## **CHAPTER 7 | CREATE THE ILLUSION OF CONTROL**

*How to Calibrate Questions to Transform Conflict into Collaboration*

## **CHAPTER 8 | GUARANTEE EXECUTION**

*How to Spot the Liars and Ensure Follow-Through from Everyone Else*

## **CHAPTER 9 | BARGAIN HARD**

*How to Get Your Price*

## **CHAPTER 10 | FIND THE BLACK SWAN**

*How to Create Breakthroughs by Revealing the Unknown Unknowns*

*Acknowledgments*

*Appendix: Prepare a Negotiation One Sheet*

*Notes*

*Index*

*About the Authors*

*Credits*

*Copyright*

*About the Publisher*



## CHAPTER 1

# THE NEW RULES

I was intimidated.

I'd spent more than two decades in the FBI, including fifteen years negotiating hostage situations from New York to the Philippines and the Middle East, and I was on top of my game. At any given time, there are ten thousand FBI agents in the Bureau, but only one lead international kidnapping negotiator. That was me.

But I'd never experienced a hostage situation so tense, so personal.

"We've got your son, Voss. Give us one million dollars or he dies."

Pause. Blink. Mindfully urge the heart rate back to normal.

Sure, I'd been in these types of situations before. Tons of them. Money for lives. But not like this. Not with my son on the line. Not \$1 million. And not against people with fancy degrees and a lifetime of negotiating expertise.

You see, the people across the table—my negotiating counterparts—were Harvard Law School negotiating professors.

I'd come up to Harvard to take a short executive negotiating course, to see if I could learn something from the business world's approach. It was supposed to be quiet and calm, a little professional development for an FBI guy trying to widen his horizons.

But when Robert Mnookin, the director of the Harvard Negotiation Research Project, learned I was on campus, he invited me to his office for a coffee. Just to chat, he said.

I was honored. And scared. Mnookin is an impressive guy whom I'd followed for years: not only is he a Harvard law professor, he's also one of the big shots of the conflict resolution field and the author of *Bargaining with the Devil: When to Negotiate, When to Fight*.<sup>1</sup>

To be honest, it felt unfair that Mnookin wanted me, a former Kansas City beat cop, to debate negotiation with him. But then it got worse. Just after Mnookin and I sat down, the door opened and another Harvard professor walked in. It was Gabriella Blum, a specialist in international negotiations, armed conflict, and counterterrorism, who'd spent eight years as a negotiator for the Israeli National Security Council and the Israel Defense Forces. The tough-as-nails IDF.

On cue, Mnookin's secretary arrived and put a tape recorder on the table. Mnookin and Blum smiled at me.

I'd been tricked.

"We've got your son, Voss. Give us one million dollars or he dies," Mnookin said, smiling. "I'm the kidnapper. What are you going to do?"

I experienced a flash of panic, but that was to be expected. It never changes: even after two decades negotiating for human lives you still feel fear. Even in a role-playing situation.

I calmed myself down. Sure, I was a street cop turned FBI agent playing against real heavyweights. And I wasn't a genius. But I was in this room for a reason. Over the years I had picked up skills, tactics, and a whole approach to human interaction that had not just helped me save lives but, as I recognize now looking back, had also begun to transform my own life. My years of negotiating had infused everything from how I dealt with customer service reps to my parenting style.

"C'mon. Get me the money or I cut your son's throat right now," Mnookin said. Testy.

I gave him a long, slow stare. Then I smiled.

"How am I supposed to do that?"

Mnookin paused. His expression had a touch of amused pity in it, like a dog when the cat it's been chasing turns around and tries to chase it back. It was as if we were playing different games, with different rules.

Mnookin regained his composure and eyed me with arched brows as if to remind me that we were still playing.

"So you're okay with me killing your son, Mr. Voss?"

"I'm sorry, Robert, how do I know he's even alive?" I said, using an apology and his first name, seeding more warmth into the interaction in order to complicate his gambit to bulldoze me. "I really am sorry, but how



can I get you any money right now, much less one million dollars, if I don't even know he's alive?"

It was quite a sight to see such a brilliant man flustered by what must have seemed unsophisticated foolishness. On the contrary, though, my move was anything but foolish. I was employing what had become one of the FBI's most potent negotiating tools: the open-ended question.

Today, after some years evolving these tactics for the private sector in my consultancy, The Black Swan Group, we call this tactic calibrated questions: queries that the other side can respond to but that have no fixed answers. It buys you time. It gives your counterpart the illusion of control—they are the one with the answers and power after all—and it does all that without giving them any idea of how constrained they are by it.

Mnookin, predictably, started fumbling because the frame of the conversation had shifted from how I'd respond to the threat of my son's murder to how the professor would deal with the logistical issues involved in getting the money. How he would solve *my* problems. To every threat and demand he made, I continued to ask how I was supposed to pay him and how was I supposed to know that my son was alive.

After we'd been doing that for three minutes, Gabriella Blum interjected.

"Don't let him do that to you," she said to Mnookin.

"Well, *you* try," he said, throwing up his hands.

Blum dove in. She was tougher from her years in the Middle East. But she was still doing the bulldozer angle, and all she got were my same questions.

Mnookin rejoined the session, but he got nowhere either. His face started to get red with frustration. I could tell the irritation was making it hard to think.

"Okay, okay, Bob. That's all," I said, putting him out of his misery.

He nodded. My son would live to see another day.

"Fine," he said. "I suppose the FBI *might* have something to teach us."

I had done more than just hold my own against two of Harvard's distinguished leaders. I had taken on the best of the best and come out on top.

But was it just a fluke? For more than three decades, Harvard had been the world epicenter of negotiating theory and practice. All I knew about the techniques we used at the FBI was that they worked. In the twenty years I spent at the Bureau we'd designed a system that had successfully resolved almost every kidnapping we applied it to. But we didn't have grand theories.

Our techniques were the products of experiential learning; they were developed by agents in the field, negotiating through crisis and sharing stories of what succeeded and what failed. It was an iterative process, not an intellectual one, as we refined the tools we used day after day. And it was urgent. Our tools *had* to work, because if they didn't someone died.

But *why* did they work? That was the question that drew me to Harvard, to that office with Mnookin and Blum. I lacked confidence outside my narrow world. Most of all, I needed to articulate my knowledge and learn how to combine it with theirs—and they clearly had some—so I could understand, systematize, and expand it.

Yes, our techniques clearly worked with mercenaries, drug dealers, terrorists, and brutal killers. But, I wondered, what about with normal humans?

As I'd soon discover in the storied halls of Harvard, our techniques made great sense intellectually, and they worked *everywhere*.

It turned out that our approach to negotiation held the keys to unlock profitable human interactions in every domain and every interaction and every relationship in life.

This book is how it works.

## **THE SMARTEST DUMB GUY IN THE ROOM**

To answer my questions, a year later, in 2006, I talked my way into Harvard Law School's Winter Negotiation Course. The best and brightest compete to get into this class, and it was filled with brilliant Harvard students getting law and business degrees and hotshot students from other top Boston universities like the Massachusetts Institute of Technology and Tufts. The Olympic trials for negotiating. And I was the only outsider.

The first day of the course, all 144 of us piled into a lecture hall for an introduction and then we split into four groups, each led by a negotiation

instructor. After we'd had a chat with our instructor—mine was named Sheila Heen, and she's a good buddy to this day—we were partnered off in pairs and sent into mock negotiations. Simple: one of us was selling a product, the other was the buyer, and each had clear limits on the price they could take.

My counterpart was a languid redhead named Andy (a pseudonym), one of those guys who wear their intellectual superiority like they wear their khakis: with relaxed confidence. He and I went into an empty classroom overlooking one of those English-style squares on Harvard's campus, and we each used the tools we had. Andy would throw out an offer and give a rationally airtight explanation for why it was a good one—an inescapable logic trap—and I'd answer with some variation of "How am I supposed to do that?"

We did this a bunch of times until we got to a final figure. When we left, I was happy. I thought I'd done pretty well for a dumb guy.

After we all regrouped in the classroom, Sheila went around the students and asked what price each group had agreed on, and then wrote the result on the board.

Finally, it was my turn.

"Chris, how did you do with Andy?" she asked. "How much did you get?"

I'll never forget Sheila's expression when I told her what Andy had agreed to pay. Her whole face first went red, as if she couldn't breathe, and then out popped a little strangled gasp like a baby bird's hungry cry. Finally, she started to laugh.

Andy squirmed.

"You got literally every dime he had," she said, "and in his brief he was supposed to hold a quarter of it back in reserve for future work."

Andy sank deep in his chair.

The next day the same thing happened with another partner.

I mean, I absolutely destroyed the guy's budget.

It didn't make sense. A lucky one-off was one thing. But this was a pattern. With my old-school, experiential knowledge, I was killing guys who knew every cutting-edge trick you could find in a book.

The thing was, it was the cutting-edge techniques these guys were using that felt dated and old. I felt like I was Roger Federer and I had used a time machine to go back to the 1920s to play in a tennis tournament of distinguished gentlemen who wore white pantsuits and used wood rackets and had part-time training regimens. There I was with my titanium alloy racket and dedicated personal trainer and computer-strategized serve-and-volley plays. The guys I was playing were just as smart—actually, more so—and we were basically playing the same game with the same rules. But I had skills they didn't.

“You're getting famous for your special style, Chris,” Sheila said, after I announced my second day's results.

I smiled like the Cheshire cat. Winning was fun.

“Chris, why don't you tell everybody your approach,” Sheila said. “It seems like all you do to these Harvard Law School students is say ‘No’ and stare at them, and they fall apart. Is it really that easy?”

I knew what she meant: While I wasn't actually saying “No,” the questions I kept asking sounded like it. They seemed to insinuate that the other side was being dishonest and unfair. And that was enough to make them falter and negotiate with themselves. Answering my calibrated questions demanded deep emotional strengths and tactical psychological insights that the toolbox they'd been given did not contain.

I shrugged.

“I'm just asking questions,” I said. “It's a passive-aggressive approach. I just ask the same three or four open-ended questions over and over and over and over. They get worn out answering and give me everything I want.”

Andy jumped in his seat as if he'd been stung by a bee.

“Damn!” he said. “*That's* what happened. I had no idea.”

By the time I'd finished my winter course at Harvard, I'd actually become friends with some of my fellow students. Even with Andy.

If my time at Harvard showed me anything, it was that we at the FBI had a lot to teach the world about negotiating.

In my short stay 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 little help in the fraught, shifting interplay of two people negotiating.

Yes, perhaps we are the only animal that haggles—a monkey does not exchange a portion of his banana for another's nuts—but no matter how we dress up our negotiations in mathematical theories, we are always an animal, always acting and reacting first and foremost from our deeply held but mostly invisible and inchoate fears, needs, perceptions, and desires.

That's not how these folks at Harvard learned it, though. Their theories and techniques all had to do with intellectual power, logic, authoritative acronyms like BATNA and ZOPA, rational notions of value, and a moral concept of what was fair and what was not.

And built on top of this false edifice of rationality was, of course, process. They had a script to follow, a predetermined sequence of actions, offers, and counteroffers designed in a specific order to bring about a particular outcome. It was as if they were dealing with a robot, that if you did *a*, *b*, *c*, and *d* in a certain fixed order, you would get *x*. But in the real world negotiation is far too unpredictable and complex for that. You may have to do *a* then *d*, and then maybe *q*.

If I could dominate the country's brightest students with just one of the many emotionally attuned negotiating techniques I had developed and used against terrorists and kidnapers, why not apply them to business? What was the difference between bank robbers who took hostages and CEOs who used hardball tactics to drive down the price of a billion-dollar acquisition?

After all, kidnapers are just businessmen trying to get the best price.

## OLD-SCHOOL NEGOTIATION

Hostage taking—and therefore hostage negotiating—has existed since the dawn of recorded time. The Old Testament spins plenty of tales of Israelites and their enemies taking each other's citizens hostage as spoils of war. The Romans, for their part, used to force the princes of vassal states to send their sons to Rome for their education, to ensure the continued loyalty of the princes.

But until the Nixon administration, hostage negotiating as a process was limited to sending in troops and trying to shoot the hostages free. In law

enforcement, our approach was pretty much to talk until we figured out how to take them out with a gun. Brute force.

Then a series of hostage disasters forced us to change.

In 1971, thirty-nine hostages were killed when the police tried to resolve the Attica prison riots in upstate New York with guns. Then at the 1972 Olympics in Munich, eleven Israeli athletes and coaches were killed by their Palestinian captors after a botched rescue attempt by the German police.

But the greatest inspiration for institutional change in American law enforcement came on an airport tarmac in Jacksonville, Florida, on October 4, 1971.

The United States was experiencing an epidemic of airline hijackings at the time; there were five in one three-day period in 1970. It was in that charged atmosphere that an unhinged man named George Giffe Jr. hijacked a chartered plane out of Nashville, Tennessee, planning to head to the Bahamas.

By the time the incident was over, Giffe had murdered two hostages—his estranged wife and the pilot—and killed himself to boot.

But this time the blame didn't fall on the hijacker; instead, it fell squarely on the FBI. Two hostages had managed to convince Giffe to let them go on the tarmac in Jacksonville, where they'd stopped to refuel. But the agents had gotten impatient and shot out the engine. And that had pushed Giffe to the nuclear option.

In fact, the blame placed on the FBI was so strong that when the pilot's wife and Giffe's daughter filed a wrongful death suit alleging FBI negligence, the courts agreed.

In the landmark *Downs v. United States* decision of 1975, the U.S. Court of Appeals wrote that “there was a better suited alternative to protecting the hostages' well-being,” and said that the FBI had turned “what had been a successful ‘waiting game,’ during which two persons safely left the plane, into a ‘shooting match’ that left three persons dead.” The court concluded that “a reasonable attempt at negotiations must be made prior to a tactical intervention.”

The Downs hijacking case came to epitomize everything *not* to do in a crisis situation, and inspired the development of today's theories, training, and techniques for hostage negotiations.

Soon after the Giffe tragedy, the New York City Police Department (NYPD) became the first police force in the country to put together a dedicated team of specialists to design a process and handle crisis negotiations. The FBI and others followed.

A new era of negotiation had begun.

## HEART VS. MIND

In the early 1980s, Cambridge, Massachusetts, was *the* hot spot in the negotiating world, as scholars from different disciplines began interacting and exploring exciting new concepts. The big leap forward came in 1979, when the Harvard Negotiation Project was founded with a mandate to improve the theory, teaching, and practice of negotiation so that people could more effectively handle everything from peace treaties to business mergers.

Two years later, Roger Fisher and William Ury—cofounders of the project—came out with *Getting to Yes*,<sup>2</sup> a groundbreaking treatise on negotiation that totally changed the way practitioners thought about the field.

Fisher and Ury's approach was basically to systematize problem solving so that negotiating parties could reach a mutually beneficial deal—the getting to “Yes” in the title. Their core assumption was that the emotional brain—that animalistic, unreliable, and irrational beast—could be overcome through a more rational, joint problem-solving mindset.

Their system was easy to follow and seductive, with four basic tenets. One, separate the person—the emotion—from the problem; two, don't get wrapped up in the other side's position (*what* they're asking for) but instead focus on their interests (*why* they're asking for it) so that you can find what they really want; three, work cooperatively to generate win-win options; and, four, establish mutually agreed-upon standards for evaluating those possible solutions.

It was a brilliant, rational, and profound synthesis of the most advanced game theory and legal thinking of the day. For years after that book came out, everybody—including the FBI and the NYPD—focused on a problem-solving approach to bargaining interactions. It just seemed so modern and *smart*.

Halfway across the United States, a pair of professors at the University of Chicago was looking at everything from economics to negotiation from a far different angle.

They were the economist Amos Tversky and the psychologist Daniel Kahneman. Together, the two launched the field of behavioral economics—and Kahneman won a Nobel Prize—by showing that man is a very irrational beast.

Feeling, they discovered, is a form of thinking.

As you've seen, when business schools like Harvard's began teaching negotiation in the 1980s, the process was presented as a straightforward economic analysis. It was a period when the world's top academic economists declared that we were all "rational actors." And so it went in negotiation classes: assuming the other side was acting rationally and selfishly in trying to maximize its position, the goal was to figure out how to respond in various scenarios to maximize one's own value.

This mentality baffled Kahneman, who from years in psychology knew that, in his words, "[I]t is self-evident that people are neither fully rational nor completely selfish, and that their tastes are anything but stable."

Through decades of research with Tversky, Kahneman proved that humans all suffer from *Cognitive Bias*, that is, unconscious—and irrational—brain processes that literally distort the way we see the world. Kahneman and Tversky discovered more than 150 of them.

There's the *Framing Effect*, which demonstrates that people respond differently to the same choice depending on how it is framed (people place greater value on moving from 90 percent to 100 percent—high probability to certainty—than from 45 percent to 55 percent, even though they're both ten percentage points). *Prospect Theory* explains why we take unwarranted risks in the face of uncertain losses. And the most famous is *Loss Aversion*, which shows how people are statistically more likely to act to avert a loss than to achieve an equal gain.

Kahneman later codified his research in the 2011 bestseller *Thinking, Fast and Slow*.<sup>3</sup> Man, he wrote, has two systems of thought: System 1, our animal mind, is fast, instinctive, and emotional; System 2 is slow, deliberative, and logical. And System 1 is far more influential. In fact, it guides and steers our rational thoughts.



System 1's inchoate beliefs, feelings, and impressions are the main sources of the explicit beliefs and deliberate choices of System 2. They're the spring that feeds the river. We react emotionally (System 1) to a suggestion or question. Then that System 1 reaction informs and in effect creates the System 2 answer.

Now think about that: under this model, if you know how to affect your counterpart's System 1 thinking, his inarticulate feelings, by how you frame and deliver your questions and statements, then you can guide his System 2 rationality and therefore modify his responses. That's what happened to Andy at Harvard: by asking, "How am I supposed to do that?" I influenced his System 1 emotional mind into accepting that his offer wasn't good enough; his System 2 then rationalized the situation so that it made sense to give me a better offer.

If you believed Kahneman, conducting negotiations based on System 2 concepts without the tools to read, understand, and manipulate the System 1 emotional underpinning was like trying to make an omelet without first knowing how to crack an egg.

## THE FBI GETS EMOTIONAL

As the new hostage negotiating team at the FBI grew and gained more experience in problem-solving skills during the 1980s and '90s, it became clear that our system was lacking a crucial ingredient.

At the time, we were deep into *Getting to Yes*. And as a negotiator, consultant, and teacher with decades of experience, I still agree with many of the powerful bargaining strategies in the book. When it was published, it provided groundbreaking ideas on cooperative problem solving and originated absolutely necessary concepts like entering negotiations with a BATNA: the Best Alternative To a Negotiated Agreement.

It was genius.

But after the fatally disastrous sieges of Randy Weaver's Ruby Ridge farm in Idaho in 1992 and David Koresh's Branch Davidian compound in Waco, Texas, in 1993, there was no denying that most hostage negotiations were anything but rational problem-solving situations.

I mean, have you ever tried to devise a mutually beneficial win-win solution with a guy who thinks he's the messiah?

It was becoming glaringly obvious that *Getting to Yes* didn't work with kidnapers. 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 law enforcement 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?

After Ruby Ridge and Waco, a lot of people were asking that question. U.S. deputy attorney general Philip B. Heymann, to be specific, wanted to know why our hostage negotiation techniques were so bad. In October 1993, he issued a report titled "Lessons of Waco: Proposed Changes in Federal Law Enforcement,"<sup>4</sup> which summarized an expert panel's diagnosis of federal law enforcement's inability to handle complex hostage situations.

As a result, in 1994 FBI director Louis Freeh announced the formation of the Critical Incident Response Group (CIRG), a blended division that would combine the Crises Negotiation, Crises Management, Behavioral Sciences, and Hostage Rescue teams and reinvent crisis negotiation.

The only issue was, what techniques were we going to use?

Around this time, two of the most decorated negotiators in FBI history, my colleague Fred Lanceley and my former boss Gary Noesner, were leading a hostage negotiation class in Oakland, California, when they asked their group of thirty-five experienced law enforcement officers a simple question: How many had dealt with a classic bargaining situation where problem solving was the best technique?

Not one hand went up.

Then they asked the complementary question: How many students had negotiated an incident in a dynamic, intense, uncertain environment where the hostage-taker was in emotional crisis and had no clear demands?

Every hand went up.

It was clear: if emotionally driven incidents, not rational bargaining interactions, constituted the bulk of what most police negotiators had to deal

with, then our negotiating skills had to laser-focus on the animal, emotional, and irrational.

From that moment onward, our emphasis would have to be not on training in quid pro quo bargaining and problem solving, but on education in the psychological skills needed in crisis intervention situations. Emotions and emotional intelligence would have to be central to effective negotiation, not things to be overcome.

What were needed were simple psychological tactics and strategies that worked in the field to calm people down, establish rapport, gain trust, elicit the verbalization of needs, and persuade the other guy of our empathy. We needed something easy to teach, easy to learn, and easy to execute.

These were cops and agents, after all, and they weren't interested in becoming academics or therapists. What they wanted was to change the behavior of the hostage-taker, whoever they were and whatever they wanted, to shift the emotional environment of the crisis just enough so that we could secure the safety of everyone involved.

In the early years, the FBI experimented with both new and old therapeutic techniques developed by the counseling profession. These counseling skills were aimed at developing positive relationships with people by demonstrating an understanding of what they're going through and how they feel about it.

It all starts with the universally applicable premise that people want to be understood and accepted. Listening is the cheapest, yet most effective concession we can make to get there. By listening intensely, a negotiator demonstrates empathy and shows a sincere desire to better understand what the other side is experiencing.

Psychotherapy research shows that when individuals feel listened to, they tend to listen to themselves more carefully and to openly evaluate and clarify their own thoughts and feelings. In addition, they tend to become less defensive and oppositional and more willing to listen to other points of view, which gets them to the calm and logical place where they can be good *Getting to Yes* problem solvers.

The whole concept, which you'll learn as the centerpiece of this book, is called *Tactical Empathy*. This is 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. Contrary to popular opinion, listening is not a passive activity. It is the most active thing you can do.

Once we started developing our new techniques, the negotiating world split into two currents: negotiation as learned at the country's top school 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.

## LIFE IS NEGOTIATION

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. Happily, very few people are ever forced to deal with Islamist terrorists who've kidnapped their loved ones.

But allow me to let you in on a secret: Life is negotiation.

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*.

"I want you to free the hostages," is a very relevant one to this book, of course.

But so is:

"I want you to accept that \$1 million contract."

"I want to pay \$20,000 for that car."

"I want you to give me a 10 percent raise."

and

"I want you to go to sleep at 9 p.m."

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—at some point all of these hinge on your ability to negotiate.

Negotiation as you'll learn it here is nothing more than communication with results. 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.

In this book, I draw on my more than two-decade career in the Federal Bureau of Investigation to distill the principles and practices I deployed in the field into an exciting new approach designed to help you disarm, redirect, and dismantle your counterpart in virtually any negotiation. And to do so in a relationship-affirming way.

Yes, you'll learn how we negotiated the safe release of countless hostages. But you'll also learn how to use a deep understanding of human psychology to negotiate a lower car price, a bigger raise, and a child's bedtime. This book will teach you to reclaim control of the conversations that inform your life and career.

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.

What this book is really about, then, is getting you to accept negotiation and in doing so learn how to get what you want in a psychologically aware way. You'll learn to use your emotions, instincts, and insights in any encounter to connect better with others, influence them, and achieve more.

Effective negotiation is applied people smarts, a psychological edge in every domain of life: how to size someone up, how to influence their sizing up of you, and how to use that knowledge to get what you want.

But beware: this is not another pop-psych book. It's a deep and thoughtful (and most of all, practical) take on leading psychological theory that distills lessons from a twenty-four-year career in the FBI and ten years teaching and consulting in the best business schools and corporations in the world.

And it works for one simple reason: it was designed in and for the real world. It was not born in a classroom or a training hall, but built from years

of experience that improved it until it reached near perfection.

Remember, a hostage negotiator plays a unique role: he *has* to win. Can he say to a bank robber, “Okay, you’ve taken four hostages. Let’s split the difference—give me two, and we’ll call it a day?”

No. A successful hostage negotiator has to get everything he asks for, without giving anything back of substance, and do so in a way that leaves the adversaries feeling as if they have a great relationship. His work is emotional intelligence on steroids. Those are the tools you’ll learn here.

## THE BOOK

Like a contractor building a house, this book is constructed from the ground up: first comes the big slabs of foundation, then the necessary load-bearing walls, the elegant but impermeable roof, and the lovely interior decorations.

Each chapter expands on the previous one. First you’ll learn the refined techniques of this approach to *Active Listening* and then you’ll move on to specific tools, turns of phrase, the ins and outs of the final act—haggling—and, finally, how to discover the rarity that can help you achieve true negotiating greatness: the Black Swan.

In Chapter 2, you’ll learn how to avoid the assumptions that blind neophyte negotiators and replace them with *Active Listening* techniques like *Mirroring*, *Silences*, and the *Late-Night FM DJ Voice*. You’ll discover how to slow things down and make your counterpart feel safe enough to reveal themselves; to discern between wants (aspirations) and needs (the bare minimum for a deal); and to laser-focus on what the other party has to say.

Chapter 3 will delve into *Tactical Empathy*. You’ll learn how to recognize your counterpart’s perspective and then gain trust and understanding through *Labeling*—that is, by repeating that perspective back to them. You’ll also learn how to defuse negative dynamics by bringing them into the open. Finally, I’ll explain how to disarm your counterpart’s complaints about you by speaking them aloud in an *Accusation Audit*.

Next, in Chapter 4, I’ll examine ways to make your counterpart feel understood and positively affirmed in a negotiation in order to create an atmosphere of unconditional positive regard. Here, you’ll learn why you should strive for “That’s right” instead of “Yes” at every stage of a

negotiation, and how to identify, rearticulate, and emotionally affirm your counterpart's worldview with *Summaries* and *Paraphrasing*.

Chapter 5 teaches the flip side of *Getting to Yes*. You'll learn why it's vitally important to get to "No" because "No" starts the negotiation. You'll also discover how to step out of your ego and negotiate in your counterpart's world, the only way to achieve an agreement the other side will implement. Finally, you'll see how to engage your counterpart by acknowledging their right to choose, and you'll learn an email technique that ensures that you'll never be ignored again.

In Chapter 6, you'll discover the art of bending reality. That is, I'll explain a variety of tools for framing a negotiation in such a way that your counterpart will unconsciously accept the limits you place on the discussion. You'll learn how to navigate deadlines to create urgency; employ the idea of fairness to nudge your counterpart; and anchor their emotions so that *not* accepting your offer feels like a loss.

After this, Chapter 7 is dedicated to that incredibly powerful tool I used at Harvard: *Calibrated Questions*, the queries that begin with "How?" or "What?" By eliminating "Yes" and "No" answers they force your counterpart to apply their mental energy to solving your problems.

In Chapter 8 I demonstrate how to employ these *Calibrated Questions* to guard against failures in the implementation phase. "Yes," as I always say, is nothing without "How?" You'll also discover the importance of nonverbal communication; how to use "How" questions to gently say "No"; how to get your counterparts to bid against themselves; and how to influence the deal killers when they're not at the table.

At a certain point, every negotiation gets down to the brass tacks: that is, to old-school haggling. Chapter 9 offers a step-by-step process for effective bargaining, from how to prepare to how to dodge an aggressive counterpart and how to go on the offensive. You'll learn the Ackerman system, the most effective process the FBI has for setting and making offers.

Finally, Chapter 10 explains how to find and use those most rare of negotiation animals: the Black Swan. In every negotiation there are between three and five pieces of information that, were they to be uncovered, would change everything. The concept is an absolute game-changer; so much so, I've named my company The Black Swan Group. In this chapter, you'll

learn how to recognize the markers that show the Black Swan's hidden nest, as well as simple tools for employing Black Swans to gain leverage over your counterpart and achieve truly amazing deals.

Each chapter will start with a fast-paced story of a hostage negotiation, which will then be dissected with an eye to explaining what worked and what didn't. After I explain the theory and the tools, you'll read real-life case studies from me and others who've used these tools to prevail while negotiating a salary, purchasing a car, or working out nettlesome problems at home.

When you finish this book, I will have succeeded if you've applied these crucial techniques to improve your career and life. I'm sure you will. Just remember, to successfully negotiate it is critical to prepare. Which is why in the Appendix you'll find an invaluable tool I use with all my students and clients called the Negotiation One Sheet: a concise primer of nearly all our tactics and strategies for you to think through and customize for whatever kind of deal you're looking to close.

Most important to me is that you understand how urgent, essential, and even beautiful negotiation can be. When we embrace negotiating's transformative possibilities, we learn how to get what we want and how to move others to a better place.

Negotiation is the heart of collaboration. It is what makes conflict potentially meaningful and productive for all parties. It can change your life, as it has changed mine.

I've always thought of myself as just a regular guy. Hardworking and willing to learn, yes, but not particularly talented. And I've always felt that life holds amazing possibilities. In my much younger days, I just didn't know how to unlock those possibilities.

But with the skills I've learned, I've found myself doing extraordinary things and watching the people I've taught achieve truly life-changing results. When I use what I've learned over the last thirty years, I know I actually have the power to change the course of where my life is going, and to help others do that as well. Thirty years ago, while I felt like that could be done, I didn't know *how*.

Now I do. Here's how.