

Never Split the Difference Highlights

General

Quotes

“Negotiation serves two distinct, vital life functions – information gathering and behaviour influencing”.

“Being right isn’t the key to a successful negotiation – having the right mindset is”.

“The art of letting someone else have your way”.

“Don’t treat others the way you want to be treated, treat them the way they need to be treated”.

“If this book only accomplishes one thing, I hope it gets you over that fear of conflict and encourages you to navigate it with empathy. The adversary is the situation and the person you appear to be in conflict with is actually your partner”.

Opening

- Most people approach a negotiation so preoccupied by the arguments that support their position that they are unable to listen attentively.
- Your goal at the outset is to extract and observe as much information as possible.
- Make your sole and all-encompassing focus the other person and what they have to say.
- Going too fast is one of the mistakes all negotiators are prone to making.

Tone of Voice

- How we are is both the easiest thing to enact and the most immediately effective mode of influence.
- Your most powerful tool in any verbal communication is your voice.
- Three tones of voice: soft and slow “late night DJ”, positive/playful (default), direct/assertive (used rarely).
- 7% of a message is based on words, 38% from tone of voice and 55% from speaker’s body language and face.

‘No’

- ‘No’ is the start of the negotiation not the end of it. It is a statement of perception far more often than fact. It gives the speaker the feeling of safety, security, and control.
- ‘No’ has a lot of skills. Allows the real issues to be brought forth, protects people, and used correctly moves everyone’s efforts forward.
- Often means: ‘I’m not yet ready to agree’, ‘I don’t understand’, ‘I want something else’ etc.
- Use labels (see below) to find out its real meaning.
- **One sentence email to provoke a response: ‘Have you given up on this project?’**

‘Yes’

- Three kinds of ‘yes’ – counterfeit, confirmation, and commitment. The commitment ‘yes’ is what you want.
- Get it through negotiating in their world. The other party convincing themselves that the solution you want is their own idea. Ask questions that open paths to your goals.
- ‘Yes’ is nothing without ‘how’.

Never Split the Difference

- Creative solutions are almost always preceded by some degree of risk, annoyance, confusion, and conflict. Accommodation and compromise produce none of that.
- Deadlines are often arbitrary, almost always flexible, and hardly ever trigger the consequences we think – or are told – they will.
- “No deal is better than a bad deal”.

Techniques/Tactics: Coaching

Labelling

- Instead of denying or ignoring emotions, good negotiators identify and influence them. They can precisely label emotions – those of others and especially their own. For them, emotion is a tool.
- The ability to recognize the perspective of a counterpart, and the vocalization of that recognition.
- Labelling is a way of validating someone's emotion by acknowledging it. It's a shortcut to intimacy – a time-saving emotional hack.
- Labelling an emotion – applying rational words to fear – disrupts its raw intensity.
- **Labels almost always begin with roughly the same words: "It seems like", "It sounds like", "It looks like".**
- The last rule of labelling is silence. Once you've delivered the label, be quiet and listen. It invites the other person to reveal themselves.
- Versatile – can be used to label negativity, fears, doubts. Uncovering and identifying the primary emotion driving almost all your counterpart's behaviour.
- Can be executed as follow-ups to calibrated questions.

Mirroring

- Can be done with speech patterns, body language, vocabulary, tempo, and tone of voice.
- On the phone/in a conversation when you repeat the last 3 words (or the critical 1-3 words) of what someone has just said.
- Your counterpart will inevitably elaborate on what was just said and sustain the process of connecting.

Calibrated Questions

"He who has learned to disagree without being disagreeable has discovered the most valuable secret of negotiation".

- Our job as persuaders is easier than we think. It's not to get others believing what we say. It's just to stop them unbelieving. Giving your counterpart the illusion of control by asking calibrated questions – by asking for help – is one of the most powerful tools for suspending disbelief.
 - Calibrated questions make your counterpart feel in charge, but it's really you who is framing the conversation.
 - Can be used to say "No" – especially by using "How" questions.
 - **Best to start with "what" and "how". "Who", "when" and "where" will often just get your counterpart to share a fact without thinking.**
 - **"How" question; "how" engages because "how" asks for help.**
1. How am I supposed to do that? – Critical to genuinely be asking for help and your delivery must convey that.
 2. What about this is important to you?
 3. How can I help to make this better for us?
 4. How would you like me to proceed?
 5. What is it that brought us into this situation?
 6. How can we solve this problem?
 7. What's the objective? / What are we trying to accomplish here?
 8. How will we know we're on track?
 9. How will we address things if we find we're off-track?

Aim for a "That's right" – Not "You're right!"

Trigger by following the 6 steps in order (also known as the 'active listening arsenal'):

1. Effective Pauses > 2. Minimal Encouragers ("Yes", "Ok", "Uh-huh", "I see") > 3. Mirroring > 4. Labelling > 5. Paraphrase > 6. Summarize (combination of rearticulating the meaning of what is said plus the acknowledgement of the emotions underlying that meaning. Paraphrasing + labelling = summary).

Financial Negotiations

"The chance for loss incites more risk than the possibility of an equal gain".

- Let the other side anchor monetary negotiations.
- Going first rarely helps – allude to a range if necessary.
- Don't deal with numbers in isolation.
- Numbers that end in 0 inevitably feel like temporary placeholders.
- Use the Ackerman model (Pg. 206)
- Any response that is not an outright rejection means you have the edge.

'Fair'

- While we may use logic to reason ourselves toward a decision, the actual decision *making* is governed by emotion.
- **Three ways 'fair' is used and only one is positive.**
- Most common – judo-like defensive move that destabilizes the other side; "We just want what's fair". Take a deep breath and restrain your desire to concede. "Okay, I apologize. Let's stop everything and go back to where I started treating you unfairly and we'll fix it".
- Accusation of being dense or dishonest; "We've given you a fair offer". Mirror the 'F'. "Fair?" Then label – "It seems like you're ready to provide the evidence that supports that".
- Positive and constructive; "I want you to feel like you are being treated fairly at all times. So please stop me at any time if you feel I'm being unfair, and we'll address it".

Bargaining

- Three broad categories of negotiator: accommodators, assertive and analysts. Negotiating style is a crucial variable in bargaining.
- **Analyst:** It's vital to be prepared. Use clear data to drive your reason. Focus on facts. Warn them of issues early and avoid surprises. They respond fairly well to labels.
- **Accommodator:** Be sociable and friendly. Listen to them talk about their ideas and use calibrated questions focused specifically on implementation to nudge them along and find ways to translate their talk into action.
- **Assertive:** Mirrors are a wonderful tool with this type. So are calibrated questions, labels and summaries.
- All 3 have a different view of time; time = preparation, time = relationship, time = money.
- 3 views of silence; they want to think, they're angry, they think you have nothing to say or want them to talk.

Leverage

- To get leverage, you have to persuade your counterpart that they have something real to lose if the deal falls through. Three kinds: positive, negative and normative.
- **Positive:** Your ability as a negotiator to provide – or withhold – things that your counterpart wants.
- **Negative:** Ability to make your counterpart suffer; based on threats. Label your negative leverage and thereby make it clear without attacking.
- **Normative:** Every person has a set of rules and moral framework. This is using the other party's norms and standards to advance your position. Once you've understood your counterpart's worldview, you can build influence.
- When someone seems irrational or crazy, they most likely aren't. Search for constraints, hidden desires, and bad information.