

## Conclusion

### Turning Adversaries into Partners

There is a story of a man who left seventeen camels to his three sons. He left half the camels to his eldest son, a third to his middle son, and a ninth to his youngest. The three set to dividing up their inheritance but couldn't negotiate a solution—because seventeen could not be divided by two or three or nine. The sons finally consulted a wise old woman. After pondering the problem, the old woman said, "See what happens if you take *my* camel." So then the sons had eighteen camels. The eldest son took his half—that was nine. The middle son took his third—that was six. And the youngest son took his ninth—that was two. Nine and six and two made seventeen. They had one camel left over. They gave it back to the wise old woman.

Like the seventeen camels, your negotiations will often seem intractable. Like the wise old woman, you will need to step back from the negotiation, look at the problem from a fresh angle, and find an eighteenth camel.

Breakthrough negotiation is such an eighteenth camel. It can help you reach agreement in negotiations that at first seem impossible. The challenge is to get past the usual

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obstacles: your own natural reaction, your opponent's negative emotions, his hardball tactics, his unsatisfied interests, and his belief that he can win through the exercise of power.

Consider how all five steps of the breakthrough strategy were applied in one of the most difficult situations imaginable: a hostage negotiation with an armed criminal.

### A Hostage Negotiation

On Thursday morning, October 14, 1982, scores of police converged on the nation's second-largest medical facility, Kings County Hospital in Brooklyn, New York. A convicted armed robber named Larry Van Dyke was holed up in a basement locker room with five hospital employees. Van Dyke, who had just had a cast removed from a broken arm, had seized a gun from a corrections officer, shot and wounded him, and tried to escape. Cornered by police, Van Dyke had taken hostages. Almost immediately he had let one person go, instructing him to tell police: "I want out of here or I'm going to start killing people."

A decade earlier the police would probably have handled such an incident by using force. "In the old, old days," a police captain recalled, "we'd surround the place, give the guy the bullhorn, fire the tear gas, put on some type of flak jacket, and engage the guy in a firefight."

But instead of fighting, the police decided to talk. Detective Lieutenant Robert J. Louden, a trained hostage negotiator, began a conversation with Van Dyke by shouting through the closed locker-room door: "How ya doin'? My name's Bob and I'm here to see what's going on. I'm here to help sort this out and help us get out of this mess. What's your name?"

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Van Dyke replied, "My name's Larry Van Dyke and I've got a whole roomful of people. I've got nothing to lose. I'm not going back to jail. You've got thirty minutes to give me my freedom."

Louden did not reject the demand or the deadline, but reframed them instead as aspirations: "I'll see what I can do. I'll look into it for you and get back to you as soon as I can. As you know, these things take time. It's not a decision I can make. In the meantime, is there anything *I* can get for you?" Louden was trying to refocus Van Dyke's attention on what was achievable.

As Louden was talking, a backup negotiator stood behind him. The backup's job was to prompt Louden with questions, pass him messages, and make sure he kept his emotional balance. It was Louden's way of going to the balcony.

Van Dyke warned that if the police tried an assault, he would kill the hostages. Louden assured him that no one was going to hurt him. "You don't know how we operate," the detective said. "In ten years no one's ever been hurt. We don't storm doors. It's not like TV." Van Dyke's lawyer counseled his client: "Larry, no one is going to hurt you. In three hundred cases, the hostage negotiation unit has never hurt anyone."

Van Dyke threatened to break out of the room with his hostages. Louden told him: "Larry, you're better off staying in. You've got us locked out and we've got you locked in. We've got plenty of people out here. We don't want to use force, but we will if we need to. You're smart. You know how the game is played. Let's see if we can work this out."

Louden asked open-ended questions to find out what Van Dyke was thinking and what he wanted: "How did you get into this mess? How can we sort it out?" Van Dyke started complaining about corruption and abuse in the

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state prison system. Louden listened sympathetically, saying, "I understand how you feel," "I've heard similar things from others," and "Because you've raised it, we may be able to launch an investigation into the corruption." He was trying to build rapport with Van Dyke, acknowledging his points and agreeing where possible; in effect, Louden stepped to Van Dyke's side.

Van Dyke demanded to talk to Bella English, a reporter from the *Daily News* whose writing he admired. Louden agreed to help find her and persuaded Van Dyke to accept a field telephone to make communication easier.

Step by step, the detective made progress. Bella English was flown to the site in a police helicopter. "We want you to go on the phone," Louden told her, "but please don't use negative words like 'hostage' or 'jail.'"

English introduced herself to Van Dyke and asked him why he wanted to talk to her. "Because you're a fair reporter," he replied. He told her that he faced a prison sentence of twenty-five years to life on robbery charges. Coached by Louden, English tried to reassure Van Dyke that this was not necessarily so. Shortly thereafter, Van Dyke agreed to let one hostage go as soon as he received pillows, blankets, and coffee. At 4:15 P.M., the hostage emerged.

Four hours later Van Dyke agreed to let another hostage go if radio station WOR allowed English to broadcast his gripes about prison conditions. A few minutes after the broadcast, Van Dyke released the second hostage. "That was real good," Van Dyke told English. "You just saved a life." "No," English replied, "you just saved a life."

Van Dyke then agreed to free a third hostage if WABC-TV broadcast a live message during the eleven o'clock evening news. The station complied, at the Police Department's request. On the air, the freed hostage conveyed a

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message of love from Van Dyke to his wife and said no one would be hurt, "as long as the police didn't provoke anything."

Shortly after midnight, however, Van Dyke's mood changed. The police heard him threatening a hostage: "Old man, get on your knees. I got a gun to his head here. I don't want to hurt anybody but if they treat me ridiculous, I'll act ridiculous." Van Dyke tried to fix the blame on Louden. "This ain't going quick enough. I'm going to kill these people and it will be your fault."

But Louden deflected the blame: "Bullshit, Larry. We're here to help. We're all in this together. But if you do that, it's not us. It's you. Now let's see if we can work this out." Louden constantly sought to redirect attention back to the problem.

On Friday morning, tensions rose. Van Dyke had asked for the morning newspapers, but became angry when he saw reports that he had been accused of informing on fellow inmates. "They blew it!" he screamed in rage. "They said I snitched on inmates and guards. Guards, correct. Inmates, no." He said he had been forced by prison guards to entrap other guards in drug deals, and claimed he would be killed if he was returned to state custody.

Louden tried to calm Van Dyke, addressing his basic need for security: "I know you're not an informant. Whoever gave that statement was wrong. All the media can hear me saying that. Let me see if I can work it so you don't have to go back to a *state pen*."

Louden contacted federal and state correction officials to explore whether Van Dyke could be transferred to a federal penitentiary. The tension began to dissipate when Mike Borum, a deputy state correction commissioner, came to tell Van Dyke that he would try to arrange a transfer. Van Dyke told his cousin, a corrections officer who had been

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brought to the scene: "I'm thinking of surrendering. They offered me a good deal." Louden had built Van Dyke a golden bridge to retreat across.

Van Dyke agreed to release a fourth hostage if WABC-TV and WINS radio agreed to broadcast the release live, and also let Van Dyke tell his side of the story. On the air he complained about state prison conditions: "I have been beat up, I have been set up."

Four hours later Van Dyke became morose, insisting he didn't want to return to jail. He told Louden: "I've got nothing to lose. We're going to play Russian roulette." Louden tried to reassure him and talked soothingly to him through the night.

Early Saturday morning Van Dyke finally agreed to release the final hostage in return for press coverage and Borum's public promise of a transfer. At eight o'clock Louden was able to report to Van Dyke that Borum was making his statement on WABC-TV. Twenty-five minutes later the last hostage was released. At eight-thirty, Van Dyke came out to surrender. He was granted his request to talk with the press. "I'm not a madman," he said. "I'm a man that was trying to get freedom. . . . I got caught. I'm here." Then police took him away to the Metropolitan Correction Center, a federal detention center in lower Manhattan.

After forty-seven hours, one of the longest and most dramatic hostage incidents in New York City history was over. "Personally, I couldn't have held out much longer," said Louden, hoarse and weary.

The outcome was a victory for the police, who were able to win the release of hostages, prevent bloodshed, and take the criminal back into custody. Louden said that he and other members of his team had finally persuaded Van Dyke to give up by "trying to build trust and confidence, trying to

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establish that we could treat each other as human beings and help each other out of this okay."

Van Dyke didn't win his freedom, but he won a public promise to be transferred to a federal prison. After he surrendered, Van Dyke gave police the highest compliment they could have hoped for: "They shot straight with me," he said.

Just as the best general never has to fight, so the police never had to use force. They used their power not to attack Van Dyke, but to contain him and educate him that his best alternative lay in surrendering peacefully. They brought him to his senses, not his knees.

## **The Five Steps of Breakthrough Negotiation**

Whether you are negotiating with a hostage-taker, your boss, or your teenager, the basic principles remain the same. In summary, the five steps of breakthrough negotiation are:

**1. Go to the Balcony.** The first step is to control your own behavior. When your opponent says no or launches an attack, you may be stunned into giving in or counterattacking. So, suspend your reaction by naming the game. Then buy yourself time to think. Use the time to figure out your interests and your BATNA. Throughout the negotiation, keep your eyes on the prize. Instead of getting mad or getting even, focus on getting what you want. In short, go to the balcony.

**2. Step to Their Side.** Before you can negotiate, you must create a favorable climate. You need to defuse your oppo-

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nent's anger, fear, and suspicions. He expects you to attack or to resist. So do the opposite: Listen to him, acknowledge his point, and agree with him wherever you can. Acknowledge his authority and competence, too. Disarm him by stepping to his side.

**3. Don't Reject . . . Reframe.** The next step is to change the game. Instead of rejecting your opponent's position—which usually only reinforces it—direct his attention to the problem of meeting each side's interests. Take whatever he says and reframe it as an attempt to deal with the problem. Ask problem-solving questions, such as “Why is it that you want that?” or “What would you do if you were in my shoes?” or “What if we were to . . . ?” Rather than trying to teach him yourself, let the problem be his teacher. Reframe his tactics, too: Go around stone walls, deflect attacks, and expose tricks. To change the game, change the frame.

**4. Build Them a Golden Bridge.** At last you're ready to negotiate. Your opponent, however, may stall, not yet convinced of the benefits of agreement. You may be tempted to push and insist, but this will probably lead him to harden and resist. Instead, do the opposite—draw him in the direction you would like him to go. Think of yourself as a mediator. Involve him in the process, incorporating his ideas. Try to identify and satisfy his unmet interests, particularly his basic human needs. Help him save face and make the outcome appear as a victory for him. Go slow to go fast. In sum, make it easy for him to say yes by building him a golden bridge.

**5. Bring Them to Their Senses, Not Their Knees.** If your opponent still resists and thinks he can win without negotiating, you must educate him to the contrary. You must

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make it hard for him to say no. You could use threats and force, but these often backfire; if you push him into a corner, he will likely lash out, throwing even more resources into the fight against you. Instead, educate him about the costs of not agreeing. Ask reality-testing questions, warn rather than threaten, and demonstrate your BATNA. Use it only if necessary and minimize his resistance by exercising restraint and reassuring him that your goal is mutual satisfaction, not victory. Make sure he knows the golden bridge is always open. In short, use power to bring him to his senses, not his knees.

The breakthrough strategy requires you to resist normal human temptations and do the opposite of what you usually feel like doing. It requires you to suspend your reaction when you feel like striking back, to listen when you feel like talking back, to ask questions when you feel like telling your opponent the answers, to bridge your differences when you feel like pushing for your way, and to educate when you feel like escalating.

At every turn the strategy calls on you to choose the path of indirection. You break through by going around your opponent's resistance, approaching him from the side, acting contrary to his expectations. The theme throughout the strategy is to treat your opponent with respect—not as an object to be pushed, but as a person to be persuaded. Rather than trying to change his mind by direct pressure, you change the environment in which he makes decisions. You let him draw his own conclusions and make his own choice. *Your goal is not to win over him but to win him over.*

## **From Adversaries to Partners**

It takes two to tangle, but it takes only one to begin the process of untangling a knotty situation. It is within your

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power to transform your most difficult negotiations. During the American Civil War, Abraham Lincoln made a speech in which he referred sympathetically to the Southern rebels. An elderly lady, a staunch Unionist, upbraided him for speaking kindly of his enemies when he ought to be thinking of destroying them. His reply was classic: "Why, madam," Lincoln answered, "do I not destroy my enemies when I make them my friends?"

The breakthrough strategy is designed to do precisely that—to destroy your adversary by making him your partner in problem-solving negotiation.

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