

Insights from *Never Split the Difference* by Chris Voss

“A woman wants her husband to wear black shoes with his suit. But her husband doesn’t want to; he prefers brown shoes. So what do they do? They compromise, they meet halfway. And, you guessed it, he wears one black and one brown shoe. Is this the best outcome? No! In fact, that’s the worst possible outcome. Either of the two other outcomes—black or brown—would be better than the compromise. Next time you want to compromise, remind yourself of those mismatched shoes.”- Chris Voss

How can you get what you want in a negotiation without compromising?

Author Chris Voss was the lead hostage negotiator for the FBI. After dozens of high-stakes negotiations with kidnappers around the world (and later with business people around the world as a consultant), Chris Voss has learned that getting what he wants, avoiding compromises, and making the other side feel like they were treated fairly requires tactical empathy.

Tactical empathy is the act of sincerely empathizing with your counterpart’s situation and then getting them to empathize with your situation.



Be Empathetic

During a psychotherapy session, a psychiatrist encourages a patient to talk while he or she listens intensely. Psychiatrists know that a patient will be defensive and oppositional to change until they feel heard.

The same is true for a negotiation. During a negotiation, your counterpart will resist any offer you make until you prove to them that you understand what they’re saying and how they’re feeling.

That’s why the first goal of a negotiation is to listen closely to the cares and concerns your counterpart has, and then summarize their cares and concerns with a statement that starts with “it seems like...” or “it sounds like...”

“It seems like you’re really concerned about _____.” OR “It sounds like _____ is really important to you.”

The beauty of these statements is if you’re wrong you won’t damage the conversation, since you can follow-up your statement with “I didn’t say that how it was, it just seems that way.”

However, if your counterpart affirms your summary statement with “that’s right,” then you’ll know that you’ve made them feel heard. After you hear a “that’s right”, your counterpart will be open to what you have to say and willing to move off their initial position.



Ask for Empathy

Now that you’ve built rapport with your counterpart by being empathetic to their situation, ask them to return the favor. Get them thinking about your challenges and coming up with solutions to your problem.

The best way to get your counterpart thinking about and solving one of your problems is to counter their proposals by asking “How am I supposed to do that?”

Let’s say you were renting an apartment, and your landlord tells you he is going to increase the rent from \$1200/month to \$1500/month. In this situation, you could respond with, “It seems like you’re concerned that your apartment unit is under-valued, and you want what’s fair, but how am I supposed to pay \$1500/month when I only make enough at work to afford \$1200/month?”

The key is to say, “How am I supposed to do that?” the same way you would say, “I value your intelligence, can you please help me solve my problem?”

If you’ve made your counterpart feel heard and built rapport with them, then ask your counterpart the calibrated question, “How am I supposed to do that?” Your counterpart will most likely do one of two things:

1. Generate a creative solution so that both of you can get what you value most.
2. Raise or lower their initial demand to accommodate you.

If they counter with an offer that doesn’t meet your needs, you simply respond with a slightly different calibrated question. Back to the rental example, if your landlord but reduced his rent to \$1400/month, you would respond with “that’s very generous of you and that’s probably the lowest you can go, but I’m sorry, I just don’t see how I’m supposed to pay \$1400/month to stay here when can I rent a similar apartment nearby for less than \$1200/month.”

“He who has learned to disagree without being disagreeable has discovered the most valuable secret of negotiation.” – Chris Voss