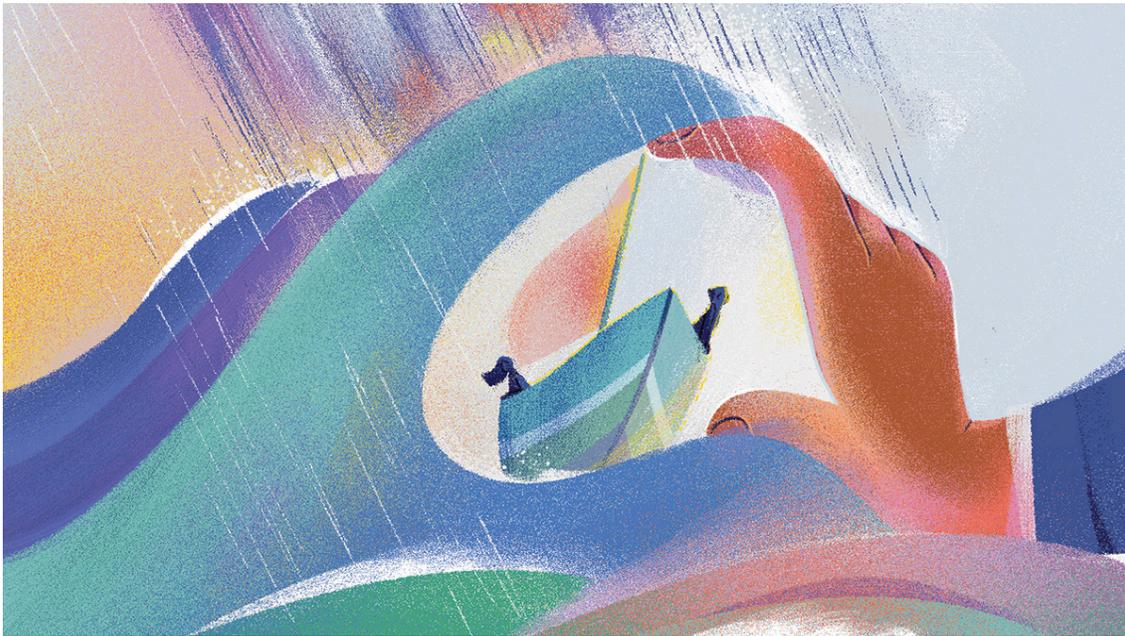


**Managing Yourself**

## **Negotiate Like a Pro**

by Scott Walker

From the Magazine (March–April 2024)



Eugenia Mello

**Summary.** During his former career as a kidnapping and extortion negotiator, the author handled sensitive cases all over the world. Through his experiences, observations, and conversations with other experts in the field, he developed a deep understanding of... [more](#)

Pirates have kidnapped six crew members off a ship operating in the Gulf of Guinea, near the west coast of Africa. The corporate owner of the vessel and employer of the victims has called me in from England to help negotiate their release. My first step is to calm everyone down. We can't navigate this situation from a place of agitation and high stress. My second is to choose someone from the corporate crisis team whom I trust to interact with the bad guys—a person who can communicate in the right language and

dialect, who seems emotionally stable and resilient, and who, most important, will be able to listen to and connect with the people holding his colleagues. I quickly decide on John.



**Listen to this article**

To hear more, [download the Noa app](#)

Over several weeks he and I sit side-by-side in a corporate office, 16 hours a day, with a mobile phone in front of us on the table. Of course, we take breaks to sleep and eat, especially when we're not expecting a call. But our focus is on that phone. And when the kidnappers do reach out, or we're told to make contact, we turn our attention fully to it.

They initially demand \$5 million in ransom. I know from experience and training that if we agree to pay it immediately, they'll ask for more; or they'll take it and then hit another of the company's ships next week. So with my coaching, John begins communicating with the kidnappers.

"That is a lot of money, which we don't have. We need time to see how much we can raise. Let's speak again in two days."

Later, "You seem upset that we can't move faster, but I assure you we are trying our best. Please look after the hostages."

Later, "OK, let me make sure I'm understanding you. If we deliver the cash as agreed, you promise to release and return the hostages unharmed? And no further demands or delays?"

Our aim is not just to stall for time but also to build rapport and trust with the other side. This is critical to success in high-stakes situations. With open-minded, curious, and nonjudgmental conversation, John can ascertain what the kidnappers' real needs are, beyond their surface-level demands, in order to end this crisis. Those needs include respect and a sense of control along with reassurance that they won't be ambushed, arrested, or killed during the handover of the ransom.

Eventually, because he has kept his own ego in check, refrained from hostility, and demonstrated empathy and deep listening, John earns their confidence, and with it the right to influence them and seek cooperation. So they believe him when he says the company can pay only \$300,000 and not a dollar more. The deal is struck, the hostages are safely returned, and no repeat attacks occur.

Over a decades-long career as a kidnapping and extortion negotiator, I handled many similarly sensitive cases all over the world. If I wasn't helping secure the release of hostages in Africa, Latin America, or the Middle East, I was confronting extortionist cyberattackers in the United States, Europe, or Asia. Through my experiences, observations, and conversations with other experts in the field, I've developed a deep understanding of what works and what doesn't in high-stakes negotiations. More recently, as an adviser to executives and corporations, I've learned that the same rules can be applied to yield better outcomes in everyday business negotiations—whether you're asking for a higher salary, lobbying for additional team resources, or hammering out the details of a contract with a client or a supplier.

No matter the situation, negotiators must remember one golden rule: *It's not about you*. The only way to move someone else in your direction and find a solution on which you can agree is to listen deeply and empathetically, ensuring that the other person feels seen, heard, and understood. That is particularly powerful

when the two sides are in disagreement. It allows you to build trust, manage expectations, and find ways to meet the other party's key needs. It's what I call *level-five listening*, and it is fundamental to effective negotiation.

As Ernest Hemingway once said, "When people talk, listen completely. Most people never listen." Negotiators who do set themselves apart. But it takes discipline of mind and body to accomplish, particularly when emotions are running high. The right mindset and a tool kit of techniques can help.

### **The Level-Five Mindset**

Many people listen only long enough to get the gist of what the other side is saying before they begin formulating a reaction or tune out to check a text or wrestle with another issue in their heads. This level-one listening might be described as "intermittent listening," and it won't help you understand your counterpart well enough to yield a successful outcome. It's also disrespectful.

Level-two listening involves doing so only to rebut. You pay attention to the incoming message until it hits a trigger, at which point you jump in to argue a point. Such an interjection undermines communication and rapport, because you're clearly focusing on your agenda at the expense of your counterpart's.

In level-three listening you're looking for logic: using inference to pin down the substance of and reasons for what the other person is saying. This is an improvement, because you're trying to understand that person's argument, but since it's happening only in your head, it's not enough. The goal is to shift your full attention to your counterpart and gather more information.

That happens with level-four listening, when you begin to tune in to the emotions as well as the logic behind the other person's position and respond in ways that show you're aware of them. You also begin to prompt more dialogue with a comment such as "It sounds like you're frustrated with our counteroffer" or "You seem passionate about this proposal."

Level five takes that empathetic curiosity a step further. Now you're listening to better understand and interpret your counterpart's self-perception and perspective. That allows you to ask questions that promote discovery and insight on both sides and establish rapport so that you can begin to exert influence and achieve cooperation or collaboration, which should be the outcome of all negotiations.

Some call this "active listening," a term coined by the psychologist Carl Rogers and his colleague Richard Farson to describe a process whereby we "get inside" the minds of our counterparts and truly grasp what they're communicating. "More than that," the two wrote in their 1957 book *Active Listening*, "we must convey to the speaker that we are seeing things from his point of view."

### **Tools of the Trade**

But how, exactly, can you prove to negotiating partners that you're paying this level of attention to their logic, emotions, perspective, and, ultimately, wants and needs so that they begin to see you as a collaborator rather than an adversary? In my world we use the mnemonic **MORE PIES** to remember the techniques for both ensuring and demonstrating level-five listening. This is not a box-ticking exercise but a way to train your focus so that you're better able to understand and empathize with your counterpart.

**Minimal encouragers**, very short and simple vocal prompts such as "And?" "Really?" "Then?" "Mmm," "Uh huh," "Go on," and "Interesting," are important ways to show that you are and remain

tuned in to your counterpart, particularly when you're on the phone or the other person has been speaking for a while. The aim is to encourage the other person to keep talking and feel understood. Pace your interjections at a reasonable rate (for example, one encourager for every few sentences), and if it's an in-person conversation, ensure that your facial expression and body language match your tone of voice, whether it's inquisitive, neutral, or agreeable. Don't get distracted and throw in a misplaced encourager or overuse words like "Great" and "OK," because they suggest that you understand or agree and can thus bring the person to a stop.

**Open questions** encourage people to speak freely and to share their side of the story, thus revealing more about what's important (or not) to them, the lines they can't or won't cross, and areas where compromise might be possible. They help you buy time, gather data, clear up misunderstandings, and defuse emotions, because they force others to really consider their answers and potential solutions, rather than give a knee-jerk yes or no to an idea or unthinkingly choose between options you've presented.

Good open questions start with "What" or "How"—for example, "What is the real issue?" "How will this affect [the party or situation involved]?" "What has to happen for you to [desired action]?" "What other options do we have?" Avoid questions that begin with "Why," because they can sound accusatory and judgmental. For example, with a client who is threatening to switch service providers, instead of asking, "Why do you want to leave?" consider "What are they offering that we don't?" or "What could we do to make you stay?"

Keep it simple and focused on one topic at a time. Avoid jargon and abstract words or ideas. And then, after you've asked your question, stay quiet and give the person time to fully answer. Try also to encourage an exchange of questions, rather than letting it feel like a one-sided interview.

I should note that closed questions, designed to elicit a yes or a no, can be helpful too, particularly when you need specific information—for example, “Do you have another offer on the table?” But too many of them can sound like an interrogation. Leading questions—for example, “Which of our competitors is trying to poach you?”—should be avoided when possible, because they give the impression that you’re making assumptions, judging, or rushing to an answer.

**Reflecting back**, or mirroring the last few words or key phrases used by your counterparts, is another way to demonstrate that you’ve heard them, keep them talking, and create rapport. In heated, fast-paced negotiations, it can also give you time to calm your emotions and formulate appropriate responses or open questions. Imagine a cyberattacker threatening to unleash a virus unless he’s paid by midnight (“A virus?”) or a supplier yelling at you that your company should pay its bills faster (“Faster?”).

By carefully choosing which words to mirror, you can also steer the conversation in the direction you’d like. For example, imagine that you’re lobbying your boss to add another full-time employee to your team, and he tells you there’s no room in the budget this fiscal year. “Room in the budget?” would be a reflecting response that might prompt him to elaborate and provide both of you with an opportunity to discuss other options.

Of course, the other person may misinterpret your repetition as a challenge. But as an easy way to encourage elaboration, reflecting should be part of your tool kit.

**Emotional labeling** is a way to help your counterparts rein in their feelings (along with their actions and biases or entrenched opinions), thus preserving their ability to think objectively and rationally. In my field we call this “name it to tame it.” It involves offering a nonjudgmental observation about the emotions you think other people are experiencing, the problems they’re facing, the way they’re acting, or the views they have in a way that allows

them to agree or disagree with you. For example, “It feels like you’re annoyed with me,” or “It sounds like the money is important to you.” (Other phrase starters include “It seems like...,” “I sense that you...,” and “I get the impression that...”)

Even if you label the emotion, behavior, or view incorrectly, you’re indicating that you’re paying attention and want to better understand your counterpart. Every shift in tone, body language, or argument content is another opportunity to acknowledge what the person is going through.

**Paraphrasing** involves translating your understanding of what the other person has said into your own words to ensure that you’re on the same page. Focus on content rather than trying to use the exact same language (that’s summarizing, which I’ll discuss shortly). Ways to start include “So it seems like what you’re saying is...,” “Can I share with you where I think you’re at with this?” and “What I’m hearing here is...”

In a kidnapping, paraphrasing would always be used in response to ransom demands to ensure that there are no misunderstandings. It has the same use in business settings. Just make sure to give others a chance to clarify or amend what you’ve offered back to them by saying something like “Correct me if I’m wrong here...” or “Do I have that right?”

Most often you will wait for a pause in your counterpart’s speech to insert your paraphrase. This can be another way to stall for time if you’re unsure about where to take the conversation next, but it is also one of those rare moments when it’s OK to interrupt to enhance understanding.

**“I” statements** allow you to explain how the situation or negotiation is affecting you and encourage your counterpart toward change without directing blame. Include three elements: *behavior or situation* (describe what the person has done or what

has happened); *feeling* (how it affects you); and *consequences* (what the result was). For example, you might say, “When you dismissed my proposal immediately, I felt frustrated, because it seems like you don’t value what I have to offer.” While such messages aren’t confrontational, they do flag misalignments and potential negotiation derailers that will need focus, attention, and care.

**Effective pauses** give your counterparts space to collect their thoughts, keep talking, or even vent in ways that can be informative for you. All you need to do is refrain from responding after they seem to have finished speaking until the pause begins to feel slightly uncomfortable, and then hold it for a few seconds more. I’ve seen this used to great effect when police officers interview suspects, witnesses, or victims, because most people feel compelled to fill the silence. Inexperienced communicators often find themselves jumping in. If you are one, try to resist. To this day I keep a stress ball with the letters W.A.I.T. on my desk; it stands for both “wait” and “Why am I talking?”



Podcast Series

## Coaching Real Leaders

Real-life coaching sessions with leaders working to overcome professional challenges.

### Subscribe On:

Apple Podcasts

Google Podcasts

Spotify

RSS

Overcast

RadioPublic

---

**Summarizing**, like paraphrasing, involves offering your understanding of what someone has just said, but the difference is that you repeat that person’s words rather than using your own, to help them see their argument more clearly and build trust. This technique is best used when your counterpart has delivered a lot of information or a long, rambling narrative. You’re adding value

by condensing it into a manageable chunk and highlighting the key points. For example, to the boss resisting your plea to expand your team, you might say, “If I understand you correctly, you don’t have the budget in this fiscal year, but a small personnel allocation might open up in the next cycle. So I should write you a memo proposing a job description for a potential new hire. Is that a fair summary?” This gives the boss a chance to correct you.

### **From Rapport to Request**

When you use these techniques to become a level-five listener, you boost your capacity for empathy, your ability to find common ground, and your chances of gaining your counterpart’s cooperation. As the forensic psychologist and University of Liverpool professor Laurence Alison explains in his book *Rapport* (written with Emily Alison), “When we are able to extract someone’s core beliefs and values, we often find that they are more similar to ours than we imagine.” He adds that even if they’re not, “we don’t have to agree but we should seek to understand.” Alison recommends that negotiators hold themselves accountable by asking themselves four questions: Am I being honest or trying to manipulate the other person? Am I being empathetic and seeing things from that person’s perspective or just concentrating on my own point of view? Am I respecting and reinforcing people’s autonomy and right to choose, or am I trying to force them to do what I want? Am I listening carefully and reflecting to show a deeper understanding and build intimacy and connection?

## **Barriers to Effective Listening**

**Advising:** You jump in too quickly with solutions.

**Analysis paralysis:** You continue to gather information instead of moving to potential solutions.

**Assumptions:** You go in with strong opinions but few facts.

**Avoidance:** You shut down at any sign of tension.

Ultimately, the most effective among us eventually move beyond empathetic listening and the other elements of rapport building to constructive assertions and requests. When you have done the work to fully, unemotionally, and nonjudgmentally understand your counterpart's needs, interests, and perspectives—and to ensure that the person knows and trusts that you've done so—you earn the right to state your own needs, interests, and perspectives; make specific requests; and suggest solutions.

That's what I helped John do with the kidnappers, and what I now do with executives as a leadership and negotiation coach and a consultant in the corporate world. For example, I recently worked with several newly promoted leaders at a global professional services firm who were avoiding difficult conversations with clients. Once they learned level-five listening and more pies, they felt more comfortable negotiating and were better able to achieve deals that worked for both parties. In another case, this mindset and tool kit helped the head of a small banking and investment

company that had recently been acquired by a larger one to navigate discussions around layoffs and exit packages with his new colleagues and affected employees.

Successful negotiation starts with managing your own emotions. But that's where your self-focus should stop. The rest is all about your counterparts. Listen well and show them you're doing so. That's how you build trust and ultimately find mutually agreeable solutions.

A version of this article appeared in the March–April 2024 issue of *Harvard Business Review*.

## SW

**Scott Walker** is an executive and team coach based in London. He was formerly a kidnapping and extortion negotiator.