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The Tension between Empathy and Assertiveness

Four years ago, Susan Reese and Martin DiPasquale opened a restaurant and take-out catering business on Main Street in Winchester amid much fanfare and high hopes. Unfortunately, things have not gone as planned. Although the business has done well and continues to turn a profit, the relationship between the two partners has soured. Martin finds Susan unbearably pessimistic and difficult to work with—the restaurant just isn't fun anymore. Susan thinks Martin has no business sense and won't take their finances seriously—he's constantly giving away meals and drinks to friends and neighbors, wants to spend extravagantly on fancy ingredients and overpriced advertising, and occasionally treats customers in a flamboyant way. Because of their seemingly insurmountable differences, Susan and Martin have decided to end their partnership. They face the difficult question: How? Should they sell their business to a third party and split the proceeds? Should Susan buy out Martin's 50 percent share, or vice versa? If so, how should the price be set? What would best meet their interests?

The partners are having their first conversation about what to do. They've already been talking for about ten minutes when Susan says:

SUSAN: I think that it makes the most sense for you to sell your 50 percent to me. You never wanted to be in the restaurant business anyway. You just don't have the business sense to run this place alone, and you wouldn't enjoy it. Too much administrative hassle—paying the staff, dealing with the suppliers, all of it.

MARTIN: Hmph. I don't really see it that way, but I'm curious about why you do. Why do you think that I never wanted to be in the restaurant business and wouldn't like running it by myself?

SUSAN: It's not your style, Martin. You've just never shown much interest in the business side of the business—you'd be terrible on your own.

MARTIN: So you think that I don't like the business side of running the restaurant, and that I wouldn't do well here without you?

SUSAN: Exactly.

MARTIN: And you got that impression because I don't work on the books or fire people, that sort of thing?

SUSAN: Right. That kind of stuff always fell on me to do.

MARTIN: Well, I guess I always thought you really liked the bookkeeping side of the restaurant, so I left those jobs to you. I focused my energy on connecting with our customers and getting the restaurant noticed. I never thought you were much of a people person, quite frankly. And obviously you never thought I was much of a business person. But I'm sure I could do those things—or hire someone to help manage the place if it got out of hand.

SUSAN: Well, we obviously disagree. Anyway, I think you should sell me your 50 percent.

MARTIN: We'll see—I'm not so sure about that yet. But you don't have any doubts that you'd like to buy me out and stay here, right?

SUSAN: That's right. I don't feel ready to quit.

MARTIN: What do you mean?

SUSAN: I just think that we've spent all this time and energy building the business, especially the catering side. You've never shown any interest in the catering business—and I really enjoy it. And I think that the customer base is growing and that the catering side could really take off.

MARTIN: OK. So for you, selling out now would be bad timing; we wouldn't get paid back for all the money and effort we've put in?

SUSAN: Right.

THE GOAL: COMBINING EMPATHY AND ASSERTIVENESS IN NEGOTIATION

How are Martin and Susan doing as they try to have this difficult conversation? How is their negotiation going? Are they likely to be able to solve their problem by finding ways to make them both better off? Or is a potential deal going to dissolve into a bitter dispute that destroys the business in the process?

Martin is doing two things well in his discussion with Susan. First, he is demonstrating his understanding of Susan's perspective. He notes that Susan thinks Martin should sell his share to her, that he has never shown much interest in the business side of the restaurant, and that it would not be a good time to sell the catering business. Martin is asking Susan questions about her views and opinions and is demonstrating his understanding of her answers by paraphrasing them back to her.

Showing Susan that he understands her perspective can't be easy for Martin in this conversation. The substance under discussion is difficult; neither Susan nor Martin is willing to sell half of the business at this point, and it's an emotionally charged issue for both of them. In addition, Susan is saying things in an aggressive and confrontational way—making a lot of assumptions about who Martin is and what he wants (such as, “You just don't have the business sense to run this place alone, and you wouldn't enjoy it”)—with which Martin disagrees. Despite this, Martin works hard to listen, and to show Susan that he's listening.

At the same time, Martin is asserting *his* perspective and interests in the conversation. He has explained why he focused more energy on customers and less on managing the restaurant's books. He says that he's sure he could handle the accounting side of the business, or that he'd know how to find help if he needed it. And he consistently notes that even when he's showing Susan he understands her views, he has views of his own that differ from hers.

In our experience, the most effective negotiators try, like Martin, to both empathize and assert in their interactions with others. For purposes of negotiation, we define *empathy* as the process of demonstrating an accurate, nonjudgmental understanding of the other side's needs, interests, and perspective.¹ There are two components to this definition.

Empathy: Demonstrating an understanding of the other side's needs, interests, and perspective, without necessarily agreeing.
Assertiveness: Advocacy of one's own needs, interests, and perspective.

Box 6

The first involves a skill which psychologists call *perspective-taking*—trying to see the world through the other negotiator's eyes. The second is the nonjudgmental *expression* of the other person's viewpoint in a way that is open to correction.²

Defined in this way, empathy requires neither sympathy nor agreement. Sympathy is feeling for someone—it is an emotional response to the other person's predicament. Empathy does not require people to have sympathy for another's plight—to “feel their pain.” Nor is empathy about being nice. Instead, we see empathy as a “value-neutral mode of observation,” a journey in which you explore and describe another's perceptual world without commitment.³ Empathizing with someone, therefore, does not mean agreeing with or even necessarily liking the other side. Although it may entail being civil, it is not primarily about civility. Instead, it simply requires the expression of how the world looks to the other person.

By *assertiveness*, we mean the ability to express and advocate one's own needs, interests, and perspective.⁴ Assertiveness is distinct from both *belligerent* behavior that transgresses the rights of others and *submissive* behavior that demonstrates a lack of self-respect. An assertive negotiator begins with the assumption that his interests are valid and that having them satisfied is legitimate.⁵ (That's why assertiveness training involves developing self-confidence as well as rhetorical skills.)⁶ Assertiveness, however, does not necessarily mean dominating the conversation or the other negotiator. Instead, it means identifying one's own interests, explaining them clearly to the other side, making arguments if necessary, and having the confidence to probe subjects that the other side may prefer to leave untouched.

Three main points about empathy and assertiveness are central:

- Problem-solving negotiations go better for everyone when each side has well-honed empathy and assertiveness skills
- Problem-solving negotiations go better for an individual negotiator if she both empathizes and asserts, even if the other side does not follow her lead
- Empathy and assertiveness make problem-solving easier in both the value-creation and the value-distribution aspects of negotiation

The first point needs little elaboration. Empathy and assertiveness are aspects of good communication. When people communicate well with each other, problem-solving is easier. But as we've seen, sometimes the other side doesn't want to reciprocate and is reluctant to listen. Susan seems to be all assertiveness and no empathy. What should Martin do? In our view, Martin is better off combining assertiveness with empathy, even if he has to empathize alone, for a number of reasons.

First, regardless of how Susan is behaving, Martin really *does* need to understand her point of view. She may be annoying, but she has interests and viewpoints—and he'd better know what they are. This will help him both when he's trying to create value from the deal and when he faces any dispute over how that value should be distributed. Although Susan has no problem being highly assertive, her opening statements don't give Martin much to work with. By inviting her to say more, Martin learns that Susan thinks it's premature to sell to a third party and that she'd like to expand the catering business. To the extent that Martin can clarify *for himself* what Susan's motives and goals are, he will be better equipped to find value-creating trades. Indeed, research confirms that negotiators with higher perspective-taking ability negotiate agreements of higher value than those with lower perspective-taking ability.⁷

Such perspective-taking on Martin's part may also facilitate distributive moves. Perhaps Martin will end up running the restaurant, Susan will expand the catering operation, and they will divide these into two separate businesses. The better Martin understands Susan's thinking, the better he will be able to anticipate the strategic problems and opportunities that may crop up in the negotiation—and to prepare for them.

A second benefit of empathy is that it allows Martin to correct any

misperceptions *he* may have about Susan's thinking. It would be easy, in this emotionally charged situation, for Martin to start making unfounded assumptions about Susan's agenda. He needs to keep checking in with her, to make sure that he's not getting off on the wrong track. Indeed, regardless of the emotional content of a negotiation, research has shown that negotiators routinely jump to mistaken conclusions about their counterparts' motivations, usually because their information is limited.⁸ Such mistakes are a major reason why negotiations and relationships break down. For example, negotiators often make *attributional* errors—they attribute to their counterparts incorrect or exaggerated intentions or characteristics. If a counterpart is late to a meeting, we might assume either that he intended to make us wait or that he is chronically tardy, even though we may be meeting him for the first time. In either case, we have formed a judgment that may prove counterproductive—particularly if we decide to keep *him* waiting the next time or seek other ways to even the score.

A third benefit of combining assertion with empathy is that Martin may be able to loosen Susan up—and gain her trust. Negotiation is a dynamic process. Most people have a need to tell their story and to feel that it has been understood. Meeting this need can dramatically shift the tone of a relationship. The literature on interpersonal communication constantly emphasizes this point.⁹ Even if you are not interested in sharing a deeply soulful moment with your counterpart, remember that empathizing has highly practical benefits. It conveys concern and respect, which tend to defuse anger and mistrust, especially where these emotions stem from feeling unappreciated or exploited.

Finally, your empathy may inspire openness in others and may make you more persuasive. Two-sided messages, in which the speaker describes the other person's viewpoint before stating her own, are more persuasive than one-sided messages.¹⁰

It is not surprising to most people that assertiveness can confer benefits in the distributive phase of a negotiation. Assertive negotiators tend to get more of what they want, and negotiators with high aspirations do better than those with low aspirations. But assertiveness can also contribute to value creation; only when each party takes the opportunity to directly express his own interests can joint gains be discovered.

There are other benefits to being assertive, however, that have nothing

to do with value creation and distribution. Assertiveness may facilitate successful working relationships. The assertive negotiator confronts interpersonal difficulties as they occur, rather than permitting them to fester, and thus makes long-term cooperation possible. Assertive behavior may also promote self-respect, as the assertiveness-training literature emphasizes. Finally, to the extent that an assertive negotiator feels satisfied not just with the substance of an agreement but with the way she negotiated it, the agreement itself is likely to prove more durable.

Viewing Martin and Susan's negotiation through this lens, we see that Martin in some ways is fortunate to have a partner who is so "up-front" about her views and desires. By demonstrating his understanding of Susan's perspective, but also asserting his own, Martin can lead the way toward a solution that leaves both parties better off.

As we saw in Chapter 1, differences are most often the source of value-creating trades. Martin has just discovered that Susan is concerned about timing—and that she has certain forecasts about the future success of the business. Any deal they reach should incorporate this information. Perhaps Martin's forecast is different: maybe he doesn't expect much change in the business in the next few years. Whether he buys out Susan's share or vice versa, they can incorporate their different views into the structure of their transaction. But Martin discovered this difference only by listening carefully to Susan's assertions.

THE PROBLEM: UNPRODUCTIVE TENDENCIES

In our experience few people actually employ both empathy and assertiveness well in their negotiations. When faced with conflict, we tend to either advocate forcefully—often too forcefully—our own view *or* focus on the other side's view, rather than moving nimbly from one skill to the other. We each assert our own story and listen to the other side only for the purpose of constructing a "Yes, but" response. We cycle through argument and counter-argument, never demonstrating understanding or really communicating very effectively.

Most people experience empathy and assertiveness as being in tension with one another. Either I can listen and try to understand your point of view, or I can assert my own. If I empathize, it will be harder for me to assert later. Once I understand your view—and show you I under-

stand—holding on to my own perspective will become too difficult. After all, if I agreed with *your* view I wouldn't have *mine!* Conversely, if I try to assert myself in this negotiation, it's going to be tough to demonstrate an understanding of how you see things. Our views are just fundamentally different. If I advocate for mine, I can't also advocate for yours. It's one or the other, not both.

Three Common Negotiation Modes

Instead of both empathizing and asserting, people often deal with conflict in one of three suboptimal ways—they *compete*, *accommodate*, or *avoid*.¹¹ Consider this example: A student comes into a professor's office asking for an extension on a lengthy written assignment. The professor knows that granting the extension will create all sorts of administrative hassles for himself. He plans to grade the papers during a short window of free time that he's set aside immediately after the due date. He knows that if he starts granting extensions now—even for students with good reasons—he will be inundated with extension requests. So he would rather not grant the extension.

A stereotypical response in each of the three modes might be:

COMPETITOR: No, I'm sorry, you can't have an extension. I've said no extensions, and I meant it. It's really not open to discussion.

ACCOMMODATOR: Well, let's see what we can do. I suppose if it's no more than a week late, I can get the grades in on time.

AVOIDER: I'm really busy right now—you'll have to come back another time.

What's going on in each of these responses?

COMPETING

Competing is a label for doing lots of asserting but very little empathizing. A competitor wants to experience winning and enjoys feeling purposeful and in control. Competitive negotiators exude eagerness, enthusiasm, and impatience. They enjoy being partisans. Competitive negotiators typically seek to control the agenda and frame the issues. They stake out an ambitious position and stick to it, and they fight back in the face of bullying or intimidation in order to get the biggest slice of any pie.

This style may have advantages vis-à-vis the distributive aspects of bargaining, but it also risks escalation or stalemate. A conspicuous disadvantage is that competitors tend to be hard on themselves, and they feel responsible when negotiations turn out poorly. Their competitive buttons often get pushed, and they may later regret or feel embarrassed by their loss of self-control. Although it may not be their intention, competitors may damage relationships if people on the other side resent their conduct.

ACCOMMODATING

Accommodating consists of substantial empathy but little assertion. An accommodator prizes good relationships and wants to feel liked. Accommodators exude concern, compassion, and understanding. Worried that conflict will disrupt relationships, they negotiate in smoothing ways to resolve differences quickly. Accommodators typically listen well and may be too quick to give up on their own interests when they fear the relationship may be disrupted.

This style has straightforward advantages. On balance, accommodators probably do have better relationships, or at least fewer relationships marked by open conflict. Because they listen well, others may see them as trustworthy. Similarly, they are adept at creating a less stressful atmosphere for negotiation.

One disadvantage is that this tendency can be exploited. Hard bargainers may extract concessions by implicitly or explicitly threatening to disrupt or terminate the relationship—in other words, by holding the relationship hostage. Another disadvantage: accommodators who are unduly concerned with maintaining a relationship may not spend enough energy grappling with the actual *problem*. They may pay insufficient attention to both distributive issues and value-creating opportunities. As a result, accommodators may feel frustrated in dealing with both substantive and interpersonal issues.

AVOIDING

Avoiding means displaying little empathy or assertiveness. Avoiders believe that conflict is unproductive, and they feel uncomfortable with explicit, especially emotional, disagreement. When faced with conflict, avoiders don't compete or accommodate: they disengage. They tend not

to seek control of the agenda or to frame the issues. Rather, they deflect efforts to focus on solutions, appearing detached, unenthusiastic, or uninterested.

At times, avoidance can have substantial advantages. Some disputes are successfully avoided; if ignored, they eventually just go away. In other cases, avoiders may create a chasing dynamic in which the other side does all the work (arranging the negotiation, establishing the agenda, making proposals). Because they appear aloof, avoiders can have more persuasive impact when they do finally speak up. In addition, their reserve and cool-headedness makes it difficult for others to know their true interests and intentions, and this can have strategic advantages.

The greatest disadvantage of avoidance is that opportunities to use conflict to solve problems are missed. Avoiders often disengage without knowing whether obscured interests might make joint gains possible. They rarely have the experience of walking away from an apparent conflict feeling better off. Even when they do negotiate, they may arrive at suboptimal solutions because they refrain from asserting their own interests or flushing out the other side's.

Like competitors, avoiders may have a difficult time sustaining strong working relationships. Others see them as apathetic or indifferent or even passive-aggressive. Avoiders may well have a rich internal life, but because they do not express and share their feelings, they can feel misunderstood or overlooked. Some avoiders feel stress from internalizing conflict and concealing their emotions.

Interactions among Negotiating Styles

In our experience, these styles interact with one another in fairly predictable patterns.

Competitor–Competitor: Two competitors will produce an energetic negotiation—making offers and counteroffers, arguments and counterarguments, relishing the strategic dance of bargaining for the sheer fun of it. However, because both are primarily focused on winning, they are likely to reach a stalemate—or an outright blow-up—because neither negotiator is listening to the other. The challenge for the two competitors, therefore, is to find ways of trading control and framing compromises in terms digestible to the other side.

Competitor–Avoider: When a competitor meets an avoider, a different problem arises. Avoiders have a knack for driving competitors crazy. By refusing to engage, they exploit the competitor's need to control. Frustrated competitors may offer concessions to induce avoiders to come to the table. Alternatively, competitors might alienate avoiders by coming on too strong. Thus, the challenge for competitors is to manage their need for control and their taste for open conflict in a way that makes it safe for avoiders to engage. The challenge for avoiders is to improve their assertiveness skills and learn to engage with competitors without feeling bullied or intimidated.

Competitor–Accommodator: For the accommodator, negotiating with a competitor can be a nightmare. Savvy competitors can exploit the accommodator's desire to preserve the relationship and to minimize disagreements. Because accommodators often make substantive concessions to resolve conflicts quickly, they can improve their performance in such situations by developing assertiveness skills to match their refined sense of empathy.

Accommodator–Accommodator: When two accommodators negotiate, they will be exquisitely attuned to each other's relationship needs. But they may fail to assert their interests adequately. They may avoid distributive issues and overlook value-creating opportunities. The challenge for accommodators is to learn to tolerate more open conflict in relationships and not to reach agreement too quickly in the interest of keeping the peace.

Accommodator–Avoider: When an accommodator meets an avoider, the negotiation often goes nowhere fast. If the accommodator accommodates the avoider, *both* will end up avoiding the problem. The negotiation may flourish, however, if the accommodator can keep the emotional temperature of the interaction low enough to coax the avoider out of his shell.

Avoider–Avoider: Two avoiders never face up to the conflict in the first place!

By recognizing these patterns, a savvy problem-solver can use this framework during a negotiation to diagnose what's going wrong and often to figure out what to do about it.

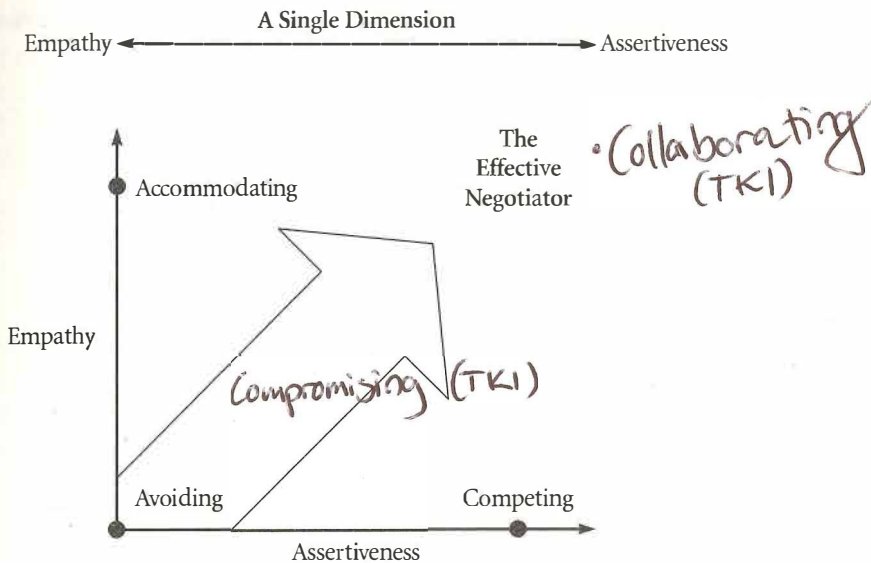


Figure 3

THE APPROACH: MANAGING THE TENSION

Many negotiators feel stuck because they assume that they must choose a single point on an empathy-assertiveness spectrum (Figure 3, top). This often leads to confusion and frustration as people try to decide what relative priority to attach to these two desirable sets of skills. We suggest that empathy and assertiveness are not opposites but are instead two independent dimensions of negotiation behavior (Figure 3, bottom). A negotiator need not make trade-offs between them but can exhibit high levels of both.

The challenge is to build your repertoire so that in conflict situations such flexibility becomes possible. The goal is to pay attention to three things:

- Understanding *your own* conflict tendencies and hot buttons—the way you are likely to react in different sorts of conflict situations—and learning to expand your repertoire of skills
- Being able to diagnose *others'* conflict tendencies and inviting them to empathize or assert as needed

- Being able to understand the *interactions* you're having with the other person and how your interactions may be unproductive

Moreover, you must learn to monitor these dynamics *while a negotiation is in progress*, which can help you recognize when to change the game if you get stuck.

But changing ingrained habits can be difficult, particularly if you fear jeopardizing the benefits of your particular negotiating style. You may also exaggerate the risks of exercising new skills. For example, a competitive negotiator may worry that any display of empathy will be perceived as weakness. He may also fear that if he really understands the other side he might no longer be able to assert his own interests forcefully. An accommodating negotiator may worry that if he acts more assertively, he may damage a valued relationship—particularly if he associates assertiveness with rude and distastefully aggressive behavior.

What specific steps can you take in your negotiations to increase the likelihood that at least you—and preferably the other party as well—will both empathize and assert? To introduce the fundamentals of a problem-solving approach to empathy and assertiveness, we again divide our advice into two parts: those things you can do in preparation for a negotiation, and those things you can do at the table.

To Prepare

Once again, good preparation is key. It requires introspection, curiosity, and a willingness to share your own perspective.

KNOW THYSELF

What are your conflict tendencies and hot buttons?¹² How might they be triggered in this negotiation? If you enter a negotiation without understanding how your defenses tend to get triggered, you will be easily pushed off balance by the other side.

Are you a conflict-avoider? Do you walk the long way around the hallways just to avoid the office of someone you've recently had an upsetting conversation with at the fax machine? Do you screen calls on your answering machine so that you won't have to talk to your mother about the fight you had last weekend? At different times and in different contexts, all of us avoid conflict. There's nothing wrong with that. In

preparing for a negotiation, however, you should consider whether the upcoming interaction is likely to activate your “avoid” reaction. Who will you be negotiating with? What will you be talking about? What implications—for your career, your life, your self-image—does the negotiation have? Are any of these factors likely to make you want to leave the table entirely?

Are you an accommodator? Do you tend to seek out the person in the office that you recently had a disagreement with, for the purpose of apologizing and repairing the relationship? Do you stay up nights crafting the perfect thing to say that will help them understand and make everything better? When your mother calls, do you do everything in your power to keep her from being upset? Again, these tendencies are natural—we all experience them. Sometimes it is wise and fair to put another person’s interests first—to accommodate their needs instead of our own. If accommodating is a conscious choice and not a habitual reaction to being confronted with another’s distress, it can be an important part of building and maintaining relationships. But in preparing for a negotiation, you want to consider whether your accommodating tendencies are likely to be triggered and whether they’ll serve you well. Who are you about to negotiate with? What does this relationship mean to you? Will you find it difficult to assert your own interests and perspective with this person? Will certain topics be off limits?

Or are you a competitor? Are negotiations like a game in which you try to win as much as you can, regardless of how you affect others? Do you enjoy conflict situations because of the adrenaline rush you experience when you come out ahead? Are you likely to seek out an office-mate so that you can continue your argument and convince him that you were right all along? There’s nothing wrong with wanting to win, and there’s nothing wrong with wanting to do as well as you can for yourself. Asserting your own needs and interests is fundamental to negotiating effectively. At the same time, in preparing for a negotiation you should consider to what extent a competitive style may backfire. Is this a situation in which acknowledging the other person’s perspective, interests, and needs is particularly important? If your competitive and assertive tendencies get triggered here, how are you likely to behave and what effect will that have on the other side—and your relationship?

Most people are complicated amalgams of these three styles. They

shift from one to the other depending on the situation and whom they're negotiating with. Sometimes they compete. Sometimes they avoid. Sometimes they'll do anything to preserve a relationship. As we have said, each style has advantages and disadvantages. As part of your preparation, you should think about what your tendencies are likely to be in this particular context.

BE CURIOUS ABOUT THE OTHER SIDE

In thinking through the first tension—between creating and distributing value—you will have already begun the process of putting yourself in the other negotiator's shoes. You will have drafted a list of your counterpart's interests and alternatives. This list will make empathy at the table easier by preparing you to be open to his story about the negotiation.

Now ask yourself: What *is* the other side's story, anyway? What is he telling his colleagues or friends about you and your situation? We all tell ourselves stories all the time, and the other side will undoubtedly have one about your negotiation. As you prepare, if you can't imagine how the situation makes sense from his point of view, that means you still need to acquire more information from him. Consider the best way to elicit this information. What questions can you ask? How can you frame these questions so that you sound genuinely interested and not accusatory?

Don't assume you know the other side's story. If you think you do, you're probably wrong. Even if you turn out to be substantially right, you will still be more effective if you begin with an attitude of curiosity about how the other side sees the world.

In thinking about the upcoming negotiation, recognize that it can be challenging to demonstrate understanding of things you don't want to hear. Maybe you have a pretty good idea of what the other side will say, and just *thinking* about hearing him say it makes your blood boil. Maybe you have negotiated with this person before. Maybe he made you so angry that you lost control, and you worry about that happening again. Maybe you fear that the other side could say things that would be so hurtful to you that it's not even worth *having* the negotiation. Whatever you imagine, now is the time to draw off some of the poison—while you're still in the preparation phase. Suppose you expect the other side to attack, as Susan attacked Martin in our example. How can you pre-

pare to demonstrate understanding of what, to you, is outrageous nonsense and unjustified criticism?

Your preparation consists in large part of *not* doing what you might normally do, namely, building an arsenal of counter-punches. That will only make you tense and angry before you even get to the table. With that kind of build-up, you'll explode before the other side ever gets a word out. Remember that the other side might not say or do any of the horrible things you are expecting.

Next, ask yourself: What is the worst thing the other side could say about you? What's going to be the hardest thing for you to hear? Make a list, either mental or written, of these trigger points. If the negotiation centers on a deep-seated or long-standing conflict, you may need to enlist a close friend to act as a coach and sounding-board. In our experience, it can be enormously helpful to hear the imagined criticisms—the ones that are *really* going to send you over the top—spoken out loud in a neutral setting. It's good to hear them coming out of your own mouth, as you explain them to your coach, and it's even better to hear them spoken by your coach as he talks out the problem with you. These attacking comments will begin to lose their sting as you become increasingly used to hearing them.

Then ask your coach to play the role of the other side, and practice responding to each attack by simply paraphrasing it. Recall how Martin responded to Susan's belittling comments:

SUSAN: You've just never shown much interest in the business side of the business—you'd be terrible on your own.

MARTIN: So you think that I don't like the business side of running the restaurant, and that I wouldn't do well here without you?

Resist the temptation to argue, even with your coach. You don't need to argue. Indeed, you may find that you are much calmer when you don't even try. Instead, just practice acknowledging that the speaker has expressed a certain view of your behavior, which you don't necessarily share.

PREPARE TO SHARE YOUR PERSPECTIVE

For many, empathy is the hard part; assertion is easy. But this isn't always the case. Sometimes it's hard to assert your own perspective, especially

when the other person doesn't want to hear what you have to say or thinks something very different. And it can be hard to do confidently, particularly when you don't feel confident.

We all have a right to express our views. Even if your perspective or story turns out to be incomplete or inaccurate, you should be confident in your right to articulate how you see the situation. Just as you don't need to agree with the other side when you demonstrate understanding of his views, he doesn't need to agree with you when you explain yours. But he should listen, and if he doesn't, you should insist.

In preparing for this assertive component of your negotiation, first ask yourself whether you really feel entitled to have your say. If you have any hesitation in this regard, it can help if you resolve to try to empathize with *the other side's* views; this may make you feel more confident about asserting your own. "At least I won't be acting like a jerk," you can tell yourself. "I'll demonstrate understanding of what the other person is saying, and then I'll try to explain how I see it differently. That's balanced. That's fair." Part of your preparation is to think about how to negotiate a process that ensures that both sides have an opportunity to assert their own perspective and demonstrate an understanding of the other's perspective.

Next, practice telling your story. Don't just imagine it in your head—say it out loud. You'll be surprised how much revision and refinement you'll want to make when you hear the story in your own words, with your own ears. Does your story tend to meander and get side-tracked in irrelevant details? What are the key points that you want to make? Are there elements of your story that you're unsure about? Do you need more information to make your case clearly and persuasively? How can you get that information? Figure all of this out ahead of time. Such preparation can help you identify confusion in your own thinking and can even lead you to reevaluate your story. Maybe it's stronger than you thought. Or not as strong. Either way, your story will be more forceful if you get your ducks in a row ahead of time. Once you've refined the narrative, make a list of your key points. At the table, you don't want to waste mental energy worrying that you might forget something important.

Finally, consider how to frame your story so that the other side can take it in and it is most persuasive. Rehearse a story that doesn't blame

the other side and doesn't characterize her motivations or intentions. For example, if your negotiation will inevitably involve a discussion of past conflicts with the other side, try to present your account in as neutral a way as possible. "When you [did X], this is how it affected me. I'm not suggesting that was your intention. I don't know what your intention was, and you may have intended something quite different. But the impact on me was . . ." In this way, you will give the other side some breathing room to absorb what you are saying.

Suppose Martin realizes that it is important to him that Susan understand why he has always been so gregarious with customers and eager to spend money on promotions and marketing. He might say something like this:

MARTIN: I know I've mentioned this a million times, but I always dreamed of owning a restaurant. I was raised in a big Italian family where food was the center of the universe. Every Sunday our house was the place where everybody dropped in for dinner. We had a tiny house, so the dining room was crammed with people. Sometimes it felt like the whole neighborhood was in there. People would sit for hours, telling stories. Both of my parents were great cooks, so that pretty much defined my idea of what food was all about. I've always wanted to create that same feeling in our restaurant. In college, my business training largely focused on marketing. My course in hotel management was obsessed with word-of-mouth. They actually taught us that in restaurants you *should* give food away, if it builds customer loyalty. So when you and I started our restaurant, I had all these ideas in my head—about my family and about good business practice and so on. You may have thought I was cavalier and wasteful or just didn't care about money, but I was making conscious decisions. You might not have agreed with them, but they were decisions. The problem is, we never talked about it. So I'm not blaming anyone. We just had different perspectives. You were worried that the restaurant would fail because of costs being too high, and I was worried that it would fail because of our customer base being too small.

At the Table

Your first goal at the bargaining table is to lay a foundation for problem-solving. To do this, you need to establish a process that will allow both parties to empathize and assert. These basic tasks are critical to ensuring

that, as the negotiation goes along, it doesn't derail because of misunderstandings or unnecessary escalation of conflict.

NEGOTIATE A RECIPROCAL PROCESS

In our experience, it often helps to discuss process explicitly at the start of a negotiation, by saying something like this: "I have a suggestion. I'd like to be sure we both have an opportunity to explain how we see things. I suspect your perspective about these issues is very different from mine. But I'd like to understand your perspective, and I'd like you to understand mine, even if we don't agree. You can go first, and I'll listen. After you're satisfied that I understand your point of view, then I'd like to take a few minutes to tell you about mine. How does this sound to you?" But beware of trying to impose a process. The negotiator on the other side may have her own views of what the agenda should be. And she may not immediately see the utility of trying to explore each other's views and interests.

It often helps to let the other side talk first. People like to talk, and they like to assert their own views. Competitors, of course, will jump at this invitation. Even accommodators and avoiders may find it hard to resist sharing their point of view, especially if they haven't been put on the defensive by hearing your perspective first. This approach can be particularly productive if there are strong emotions attached to the negotiation. Many people *cannot listen at all* until they've blown off steam. Let them say their piece. Give them plenty of time. Let them run out of gas. Be prepared to show them you understand. And make it clear from the outset that understanding doesn't mean agreeing. This simple process will give you a much better chance of getting the other person's attention when it's your turn to talk. And it will give you a chance to demonstrate what empathy looks like in a negotiation.

MARTIN: You obviously feel strongly about buying me out, and I have some ideas of my own. So why don't you go first? Tell me your ideas about the future of the restaurant. I'd really like to understand them, even though I don't know yet whether I agree with them. Then I'll take a few minutes and explain how I see things. Maybe you won't agree with *my* ideas, but I'd like to know that you at least understand what I'm thinking. How does that sound?

But what if the person on the other side won't stop talking? You will need to remind him of the understanding that you would both have some air time. You might want to say something like this: "You've been explaining how you see the situation for a while now, and I think I've shown you that I understand your point of view. Because we see things differently, I'd like a chance to explain my perspective and make sure that you understand it. Would that be OK with you—if I take a few minutes to tell you my view of the situation?" Every negotiation follows some process—you can't get around it. If you don't take the time to negotiate a *reciprocal* process, you may end up in a cycle of argument and counter-argument in which neither side listens to the other. In that case, the process that you will have established by default is "Whoever talks loudest and longest wins."

USE THE EMPATHY LOOP

Assuming that the other side sees the need for some reciprocal understanding, and that she has accepted your invitation to talk first, how do you go about demonstrating that you are trying to understand? Use a technique we call the *empathy loop* (Figure 4).¹³ The empathy loop has three steps:

- (1) You inquire about a subject or issue
- (2) The other side responds
- (3) You demonstrate your understanding of the response and test or check that understanding with the other person

In other words, you loop your understanding of the other side's perspective back to them. If they respond to your looping by saying that you've gotten it wrong, you treat this as a return to step two and again loop what they have said. The empathy loop is the basic tool to fall back on when you are trying to demonstrate understanding.

To switch examples for a moment, let's go back to Stephanie's negotiation with her prospective boss about whether the Bradford Advertising Agency would pay her moving expenses (see Chapter 1). As she probes his interests, she might say something like this:

STEPHANIE: So it sounds like you aren't interested in paying for my moving expenses. Why not?

BRADFORD: Well, it's pretty simple—as a company policy we just don't cover moving expenses. I can't bend the rules in every case.

STEPHANIE: I see. So the company has a policy about this, and you're concerned about the consequences if you made an exception in my case.

BRADFORD: Right. You know, your expenses probably won't be that high, but some people move half way around the world and have a ton of stuff, and then the company gets socked for a huge moving bill. So our rule is no moving expenses.

STEPHANIE: OK. So you think my expenses would be pretty low, but you're still concerned that if the company picked them up it could get stuck later with someone else's really high bill. Is that basically it—or is there something I'm missing?

BRADFORD: No, that's it in a nutshell. I wish I could help you out.

At this point, Stephanie has tracked Bradford's concerns and interests carefully, looped those back to him, and inquired toward the end about whether her understanding is complete or still seems—to Bradford—to be missing something.

There is no single formula for demonstrating understanding. But we *can* suggest some helpful questions for eliciting the other person's story and showing them that you're trying to understand. These include:¹⁴

- “Is this the problem as you see it?”
- “Will you clarify what you mean by . . . My understanding is . . . Is that right?”
- “What I understand you to say is . . . Is that right?”
- “As I understand it, the problem is . . . Am I hearing you correctly?”
- “To summarize, the main points as I heard them are . . . Have I understood you right?”
- “What am I missing?”
- “Is there anything about how you see this that we haven't talked about yet?”

The precise formulation is less important than trying to check the accuracy of what you have understood. Demonstrating understanding requires paraphrasing, checking your understanding, and giving the other person a chance to respond. Empathy, as we see it, requires genuine curiosity.¹⁵ It cannot be easily faked with the insincere use of catch-phrases, including those suggested above. Most people are pretty good at detect-

The Empathy Loop

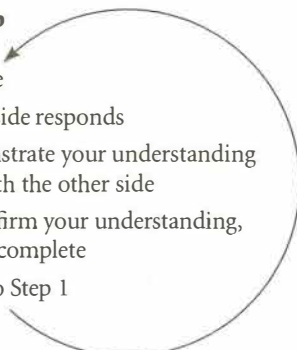
- 
- Step 1 You inquire
 - Step 2 The other side responds
 - Step 3 You demonstrate your understanding and test with the other side
 - Step 4 If they confirm your understanding, the loop is complete
If not, go to Step 1

Figure 4

ing a phony who is simply going through the motions. “What I hear you saying is” can make matters worse if the other person thinks you really don’t care about learning their perspective or are being manipulative. Having the right mindset is critical.

DON’T AGREE IF YOU DISAGREE

As you listen and demonstrate understanding, the other person may say something like, “Don’t you think that’s right?” or “Do you see what I’m saying?” Generally these questions are merely attempts to get you to continue to demonstrate understanding, but they invite confusion about whether you actually agree on the substance. Be clear that you do not, or that you are not yet sure about what you think. Say, “I’m just trying to understand—I have a perspective of my own, but let’s wait on that.” Or, “I’m not sure yet whether I agree or disagree, but for now I just want to understand how you see the situation.” Keep clarifying the point that empathy doesn’t mean agreement.

No matter how much *both sides* listen and empathize, they may still disagree. And then there may be sparks—not out of anger or aggression but merely because of genuine difference. Be prepared for such conflict, particularly if you tend to be an avoider. Expect it. Imagine how it will feel to sit in the face of the disagreement and hold on to your view in a respectful and productive way. Prepare yourself for conflict so that you’ll be able to manage it skillfully.

CHECK IN ONE LAST TIME

At some point you will likely feel that you have heard the other side out and have shown her that you understand her view. It may take longer than you expected. But eventually you'll loop enough times that she should feel that you've heard her.

To make the transition to asserting your own perspective, you want to check in with the other side one more time to be sure that she agrees that you have heard her point of view. "So—it seems that you think X, Y, and Z. I also heard you say A, B, and C. Is that right? Is there anything I'm missing in your story, or more you want me to hear? No? OK, well, I guess I'd like to tell you how I see things."

EXPLAIN YOUR STORY

After you have demonstrated to the other side's satisfaction that you understand her perspective, you should be in a better position to assert some of your own interests and concerns. For example, Stephanie might say:

STEPHANIE: Well, I appreciate that you'd like to help out with the move. Let me explain my concerns about moving expenses and why I hope we can find a creative solution. Is that OK?

BRADFORD: Sure.

STEPHANIE: If I accept this job, I'm going to have some start-up expenses. I'll have to sell my house and buy a house here. I'm concerned about a cash-flow problem. The moving expenses alone will be about \$10,000. Frankly, I don't have that much in savings. The move will take a couple of weeks, and I probably won't get a paycheck until I've been at work at least a month. I'm worried about how I'm going to make it through this period.

BRADFORD: Oh, I see. That's a tough situation.

STEPHANIE: Yeah, frankly it creates a real problem.

Stephanie doesn't attack or belittle the company's policy. She simply explains her own point of view and why the cost of moving concerns her. Because she's prepared (she knows there will be two different stories), she is less tempted to say, "Your policy is stupid; my story is the right one." Instead, her task—which she negotiated explicitly up front—

is just to lay out her own story, even if it differs from her prospective employer's.

CHECK THE OTHER SIDE'S UNDERSTANDING OF YOUR STORY

As a last step in laying the foundation for problem-solving, you want to be sure that the other side has heard *you*. Don't assume that his nodding head or "Yes, yes" indicates true understanding. Ask him to demonstrate understanding more completely by sharing his version of your story. There are many ways to do this, including:

- "I'm worried that I'm not getting my message across. Could you help me out: what did you hear me say?"
- "Just to be sure I'm not confusing you, what do you think my point was there?"
- "I've tried to show you that I understand the situation from your point of view—I wonder if you could do the same. What do you hear me saying?"

By asking the other side to demonstrate their understanding of your perspective, you can reinforce that *your* empathy with him didn't mean agreement. Once he has to show *you* understanding, he is far less likely to say, "But you agreed with me before." Moreover, you will most likely identify points that he *didn't* hear completely or has translated in a way that doesn't make sense to you.

IF NECESSARY, CHANGE THE GAME

No matter how carefully you try to establish a productive process at the start, you may find that eventually you get stuck. Perhaps neither you nor the other side is listening after all. Perhaps you are feeling defensive. Perhaps the other side seems to be tuning out.

Recall our discussion of the three negotiating tendencies and how they typically interact. Try to diagnose what is happening. Have you been acting like a competitor? Have you taken up too much air time and tried to control the agenda? Do you need to back off and listen for a while? Think about the other side's behavior. What negotiating style has he been using? What does that tell you about why the two of you have gotten stuck? Look for a pattern. Then see if you can change the dy-

namic by adding more empathy or assertiveness, as needed. If you think you've gotten caught up in a competitive mode, you might say: "You know, I realize I've been doing all the talking and I'm not sure I've fully understood what you're trying to say. Would you take a few minutes and help me understand why . . . ?"

CONCLUSION

Like the tension between creating and distributing value, our second tension between empathy and assertiveness must be managed. The most skilled negotiators have a broad repertoire of interpersonal skills. They can both listen well and speak persuasively. These basic communication skills lay the best foundation for problem-solving.