

The following is a conversation with Chris Voss,
former FBI hostage and crisis negotiator
and author of Never Split the Difference,
negotiating as if your life depended on it.
And now, a quick few second mention of each sponsor.
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and Inside Tracker for biological data.
Choose wisely, my friends.
Also, if you want to work with our team
where I was hiring,
go to lexfreedman.com slash hiring.
And now onto the full ad reads.
As always, no ads in the middle.
I try to make this interesting,
but if you must skip them,
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I enjoy their stuff.
Maybe you will too.
This show is brought to you by Shopify,
a platform designed for anyone to sell anywhere
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that brings your ideas to life
and tools to manage day-to-day operations.
And it also taunts me, Lex,
for being a lazy person
because I should have already set up a little shop
for selling merch,
which people have been asking me for.
Just a couple of t-shirts
that allow you to celebrate a thing you're into,
which I love doing.
I'm into a lot of stuff.
I'm a fan of a large number of podcasts.
I wear their merch.
I wear their shirts.
Bands, I have more Metallica shirts than I can count.
And it's just wonderful to share
the thing that brings you joy with the rest of the world.
And then it starts a conversation.
And then you're like, you love Metallica too.
I love Metallica.
And then the rest of the conversation

somehow flourishes with even a greater bigger
than it otherwise might have.
I guess it's a catalyst for the initial spark
of a conversation that shares a kind of thread.
You start at the thread and the thread creates a garden.
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I need your help.
This show is also brought to you by indeed
a hiring website.
I've used them many times for the many hiring efforts
I've done for the teams I've led in the past.
I've recently actually had to write
a few recommendation letters for people
who I've worked with in the past.
And I really enjoyed doing that
because it reminds me how awesome the people are.
It kind of takes me back to those times.
And those months, those years that you get to spend
together on a difficult problem
and you get to solve it together,
the camaraderie of that, the struggles of that,
the passions of that, the ups and downs.
We're really hopeful one day
and then there's all these problems
and you think the ideas you're doing are totally stupid
and it's not gonna work out
and you kind of like can't quite figure out the puzzle
but you might have to start over completely.
You have to backtrack all of that,
the full mass of that and you get to sharing that together.
And ultimately, at least for the things I've worked on,
there's a mission, there's a dream
to understand something deeply
or to help a large number of people.
And that just gives a whole journey
of struggle together, meaning.
I mentioned that because the process of building up a team,
the process of hiring a team is so important

because a great team is so important,
not just the success of the company
or a research group or anything you're doing, relationships.
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This show is also brought to you by Inside Tracker,
a service I use to track biological data.
An interesting small scale example
that perhaps you can hear it from my nose at the moment
is that I've started getting allergies.
As nature wakes up from its winter slumber.
And I think it's already a year ago,
maybe a little bit over than that.
I got a test for different things I'm allergic to
and they put different things on your skin.
It's like this grid and you get to see what are the things
that you're allergic to based on that little grid cell
of the skin having an allergic reaction.
And I was not allergic to most things,
but there's a few that stood out.
There's an interesting little data point, right?
It's probably true that over time that changes,
maybe across a period of months and years
based on the medication you take,
based on environmental conditions,
based on your diet, all that kind of stuff.
And so you'd be nice to do that same test
over and over and over to get a sense
of how my allergic reaction to the world around me changes.
There's a million things like this.
And the core, do you make a good effective decision
on what you should do with your life,
lifestyle, health, diet, whatever,
is to ground that in data.
So the core to the allergy thing is data.

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when you go to [insidetracker.com slash lex](https://insidetracker.com/lex).
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And now, dear friends, here's Chris Voss.
What is it like negotiating for a hostage
with a kidnapper?
What is the toughest part of that process?
The toughest part is if it looks bad from the beginning
and you're getting engaged in a process anyway.
What are the factors that make it bad?
That makes you nervous that if you were to observe a situation
where there's general negative and negative results,
you're gonna have to be careful.
You're gonna have to be careful.
You're gonna have to be careful.
You're gonna have to be careful.
If you were to observe a situation where there's general negotiation
or it's a hostage negotiation,
what makes you think that this is going to be difficult?
If they wanna make it look like they're negotiating, but they're not.
Like in the 2004 timeframe, Al Qaeda in Iraq
was executing people on camera for the publicity.
And they wanted to make it look like they were negotiating.
So they'd come on and they'd say,
if you don't get all the Iraqi women out of the jails in Iraq in 72 hours,
we're gonna kill a hostage.
That was one of the demands in one of the cases in that timeframe.
Now, first of all, even if we'd have been willing,
the U.S. government coalition would have been willing to do that.
It wouldn't have been able to happen in 72 hours.
So is it an impossible ask from the beginning?
And so then that looks really bad.
They're trying to make it look like they're talking reasonably,
but they're not.
So your hostage is in bad shape there.
If they've made a demand that you just,
even if you wanted to do, you couldn't do.
So then what makes that very difficult is, in kidnappings especially,
you're working with family members.
You're coaching people.

Bad guys are in touch with family members.
Or if they're not directly in touch with family members,
the other thing that Al Qaeda was doing at that time was
they didn't give us a way to talk to them.
They're making statements in the media,
but then not leaving their phone number, if you will.
So that's one more thing.
They're intentionally blocking you.
They're asking you to do something you can't do.
They're not giving you a way to talk to them.
So you got to get with the family and discuss with the family
how you can approach things.
Now the family definitely wants to know, is this going to help?
So a bunch of cases like that in that timeframe.
And you got to be honest with them.
It's a long shot.
Our chances here are slim and none.
And when it's slim and none, it'll take slim,
but it's still very, very slim.
And there were a number of people that were killed in that timeframe
before the tide finally got turned.
And it was hard dealing with families at the time.
Can you negotiate in public versus like a direct channel in private?
Oh yeah.
Bad guys pick the media.
They're making statements in the media.
And that's a big clue.
Their channel of choice tells you an awful lot.
And if they're choosing the media,
then that means there's people who are trying to appeal to.
That means in their view, there's such a thing as good media.
So if there's good media, there's bad media.
How do you make it bad?
And we made it bad for them.
It just, unfortunately, it had to go through a number of iterations
before they got the message and quit.
In that negotiation, do you think about the value of human life?
Is there a dollar figure?
How do you enumerate, not enumerate, quantify the value of human life?
Yeah.
It's like beauty.
It's any other beholder.
So that was the first lesson on any hostage negotiation.
Really any negotiation.

It doesn't matter what it is to you.
It matters what it is to the other side.
One of the things, especially in your conversation,
I listened to with Andrew.
By the way, you guys, another thing I really liked about that conversation,
first of all, I think the world of him.
Andrew Huberman.
Yeah.
Andrew Huberman.
And you released it on my birthday.
I appreciate that.
There was a nice birthday present to me.
Try to tie it perfectly just for you.
Yeah.
Nice job.
Thank you.
But empathy is in the eye of the beholder in every negotiation,
whether it's over a car, a house, collaboration in your company with the bad guys.
How does the other side see it?
Now, the nice thing about kidnapping for ransom,
if there's an actual ransom demand, it's an actual demand,
is it's a mercenary business.
They're going to take what they could get.
And they tend to be really good at figuring out how much money somebody has.
So, and again, I'll keep drawing business analogies.
You're looking for a job with an employer.
There's a market price of the job.
And then there's what the employer can pay you.
Now, maybe the market price of the job markets \$150,000.
Employer can pay you \$120,000.
But it's a great job.
We were talking about Elon a minute ago.
I'd work minimum wage to follow him around.
That would be worth it.
What are the value other than the dollars?
And how hard is it to get the dollars?
And how quickly can you get to them?
These are all things that the bad guys are good in kidnapping are good at figuring out.
So, the value of human life to them is going to be what can they get?
Crazy thing in the kidnap business.
We used to get asked by FBI leadership, when is this going to be over?
And the answer would be when the bad guys feel like they've gotten everything they can.
So, the key to kidnapping negotiations are the feelings.
They're the bad guys.

We're talking about feelings.
Kidnappers feelings.
Which drives everything.
It doesn't matter what human endeavor it is.
So, it's not reason.
It's emotion.
There's no such thing as reason.
I should say, for a little bit of time,
I've had a lot of problems.
There's no such thing as reason.
I should say, for a little bit of context,
I just talked yesterday with a guy named Sam Harris.
I don't know if you know Sam, but Sam,
and because I was preparing for a conversation with you,
I talked about empathy versus reason.
And he lands heavily on reason.
Empathy is somewhere between useless and erroneous
and it leads you astray and it's not effective.
The reason is the only way forward.
Well, let's draw some fine lines there.
The two fine lines I would draw is,
first, what is your definition of empathy?
And then secondly, how do people actually make up their minds?
And I'm going to flip it.
I'm going to go with how people make up their minds.
You make up your mind based on what you care about.
Period.
That makes reason emotion-based.
What do you care about?
You start with what you care about.
You see some guys swimming out in off the coast of the ocean
and you see a shark coming up behind him.
Who are you cheering for?
If it's Adolf Hitler out there, you're cheering for the shark.
You might actually feel bad for the shark
because it's going to taste bad.
Who do you care about?
You mean the human will taste bad?
He eats Adolf Hitler.
He's going to leave a bad taste in your mouth even if you're a shark.
So you make it up your mind on every circumstance
that's based on what you care about.
So then what does that do to reason?
Your reason is based on what you care about from the beginning.

Now then empathy, if you define it as sympathy,
which it was never meant to be sympathy, ever.
Etymology, I think is the word.
I keep getting etymology and entomology mixed up.
Etymology being...
Where words came from?
The origin, entomology being bugs.
Got it.
So I like etymology.
Where did something come from?
Also like entomology.
Anyway, etymology.
My understanding from my research,
the original definition of empathy
was an interpretation of a German word
where people were trying to figure out
what the artist was trying to convey.
Assessing art.
And so it was always about understanding
where somebody was coming from,
but not sharing necessarily that same thing.
So then when I was with you at BEYOND,
I first started collaborating with Harvard.
Bob Menuchin wrote a book beyond winning.
Second chapter is the tension between empathy and assertiveness.
Still the best chapter on empathy I've ever read anywhere.
And Bob writes in his book,
Bob was the head of the program on negotiation.
He's also agreed to be interviewed for a documentary
about me and my company.
That hasn't been released yet,
but it should be released sometime this year.
What's the name of the documentary?
Tactical Empathy.
Good name.
So Bob's definition of empathy
said not agreeing or even liking the other side.
Don't even gotta like them.
Don't gotta agree with them.
Straight understanding where they're coming from
and articulating it,
which requires no agreement whatsoever.
That becomes a very powerful tool.
Like ridiculously powerful.

And if sympathy or compassion or agreement are not included,
you can be empathic with anybody.

I was thinking about this when I was getting ready to sit down
and talk to you because you use the word empathy a lot.

Putin.

I can be empathic with Putin.

Easy. It's easy.

I don't agree with where he's coming from.

I don't agree with his methodology.

Early on the Ukraine-Russian war,

I saw an article that was very dismissive of Russia
that said Russia's basically Europe's gas station.

And I thought, all right.

So if you're in charge
and the way you feed your people
is via an industry that the entire world is trying to quit,
the whole world is trying to get out of fossil fuels.

If that's how you feed your people,
if you don't come up with an answer to that,
the people that you've taken a responsibility for
are gonna die alone in the cold and the dark.

They're gonna freeze and they're gonna die.

So that doesn't mean that I agree with where he's coming from
or any of his means.

But how does this guy see things in his distorted word?

You're never gonna get through to somebody like that
in a conversation unless you can demonstrate to them
you understand where they're coming from,
whether or not you agree.

Early 90s, last century.

I'm a last century guy. I'm an old dude.

Refer to myself as a last century guy.

Also a deeply flawed human.

Yeah.

So terrorist case, New York City,
civilian court, terrorism does not have to be tried
in military tribunals.

That's a very bad idea.

It was always bad.

The FBI was always against it.

I'm getting ready.

We have Muslims testifying an open court
against the legitimate Muslim cleric.

The guy that was on trial had the credentials

as a legitimate Muslim cleric.
The people that were testifying against him
didn't think he should be advocating
murder of innocent people.
We'd sit down with them, Arab Muslims, Egyptians,
mostly.
And I would say to them,
you believe that there's been a succession
of American governments for the last 200 years
that are anti-Islamic.
And they'd shake their head and go,
yeah.
And that'd be the start of the conversation.
That's empathy.
You believe this to be the case.
I never said I agreed.
I never said I disagreed.
But I showed them that I wasn't afraid of their beliefs.
I was so unafraid of them that I was willing
to just state them and not disagree or contradict
because I would say that and then I'd shut up
and let them react.
And I never had to say, here's why you're wrong.
I never gave my point of view.
Every single one of them had testified.
That's empathy.
That's where the other side is coming from.
I'm not sure how Sam would define it.
But common vernacular is its sympathy and its compassion.
And that's when it becomes useless.
And there's a gray area,
maybe you can comment on it,
is sometimes a drop of compassion
helps make that empathy more effective
in the conversation.
So you're just saying you believe X
doesn't quite form a strong of a bond with the other person.
You're imagining it doesn't.
Maybe you're right.
Yes, I'm imagining it doesn't.
I'm imagining you need to show that you're on the same side.
You need to signal a little bit about your actual beliefs,
at least in that moment,
even if that signaling is not as deep as it sounds.

But at first, basically patting the person on the back
and saying we're on the same side, brother.
That's what most people,
when they're really learning the concept,
that's the basic human reaction.
And in application,
especially in highly adversarial situations,
like I need a regular guy, Muslim,
but how's that guy going to say buy it if I like,
you know, dude, I'm on your side.
I've been there.
I feel you.
No, no, no, no, no, no.
People get conned by that so much.
Like if we're on opposite sides of the table,
and I try to act like I'm not on the opposite side of the table,
that makes me disingenuous.
So I would rather be honest,
you know, my currency is integrity.
And at some point in time,
if you go like, you know where I'm coming from?
My answer is going to be like, look,
I can agree on maybe where we're going.
But if we're talking about, you know,
am I on your side now?
As a human being, I want to see you survive and thrive,
not at my expense.
I think the world is full of opportunity, optimistic.
I got more than enough reason for saying that.
It's enough for here for both of us.
So I got no problem with you getting yours.
You know, just don't take it out of my hand.
I don't want to be honest about it.
About both of those things.
I'm not interested in you taking it out of my hand.
I think there's plenty here for both of us.
Now, I don't need to be on your side,
except in a human sense.
But do I have to side with you over the war now?
Or how we're distributing the stock,
or how much you get paid,
or how much you make off this car?
I think people, my experience as a layman
is that empathy is not got a downside.

That you don't need me to act like I'm on your side
for us to make a great deal.
Great deal.
We'll talk about two things, a great deal
and a great conversation.
They're often going to be the same thing,
but at times they're going to be different.
That's a, you mentioned Vladimir Putin.
There is some zoom level at which
you do want to say we're on the same side.
You said the human level.
It's possible to say, kind of zoom out
and say that we're all in this together.
Not we Slavic people, we Europeans,
but we human beings.
What a same planet.
Same planet.
Right.
Several years ago, and his name has evidently been mud now,
but he was very nice to me.
Lawyer here in town named Tom Girardi.
And no shortage of bad reporting on him now.
I have absolutely no idea if any of it's true.
I do know that in my interaction with him,
he was always a gentleman to me and was very generous.
When he'd get into conversations with people,
he'd always say like, you know, let's look at 10 years from now
where we could both be in a phenomenal place together.
Let's work our way back from there.
That's a good line.
Yeah.
And then, you know, I saw him do it in simulations.
I was teaching at USC.
We were at a function together.
And a gentleman at that time told me that who he was
and he was really influential.
So I walked up to the guy cold and I said, hey, you know,
I'm coming to talk to my class at USC.
He didn't know me other than the fact that we had
mutual acquaintance and he graciously consented to come in.
And he said, what do you want me to talk about?
And I said, look, dude, just from your success here,
it doesn't matter what you talk about.
You know, either I'm going to agree or I'm going to disagree

or I'm going to learn from it.
My students are going to learn from it.
So students want to role play with them, you know,
they dispute, you know, let's do a negotiation.
Every single time you go to pick a point in the future
where we're both happy 10 years, 20 years from now.
And let's work our way back.
Now hostage negotiator, same thing.
I call into a bank.
Bad guy picks up on the, picks up on the phone.
And I'm going to say, I want you to live.
You know, I want to see you survive this.
You know, whatever else goes with that,
let's pick a point in the future that we're both good with.
And then we work our way back and people make also,
we were talking before about emotion and what you care about.
People make their decisions based on a vision of the future.
Like without question.
There's a, I think there's a Hindu temple in the United States
has been or being assembled the same way that the Hindu temples
were in India a thousand years ago by hand, volunteers by hand.
That these people are knocking themselves out for a place in
paradise, a vision of the future.
What you will go through today,
if the future portends what you want,
you'll go through incredible things today.
So it's a vision of the future.
So you have to try to paint a vision of the future
that the person you're negotiating with will like.
Just tough to do.
Let's find out what their vision of the future is
and then remove yourself as a threat.
Sure.
You know, if we can collaborate together.
At all.
If you think that I could do anything at all to help you to that point
and you know, integrity is my currency.
I'm not going to lie to you,
which gets back before that I lied to you about whether or not I'm on your side.
You know, right now,
at the moment we're on opposite size defense.
That's not going to stop us from being together in the future.
Inside you're going to say,
well, you didn't lie to me about today.

Maybe you won't lie to me about tomorrow.
So going back to world leaders, for example, whether it's
a Volodymyr Zelensky or Vladimir Putin,
you don't think it closes off their mind to show that
you have a different opinion.
Depend upon when you showed it.
Is that, are you arguing from the beginning
or are you displaying understanding from the beginning?
I don't think it stops you from being adversarial.
That was the thing about
Manukin's, the chapter in his book, the tension between empathy and assertiveness.
I remember reading that,
reading that name of the chapter thinking like,
eh, you know, in my business there is no tension.
And then I got into it and I read,
I thought this is a red herring.
He's drawing people in because his entire chapter is that empathy
puts you in a position to assert
that there is no tension.
It's a sequencing issue.
And that's why, again, I think it was written for lawyers.
Yeah, sequencing issue.
The timing is everything.
So you emphasize the importance of,
in terms of sequencing and priority of listening,
of truly listening to the other person.
I'm sorry, what'd you say?
That was a bad joke.
Your timing is just perfect.
How do you listen?
How do you truly listen to another human being?
How do you notice them?
How do you really hear them?
I always hated the term active listening.
If anything, it's proactive.
And as soon as you start trying to anticipate where somebody's going,
you're dialed in more.
Because along the way,
either you congratulating yourself for being right
or when suddenly they say something that surprises you,
you really notice it.
That's not what I expected.
You're dialed in, you're listening.
So it's proactive.

And then one of the reasons,
we name the book tactical empathy.
Name the book, never split the difference,
but we're talking about tactical empathy.
Calibrated emotional intelligence.
What's it calibrated by?
First, it was experiences.
Haas is negotiators,
is backed up by neuroscience.
Another reason why I listen to Andrew Huberman's podcast all the time.
Heavy, heavy, heavy, heavy on the neuroscience.
And so then emotional intelligence
calibrated by what we know about neuroscience.
What do we know about neuroscience?
And I'll talk about it from a layman's perspective
and even say we's an arrogant thing,
you know, human beings.
I didn't do the research.
I'm scooping up as much of it as I can as a layman.
The brain's largely negative.
I think there's ample evidence.
People would argue with you as to what the wiring is
and what does what.
And the limbic system and all of that.
But the brain is basically 75% negative.
As an a layman, I make that contention.
Number one, number two,
the best way to deactivate negativity is by calling it out.
And I could do that.
Just by calling it out.
And I could say, look, I don't want you to be offended
by what I'm getting ready to say.
That's a denial.
Your guard is up, you're getting ready to get mad.
If I say, what I'm getting ready to say is probably
going to offend you.
Now you relax a little bit and you go,
all right, what is it?
And then I say it, whatever it is,
and you're going to be like, oh, that wasn't that bad.
Because we knew from Hassan's negotiation
by calling out the negativity, deactivated.
And then number of neuroscience experiments
have been done right and left by calling out negativity,

deactivating the negativity.
Calling out ahead of time.
So like acknowledging that this is,
that this is ahead of time, that this is going to hurt.
The experiments that I've seen have been
when the negativity was inflicted
and then having a person that it was being inflicted upon
to actually identify it.
Just identify.
Yeah, what are you feeling?
I'm angry and the anger goes away.
It's tough because I've had a few,
and again, we're dancing between things,
but I've had a few conversations
where anger arose in the guests I spoke with.
Yeah.
And I'm not sure identifying it.
That's like leaning into it and going into the depths.
Because that's going to the depths
of some emotional, psychological thing they're going through
that I'm not sure I want to explore that iceberg
with the little ship we got.
You have to decide, do you want to avoid it?
Or do you want to lean into it?
It's a tough choice.
See, I'll fit in the room.
It is an outfit in the room.
It is an outfit.
Especially when I think that's the big difference
between conversations and negotiations.
Negotiation ultimately is looking for closure and resolution.
I think general conversations like this
is more exploring.
There's not necessarily a goal.
If I had to put a goal for this conversation,
there's no real goal.
It's curiously exploring ideas.
So that gives you freedom to not call out the elephant.
For time, you could be like,
all right, let's go to the next room,
get a snack and come back to the elephant.
Right.
All right, so I'd make a tiny adjustment
on the negotiation definition.

Because you said, I think, seeking closure.
You used two words, and closure was one of them.
Goals, maybe another.
What is negotiation?
Well, I would say seeking collaboration.
Because closure kind of puts a little bit of a finality to it.
And the real problem in any negotiation
is always implementation.
That's why we say yes as I say.
Yes is nothing without how.
And yes, and it's very best,
is only temporary aspiration.
It's aspirational.
It's usually counterfeit.
So if you're looking for...
That's a good line.
Yes is usually counterfeit.
It's aspirational without the how.
It's just a good line.
Thank you.
I've been working on it.
I was practicing in front of the Mirror 14.
You're pretty good.
You got a bright future out of you.
You should write a book or something.
Yeah.
Your book is excellent, by the way.
Thanks.
Appreciate that.
What am I doing here anyway?
This?
On Earth?
On you?
With you?
I don't know.
We're collaborating.
Why me though?
Why'd you want to talk to me?
I've heard you speak in a few places.
I was like, this is a fascinating human.
I think on Clubhouse and different places.
I listen to some YouTube stuff and this is just...
You've meet people that are interesting.
That's what I love doing with this podcast,

is just exploring the mind of an interesting person.
You notice people.
Sometimes there's like a homeless person outside of 7-Eleven.
I notice, who are you?
It's fascinating.
I don't look at the resumes and the credentials and stuff like that.
It's just being able to notice a person.
As I've been leafing through the different choices of the podcast,
the young lady that only fans and the sex workers.
That's a fascinating human being.
I want to know what makes that person tick.
A thousand percent.
The fascinating thing about her is her worldview is almost entirely different than mine.
That's always interesting to talk to a person who just is happy,
flourishing, but sees the world and the set of values she has is completely different.
And is also not argumentative, is accepting of other worldviews.
It's beautiful to explore that.
Yeah, no kidding. I would agree.
And then, yeah, thought-provoking.
Because I consider myself the word I was looking for before is abundant.
I think it's an abundant world.
So I'm pretty optimistic.
I consider myself, I don't know, happy exactly describes it.
But yeah, you know, so then if I'm happy, optimistic, abundant, I get a worldview.
And then you run into somebody who has a vastly different worldview
and they're happy and they think it's abundant too.
And you're like, what is going on in your head or mine?
Or what am I missing?
Yeah, so that's fascinating.
And the pie grows, which is useful for kind of negotiation
when you paint a picture of a future, if you're optimistic about that future,
there's a kind of feeling like we're both going to win here.
Exactly.
And that's easy.
We live in a world where both people can win.
Yeah, and in point of fact, that's the case.
Although a lot of people want us to think otherwise,
mostly because of the negativity that I was talking about before.
So the brain is generally cynical.
Yeah, my description of it is the pessimistic caveman survived.
And we're descendants of the pessimists.
Yeah.
The optimistic guy got eaten by a sabre through a tiger.
Yeah.

But on the flip side, the optimists seem to be the ones that actually build stuff these days.
There's the switch.

Like, so at what point in time do we catch on?

Because the difference between survival and success mindset.

The success mindset is highly optimistic.

So where do we switch or how do we switch from survival to success?

That's the challenge.

Yeah, somewhere we stopped being eaten by sabre through tigers and started building bridges and buildings and computers and companies.

We started to experience.

We got enough data back to collaborate.

And we stopped listening to our amygdala and we started listening to our gut.

Let me just to return briefly to terrorists.

What do you think about the policy of not negotiating with terrorists?

Well, that's not the policy, first of all.

Now, everybody thinks that's the policy.

Yeah.

It hasn't been a policy since 2002 when Bush 43 signed a national security presidential directive, NSPD, the time it was NSPD 12, which basically said, we won't make concessions.

That doesn't mean we won't talk.

So I'm in Columbia at the same time.

And I have been intimately involved with the signing of him signing that document.

I knew exactly what it said.

And I, and he didn't inherit it from somebody else.

He signed it.

And I'm in Columbia and the number two in the embassy says, last night on TV, the president of the United States said, we don't negotiate with terrorists.

Only the president of the United States a liar.

And I remember thinking like, all right, so he probably said that.

And that's not on the document that he signed.

So I said, look it, you know, I'm familiar with what he's signed.

And that's not what it says.

Well, you know, and so the argument, but that's always been the sound bite that everybody likes.

We don't negotiate with terrorists.

Depends upon your definition of negotiation.

If it's just communication, we negotiate with them all the time.

Number one, the number two, like every president has made some boneheaded deal with the bad guys.

Like Obama released five high level Taliban leaders from Guantanamo in exchange for an AWOL soldier that we immediately threw in jail.

And I thought that was a horrible deal.

And that's putting terrorists back on the battlefield.

And then Trump turned around and topped it by putting 5,000 terrorists back on the battlefield.

So we haven't had a president that has stuck to that on either side of the aisle since people started throwing that out as a sound bite.

What do you think of that negotiation?

Forget terrorists, but the global negotiation, like with Vladimir Putin, the recent negotiation over prisoners, the exchange, the brain and gardener.

Is there a way to do that negotiation successfully?

First of all, I agree with the idea that she was wrongfully detained and she didn't deserve to be in jail and that there should be no second class citizens ever.

And whether you're a WNBA player or you're just some bonehead that walked into the wrong situation, your government should not abandon you ever, ever.

Now, what they do in the meantime, there should have been a negotiation.

They were desperate to make a deal at a bad time.

They'd been offered far better deals in prisoner swaps earlier and turned them down.

And then he gets turned up.

And thank God for Brittany Griner that the public got enough attention.

They kept pressure on the administration.

They made a deal.

Now governments want to make those kind of deals.

That's fine as long as it because that was basically a political negotiation.

You're putting 5,000 Taliban back on a battlefield.

That ain't negotiating with another government.

You're putting five of them back on a battlefield.

That ain't negotiating with another government.

That's directly contradicting this thing that you claimed.

And those were all bad deals.

Now, was the Brittany Griner thing a bad deal?

I think it was great for her.

If I was in the middle of it, it would have been better.

And she still would have come home.

Yeah, there's some technical aspects of that negotiation.

What do you think is the value, just the link on it, of meeting in person for the negotiation?

I think it's a great idea.

Can I just follow that tangent along?

There's a war in Ukraine now.

It's been going on over a year.

It's for me personally, given my life stories is a deeply personal one.

And I'm returning back to that area of the world that was there.

Volodymyr Zelensky said he doesn't want to talk to Vladimir Putin.

Do you think they could get in a room together and say you were there in a room with Putin and Zelensky

and Biden is sitting in the bag drinking a cocktail or maybe he is at the table participating?

How is it possible through negotiation, through the art of conversation to find peace in this very tense geopolitical conflict?

I think it's eminently possible.

I think getting people together in person has always been a good idea.

Now, who's getting them together under what circumstances and how many times you get them together?

The documentary, The Human Factor about the Mitty's peace negotiations, mostly through the 90s, mostly into the Clinton administration, got kicked off under Bush 41

and then the documentary continues through Trump, but just touching basically on it.

But they're getting air fat and the different Israeli prime ministers together in person.

And these guys do not want to talk to each other and depending upon the prime minister, the mere thought of being on the same planet with air fat was offensive.

And they started getting these guys together in person regularly and they started seeing each other's human beings.

And they started realizing that there was enough room on a planet for them and that people dying was stupid.

And they would slowly work things out by getting these guys together in person.

So how long does it take? Who's hosting it? But it's a good idea.

But the skill of achieving that thing that you talk about a lot, which is empathy, and I would say in that case, not just empathy, but empathy plus a bit.

You might disagree with this, but a drop of compassion in there.

I think compassion is helpful, but it's not essential.

If you just know where I'm coming from, the feeling of being understood.

Yeah, heard and understood. That's powerful.

Yeah. And again, I know I picked a vast majority of this up on Andrew's podcast, but I picked it up in other places.

Because early on, when we were putting a book together, Tall Ross, the writer, my son, uncredited co-author.

So the book's really a collaboration between me, my son Brandon and Tall Ross.

And we're driving for that's right. You know, when somebody feels like what you've said is completely their position, they say that's right.

Not you're right, but that's right.

So Tall says, you know, I think what's happening here is you're triggering a subtle epiphany in somebody.

So I'm like, all right, I'll buy that.

So I start looking up the neuroscience of the feeling of epiphany, getting ahead of oxytocin and serotonin.

Oxytocin is a bonding drug. You bond to me. I don't bond to you.

When you feel completely understood by me, you bond to me.

Then in one of the relationship podcasts that I'm listening to on Andrew, it says oxytocin inclines people to tell the truth.

You're more honest. All right, so you feel deeply understood by me. You bond to me and you start getting more honest with me.

Serotonin, the neurochemical satisfaction, epiphany, you feel oxytocin and serotonin.

Being understood. All right, I got you bonded to me. I got you being more honest with me and I got you feeling more satisfied so you want less.

What more do you want out of a negotiation?

Of course, there's already with leaders and great negotiators, there's walls built up, defense mechanisms against that.

You're resisting this basic chemistry, but yes, you should have that.

You should work towards that kind of empathy.

I personally believe, I don't actually understand why, but I've observed it time and time again, but getting in a room together and really talking, whether privately or publicly, but really talking.

I'll comment on this. Right now, this is being recorded and a few folks will hear this, but when you really do a good job of this kind of conversation, you forget there's cameras.

That's much better than there being even a third person in the room, but often when world leaders meet, there's press or there's others in the room.

As man to man or man to woman, you have to meet in a saloon, just the two of you and talk.

There's some intimacy and power to achieve that if you're also willing to couple that with empathy, to really hear the other person.

I don't know what that is. That's like a deep, deep intimacy that happens.

I think there's actually, because we get asked this in a Black Swan group all the time, how do you zoom? That's bad, because you don't have the same visual feedback on zoom.

That's not true. You and I see you from the waist up right now. If we're on zoom, I'd be looking at you from the waist up.

I'm not wearing pants.

But the internet. I apologize for that.

Sorry. You only see a small portion.

That's usually where I go, but anyway.

I'm glad we're both at Ridiculous Center. I appreciate it.

But what makes this different in person? I actually think there's energy that we don't have the instrumentation to define yet.

And I think that there's a feel. I think there's an actual energetic feel that changes.

Again, just because we can't measure it doesn't mean it's not there.

I would love to figure out what that is. Folks that are working on virtual reality are trying to figure out what that is.

During the pandemic, everybody was on zoom. Zoom and Microsoft, everybody was trying to figure out how do we replicate that.

I'm trying to understand how to replicate that because it sure is not fun to travel across the world just to talk to Snowden or Putin or Zelensky.

I'd love to do it over zoom. But it's not the same. It's not the same.

No, it's not the same. I'd go in a room with Putin.

You would go in a room? I would, yeah, a thousand percent. I'd get a That's Right out of him.

That's right. Well, first you would give him a That's Right probably.

Ah, getting a given. Here's the issue that trips everybody up in negotiation.

The difference between hearing and speaking, the same words are vastly different.

What I'm looking for is the responses I'm getting out of you.

If you can't appreciate what that really means, hearing it is unsatisfying.

Those two words are really important to you. You talk about that in your book. Why is That's Right mean? Why is it important?

Well, it means that what you just heard you think is unequivocally the truth.

Like, it's dead on. It hit the target. It's a bullseye.
And this has been a topic of discussion, especially between my son and I a lot.
Like, what happens? This oxytocin bonding moment.
And his contention has always been like,
Donald Trump is the poster child of what it means because
Donald Trump's been addressing an audience. You know, he's in a debate with Hillary or he's given a speech someplace.
And when the people that had devoted to him, when they believe that what he's just said is completely right, it's insightful.
They look at him or they look at the TV and they go, That's Right.
And it's what people say when they're bought into what they just heard.
You know, if you're not convinced of the way that Donald Trump's followers are bonded to him, and he also just like this, in my view, destroys the idea of common ground.
Because when he first started to run for president, the pundits all said, Ah, he's a New Yorker. Nobody in the Republican Party is going to like him. It's middle America. You know, it's blue collar. You know, it's regular common folks, factory workers.
They're not going to like Trump because he's from New York and he went to Wharton.
He's an Ivy leaguer and he's a son of a wealthy real estate mogul.
And he had a million dollars handed to him when he got out of college.
You know, he's born with a silver spoon in his mouth.
The rank and file Republicans are never going to accept this guy based on common ground.
Look how smart that was.
Do you think he's a good negotiator? Do you think Donald Trump is a good negotiator?
No. I think he's a great marketer.
If you look at his negotiation track record.
All right, so I started following Donald Trump in the 80s when I was in New York.
I'm a last century guy. He's a last century guy. We've got mutual acquaintances.
The minister that married him to Mahler Maples was a friend of mine, a close friend of mine.
And in 1998, I threw a fundraiser in his apartment at Trump Tower that he attended.
So no shortage of mutual friends. We went to the same church.
Still have mutual mutual acquaintances, friends.
And I've watched his track record negotiation history, which is exactly his track record with North Korea.
Where are we with North Korea?
What was the deal that he made with North Korea?
See, your answer is the same as everybody else's.
Well, I remember it started out with a lot of fanfare.
But I don't know what happened because nothing ever happens.
There's more public fanfare, so marketing-minded presentation.
It starts out with a bang.
If he doesn't cut the deal in a short period, a really short period of time, he moves on.
And everybody wonders what had happened because there was so much fanfare at the beginning.
Now, at the beginning, him even opening that dialogue with North Korea was masterful.
Like, I was such a fan when you got a president of the United States that is willing to sit down and

talk with a leader of another nation.

The other president, all our advisors are saying, the leader of North Korea is beneath you. You cannot dignify him by responding to him directly.

And consequently, the Trump administration inherits a can of worms that has been simmering for 30 years.

He didn't get us into that.

And he opened up a dialogue where nobody else was capable of opening a dialogue.

And then it just went away.

Nobody knows what happened.

And there was no deal made.

Now, great negotiators make deals.

What do you think about these accusations that he's a narcissist?

If you're a narcissist, does that help you or hurt you?

Is there a more popular term these days than narcissists?

Everybody's a narcissist.

Everybody you don't like is a narcissist.

Act a homeless guy down on the corner. He's a narcissist. That's why he's there.

Yeah. It's lost meaning for you a little bit.

Yeah.

And first of all, most psychological terms, as a hostage negotiator and really, we were never into psychology.

And we steered away from it because psychology at best is soft science.

If it's not informed these days, if it's not informed by real studies or neuroscience, the guys that I'm impressed with these days, psychologists, neuroscientists.

Now, I'm interested in that guy or gal.

But then the psychology convention, do you get them all together and they all agree?

Yeah.

But also the interesting thing about psychology is each individual person is way more complicated than the category psychology tries to create.

And there's something about the human brain.

The moment you classify somebody as a narcissist or depressed or bipolar or insane in any kind of way,

for some reason you don't use, you give yourself a convenient excuse not to see them as a complicated human being to empathize with them.

I had that when I was talking to, I did an interview with Kanye West.

And then there's a lot of popular opinions about him being mentally unwell and so on.

And I felt that that kind of way of thinking is a very convenient way of thinking to ignore the fact that he's a human being.

That, again, wants to be understood and heard.

And that's the only way you can have that conversation.

Yeah.

I agree completely.

That's right.

I feel so close to you now.

It might be because I'm not wearing pants.

All right.

You're funnier than I am.

It bothers me.

All right.

I'll say something stupid soon enough.

Don't worry about it.

But you said we were talking about terrorists and non-negotiating with terrorists.

Is there something...

Nice job going all the way back to where that rabbit hole started.

There's where Alice in Wonderland right now.

Is there something about walking the way of non-negotiating?

Is there power in that?

All right.

So it depends upon whether or not you're doing it with integrity or a tactic to start with.

And then also, hostage negotiators are successful 93% of the time, kind of across the board, which means that the 7% of the time is going to go bad.

And that was my old boss, Gary Nessner.

I learned so much from Gary.

But one of the phrase that he used over and over and over again until I finally worked the case and went bad

was this is going to be the best chance of success, best chance of success.

And then something went bad.

And I remember thinking like, well, best chance of success is no guarantee of success.

So your question is, are there negotiations you should walk away from?

If you got no shot at success, then don't negotiate.

And you have to accept the fact that some deals you're never going to make.

We teach in my company, it's not a sin to not get the deal.

It's a sin to take a long time to not get the deal.

And Gary in his infant and wisdom, they realized that there was something called suicide by cop.

And that it might have, Gary was very much into clusters of behavior.

He kept this away from psychological terms and there would be clusters of behavior that would be high risk indicators.

And he wrote a block of instruction called high risk indicators, which meant if you start seeing this stuff show up,

this thing's probably going bad.

And you're going to need to recognize that from the very beginning and adjust accordingly.

And it's the same way in business and personal life.

I'm talking to the head of a marketing company I have tremendous respect for.

I admire that what this guy in his company does started from scratch.

He borrowed space in a back of a drug store to start his company.

And now it's hugely successful.

And he's laying out to me that he finally had to confront a potential client and walk away from him.

And he said, how do you think I handle this?

And my answer was 1000% correct.

And as a matter of fact, the behavior that he indicated, he's a type and you should have walked away sooner than you did.

Because this guy was playing you the whole time, Al Qaeda 2004, they're playing us.

They're not negotiating.

We called them out on it.

Don't think you're negotiating.

You wouldn't say it exactly like that, but that was absolutely the approach.

You know, confront people on their behavior in a respectful way.

And signal that you're willing to walk away.

And mean it, 1000%.

And mean it.

Isn't that terrifying?

I mean, it's scary because you don't want to really walk away.

Or do you have to really want to walk away?

Well, this gets core values, your view of reality.

If it's an abundant world, it's not scary to walk away.

If it's a finite world with limited opportunities, then it's horrifying.

But you have to use that worldview to be willing to actually walk away.

Yeah.

It could be walking away from a lot of money.

It could be walking away from something that's going to hurt people.

Because if you lose a hostage.

Yeah, well, but if they're not going to let the hostage out.

Yeah.

Suicide by cop, they didn't let them go.

The 7%, how do most negotiations fail?

The bad guys were never there to make a deal in the first place.

If it was suicide by cop.

If they were there to, if they're on a killing journey.

It's an Israeli phrase.

If they're on a killing journey and the actions that they're currently engaged in are part of that killing journey.

Killing journey.

Is there advice you can give about, you mentioned Israel, Palestine, the Middle East.

Taking on a few conversations on that topic.

Is there hope for that part of the world?

And from that hope, is there some advice you could lend?

Yeah.

I think there's hope.

Then I got friends on both sides.

And also, when I got my, after I left the FBI, most people listened to this.

Probably not going to remember who Rodney Dangerfield was.

Oh, come on.

But he's a comedian.

Still doesn't get any respect.

Yeah.

Yeah.

New Yorker?

New Yorker.

I think he was the New York guy.

I like Jersey or something.

Yeah.

Yeah.

And he did a movie a long time ago called Back to School.

He went back to school.

He was an old guy back to school.

So I went back to school after I left the FBI.

I did get a master's at Harvard Kennedy.

And that's where, you know, I'm running across people on both sides of that.

And when they could talk, they said, let's start from the premise that we, both sides want a better life for our kids.

Which is this version that I was telling you earlier from Tom Girardi.

Let's pick a point in the future that we're both happy with.

And they found that they could talk.

You know, we, all right, so it might not be better for us.

How do we make it better for our kids?

And that's where the hope derives from.

Because I think both sides ultimately want it to be better for their kids, which is why they still engage in interactions.

And which is why I think the leadership, regardless of how compromised they might be on either side.

There are few straight players in the game in the Middle East or anywhere for that matter.

But they want a better future for their kids.

You get people to agree that you want a better future for your kids.

And they can start talking about, well, how do we work our way back from that?

And then, all right, so we got a mutual point in the future.

The Israeli-Palestinian negotiations are also, for me, interesting.

Because you mentioned Clubhouse about almost two years ago now, when Israel was shelling Gaza.

They hit the UPI office.

You know, they were hitting, they got fed up with the rocket attacks from Hamas.

And of course, Hamas is putting rockets in the UPI office, the AP office, whichever press office it was there.

How's that office going to be there otherwise?

Hamas is running a show.

You're not going to run that office unless you let them store weapons there.

That's just part of the game.

And are they going to store them in specially designated ammunition dumps?

No, they're going to put them in schools, they're going to put them in hospitals, they're going to put them in all places that when Israel hits them, they're going to look really bad. So after a while, Israel gets fed up and they start shelling Gaza and they're hitting these places. A friend of mine, Nicole Bentham, is hosting rooms on Clubhouse and she says, you got to come on, the vitriol is killing me. These are all turning to screaming matches. Nobody's talking to anybody. I said, all right, cool. We'll go on, we'll do it and watch. We won't have a single argument. We'll invite people on from both sides. There was one rule before you started to describe what you thought of the other side. You had to say, before I disagree with you, here's what I think your position is. And you got to continue to state the other side's position until they agree that you've gotten. Now, what happened? No agreement and no arguments. That was what we were really going for. We wanted to show that people on both sides in one of their emotional timeframes, if your only requirement was you had to state the other side's position first, nobody got out of control. Did it work? That's exactly what happened. We wanted to show people that you can have conversations that do not devolve into screaming matches with vitriol talking about how you're dedicated to the destruction of the other side. Just first, see if you can outline where they're coming from. That's really impressive because I've just, having seen on Clubhouse, people, which part of the reason I liked Clubhouse, you get to hear voices from all sides, they were emotionally intense. Right. I mean, I'm sweating just in the buildup of your story here. I thought it's going to go to hell, but you're saying it kind of worked. Not one person lost control. Now, of the two sides, the people that were speaking on behalf of the Israelis were a little better at articulating supportive positions for the Palestinians. Most of the people that want to speak up on behalf of the Palestinians, they just, they'd want to start in like, you're doing this. And I'd say, no, no, no, no, you can go there just not yet. Before you go there, you can say that all you want. Before you go there, you've got to try to articulate to them where they're coming from. They got to tell you you got it right. And what would consistently happen is there's a leveling out of a person to try to see the other side's perspective and articulate it. It's enormously beneficial to the person who's trying to do it,

which was really the point that we were trying to make.
It's a really interesting exercise.
I mean, by way of advice.
So if it works at Clubhouse, for people who don't know, that's a voice app where you can be anonymous.
So it's really regular people, but regular people who can also be anonymous.
It's just, it can be chaos.
If it works there, that's really interesting.
When you sit down for a conversation across the table from somebody,
don't have them even steal me on the other side.
Have them just state the other side.
Just explain your understanding of it.
That's it.
And every now and then, I would jump in.
And as somebody supporting Israel, whoever the heck they were,
and they'd say a couple of things.
And the Palestinian guy would be like, ah, or gal, or supportive of them,
would say, you know, you miss some stuff.
And I'd say, let me jump in.
First of all, I know what the Nakba is.
The Nakba is a catastrophe.
That's the day Israel was born.
You, you know, for the rest of the world's birth of Israel for you, it's the Nakba.
I said, you've got members of your family that is still walking around.
Carrying keys to the front door of the house they abandoned.
And they'd be like, yeah.
And I'd say, you feel bad that in point of fact that in World War II,
the world stood back and watched while the Nazis threw the Jews off a building.
The only problem was they landed on you.
And they'd be like, yeah, that's where they're coming from.
So articulating, you know, deeply what the other side feels is transformative
for both people involved in the process.
What's the toughest negotiation you've ever been a part of or maybe observed or heard of?
What's the difficult case you just stands out to you or maybe you just want one of many?
Well, the stuff we went through with al-Qaeda in and around Iraq,
Iraq and Saudi, first one was in Saudi in 2004 timeframe.
The hardest part about that was working with family members
and not deceiving them about the possibility of the outcome.
Yeah, how do you talk to family members?
Is that part of the negotiation?
Yeah, empathy, learning empathy the hard way.
And then being able to take it up to higher levels.
Because at its base level, a guy that we're working with now that's coaching us in EOS
and is a business partner, his name is Jonathan Smith.

He pointed out to us that there's a Shu Ha Ri concept.
Are you familiar with Shu Ha Ri?
It's martial arts concept.
And Shu is doing exactly as the master is telling you to do it.
Wax on, wax off, credit kid stuff.
Ha is when you've done the repetitions enough times, you're getting a feel for it.
And you begin to see the same lessons coming from other masters.
You're seeing the same things show up in other places.
And at the re-level, you're still in the discipline, but you're making up your own rules.
It's almost a flow state.
And you don't realize that you're making up your own rules.
And if somebody asks you where you learned that, you probably say,
you know, my sensei taught it to me, my master taught it to me.
This will come back around the negotiation with families pretty quick.
We did this once because there's a bunch of people that we coach,
business people that are scared of the amount of money that they're losing
if we're not coaching them regularly.
One of these guys, Michael, we're interviewing him for a social media posting about two years ago.
And Michael says, yeah, you know, you got to gather data with your eyes.
And I remember thinking, and I went, ooh, I like that.
I said, where did you hear that before?
And he goes, you know, I don't know. I heard it from you, I think.
And I was like, no, no, no, no.
I didn't remember saying that.
Yeah.
That's the first time I've heard that.
He's in re.
So what's this got to do with families?
Empathy at its base level in the shoe level.
I learned it on the suicide hotline is saying like, you sound angry.
I'm just calling out the elephant in the room.
Your emotions, what's driving you?
I'm throwing a label on your affect.
And I'm saying you sound or it sounds like you are.
Because that's the basic karate kid wax on, wax off approach.
Now there are a lot of hostage negotiators that'll tell you empathy doesn't work at home.
Not true.
They've never gotten out of shoe.
You're getting ready to talk to your significant other.
And you want to go someplace that you know is going to make her angry.
You want to go do something.
Now that's real negotiation right there.
You could say to her, you sound angry.
In which case she's going to blow up because her reaction is you made me angry bozo.

How can you act like you're an innocent third party or that you were independent of how I feel bad?
And you learn, learn a little bit more.

And you say the, the hot level is this probably going to make you angry.

And then what I did with families, I knew how they felt before I walked on the door.

I knew that they were scared to death.

You find out that your, your, your husband, your father, your brother has been grabbed by al-Qaeda who are in the business of chopping people's heads off.

You're going to be horrified.

I can't walk into them and go like, you sound angry.

Of course I'm angry.

You idiot.

But knowing what they are, I used to walk into family's houses and I'd say, I know you're angry.

Now what, now what are the circumstances dictate that they should also feel?

They're going to feel abandoned by their government.

They're going to feel totally alone.

They're going to be scared and they're going to be angry because they feel the government abandoned them.

Now they're in point of fact, is this an accurate statement that their loved one voluntarily went into a war zone and voluntarily went someplace that government told them not to go?

Are the facts that the government abandoned them?

Absolutely not.

As a matter of fact, the government tried to get them to not go and they went anyway.

But that doesn't change how they felt in a moment.

And I'd walk into a house and I go, I know you're angry.

I know you feel abandoned and alone.

And I know you're horrified and I know you feel the United States government is abandoned you.

And they would look at me and go like, yeah, what do we do now?

Now we're ready to rock.

Is there, with al-Qaeda or in general, is there a language barrier too?

It could be just barriers of different communication styles.

I mean, you got like a New Yorker way about it.

That might make somebody from like, I don't know, Laguna Beach uncomfortable.

Do you feel that language barrier in communication is that language and communication style in itself creating a barrier?

You got a barrier when you think that your way is the way.

Sure.

That's the biggest barrier.

Yeah, and that happens all the time.

When people talk about, what about cross-cultural negotiations?

What hand do I gotta shake hands with so that I can get my way?

Well, if you strip it all down, we're all basically the same blank slate when we were born.

Everybody's got a limbic system.

Everybody's limbic system works pretty much the same way.

People are driven by the same sorts of decisions.

How does this affect my future?

One of my risk of losing?

How does this affect my identity?

You know, a kind of kidnapper, you're a New York City businessman, you're a tobacco farmer in the South.

All making those same decisions based on those same things.

So as soon as I start to navigate that, and I tailor my approach, which is what empathy is, to what you think, how you see things.

So I can be the biggest goofball ever from if you're living in the South.

Yeah, maybe I'm a New Yorker or I'm somebody from LA or somebody from Chicago.

But my geography is foreign to you, but as soon as I start dialing in on how you see things, suddenly you're listening.

What about the three voices you talk about?

The different voices you can use in that communication.

The assertive voice, direct and honest.

I'm a natural born assertive.

Natural born?

I thought we're all blank slate.

Stop catching me on what I said.

How dare you accuse me of what I've said to quote Bono.

I stand accused of what I've said, the things I've said.

That's a good line.

He's got a few good lines.

So assertive voice, you're born that way.

Which one, what are the other ones?

Analyst.

You're an analyst.

I can tell you're assertive.

Yeah.

What's an analyst voice?

Well, an analyst is closer to the smarter, more thoughtful.

No, as a matter of fact.

Look, you ever do a decision tree?

Yeah.

See, you like it too, don't you?

Decision trees, I'm a computer scientist.

I like mathematical, systematic ways of seeing the world.

He's an analyst.

You think Donald Trump would ever say that?

Unlikely.

Is he more of the assertive kind?

He's a natural born assertive, yeah.

Are all New Yorkers like this?

Is this something in the water?

No, that's the craziest thing.

Yeah.

And, you know, New York's northeast, not just New York, but the northeast is a little more the affect of the area, of the culture of the area.

The individuals still boil down into the three types, cross-aboard.

What's the third one?

Accommodator, smiling, optimistic, hopeful.

I'm a thousand percent convinced that the phrase hope is not a strategy, is designed at people's frustration over a third of the population being accommodators that are hope-driven.

I hope this works out.

And they're very relationship, on the surface they're very relationship oriented, they tend to appear to be very positive, then they are, but it's really built around hope.

And the idea is you can adopt these three voices.

You can, yeah, you can learn them, they're all learnable.

Analysts are often mistaken for accommodators, because as you said before, you know, analysts are more introspective, more analytical.

They're looking at the systems at work, and if they like to learn, they notice that accommodators make more deals than they make.

They also notice that there's a higher failure rate of the deals, but since they notice stuff and they think about it, they catch on faster than assertors do, that the pleasant nature of an accommodator contributes strongly to them making deals.

Like my daughter-in-law is an analyst.

You know, another descriptor we have an analyst are assassins.

You know, an analyst will snipe you from a thousand yards out in the middle of the night, and you never know what hit you, and they're really happy with that.

But how has assertiveness, the assertive voice served you in negotiation? Poorly.

The assertive voice is almost always counterproductive.

It feels like getting hit in the face with a brick.

And that's almost always counterproductive.

So for me to be more effective, especially in a negotiation, I'll need to slow down and smile.

You know, I heard that Teddy Roosevelt was a good negotiator, and that he was extremely stubborn, and perhaps the right term for that would be assertive,

but he picked his battles.
Is there some value to holding strong to principles?
So I don't even know if that's probably the opposite of empathy.
Are there times when you can just stick, be extremely stubborn to your principles?
Oh, we do it all the time.
We just, you know, we're just nice about it.
Okay, it helps to be nice.
You're saying?
Well, yes, because I need you to hear me.
And the assertive tone of voice, so when we do our training,
typically we do an exercise called 60 seconds or she dies.
And I play the bad guy bank robber,
and I ask you to be the hostage negotiator.
And your job is to, I'll give you the four real world constraints,
and then you got to try and negotiate me out of the bank.
Now we're doing this.
Now the first voice that I always use in that exercise is the assertive voice,
which is the commanding voice.
It's the voice that all police officers are taught to use in the street,
issued loud and clear commands.
You know, it doesn't, to me, I don't feel like I'm attacking you.
I just feel like I'm being direct and honest and clear.
You, on the other hand, feel attacked.
Now we're doing this exercise in Austin a couple of years ago.
The first participant has an Apple watch on.
He tells us afterwards that sitting still, not even answering,
when he first gets hit in the face with the assertive voice,
his heart rate jumped to 170,
which is a typical fight or flight reaction.
I come at you like I'm fighting you.
Your fight flight mechanism is all kicking the gear,
which clouds your thinking.
You're automatically dumber in the moment.
So if I want to make a great long-term deal with you, highly profitable.
I'm agnostic to you being profitable.
You'd be profitable.
Well, that's fine.
I'm here to make money for me.
Me making you dumber will always hurt me.
Me making you feel attacked will always hurt me.
So there's never a value in being, in you making me afraid.
There's never a long-term value in it.
It's another thing that tall Roz, when we were writing a book, braced me on.
Because he said there's scientific data out there that's called strategic umbrage.

Well, there's data.

Whether or not it's scientific, I would call that into question.

But he said there's studies out there that show that strategic umbrage works.

And another thing that I also enjoy, you probably get tired of me saying wonderful things about Andrew.

There's never enough wonderful things to say about the great Andrew Huberman, the host of the Huberman Lab podcast that everybody should subscribe to.

You should talk to Andrew.

You're funnier than he is though.

I'll give you that.

He's funny accidentally.

He makes me laugh all the time, not when he's trying to be funny.

He's one of the people in this world that's truly legit.

He's a really strong scientist and a really strong communicator and a good human being.

And those together don't come often.

And it's nice to see.

Yeah, yeah, yeah.

Yeah, he's a national treasure.

Anyway, you were saying.

Well, he sort of taught me how to think about data and studies and science.

And also from different books that he's turned me on to.

He's really helped me think about this stuff.

So the studies about strategic umbrage were done, the ones that I've seen, that show it's effective.

There were simulated negotiations with college students.

Now here's the problem with that.

A simulated negotiation with a college student.

College students are going to sit down as part of their assignment.

They're going to sit down one time.

They're going to sit down for 45 minutes.

And they're going to think that if they didn't come to a deal at all that they failed.

And there's no ongoing implementation.

There's just the deal and then they walk away of a pretend situation.

So they got no actual real skin in the game.

There's no deal on earth.

Do you sit down and come to an agreement 45 minutes and never see each other again?

Because there's the implementation of the deal.

Even if it's only payment.

So the data is flawed based on the way it was collected.

It's a highly flawed study.

And all data is flawed as you know as a scientist.

You just got to be aware what the flaws are and decide whether or not that destroys the study.

Or what do you think?

Take a look at the data.

There's no such thing as perfect data.

Look at the data.

See what you think of it.

The data that says that strategic umbrage works is based on flawed circumstances.

Can you explain strategic umbrage?

Get mad scaring the other side into a deal.

Getting mad at using anger strategically to bully the other side into an agreement.

That's nice to hear in some sense.

It's nice to hear that empathy is the right way in almost all situations.

Best chance of success.

Not that it works every time, just it works more than anything else does.

What is the technique of mirroring?

There's a lot of cool stuff in your book.

They just kind of jump around.

What's mirroring?

Mirroring is like it's one of the most fun skills because it's the simplest to execute.

You just repeat one to three-ish words of what somebody said.

Usually the last one to three words.

What I found about it is the people that really like mirroring love it because it's so simple and so effortless and invisible.

They typically, for lack of a better term, tend to be both high IQ and high EQ.

Like I'm not a high IQ guy.

I'm an average dude.

I like to think that I can learn.

In EQ, emotional intelligence is a skill you can build and I'm always working on building it.

But a lot of really regular average people will be like, mirroring that's stupid.

I'm not doing that.

I don't know why they don't like it.

But when I find somebody that loves to mirror, I'll always ask them, how'd you score on IQ?

Typically, their IQ is pretty high.

I don't know why that combination attracts people to mirroring because there's nine skills.

Eight from hostage negotiation and the ninth really was tone of voice.

We just define that as a skill.

And each one is different and focuses on different components of the conversation.

And a lot of people don't like to mirror.

They found it so awkward.

Like I don't particularly, I'm not particularly strong in mirroring.

I got to do it intentionally.

I'm good at labeling.

But does it almost always work?

Oh yeah.

Yeah.

It feels maybe awkward, but it's true.

There's got to be ways to signal that you're truly listening.

That's part of it.

I think you can do body language.

Yeah.

There's a lot of ways to signal that, but mirroring is probably just this trivial little hack. It kind of is.

You know what?

There's a situation.

I had a conversation with Stephen Codkin.

He's this historian.

And he would say my name a lot throughout the conversation.

He would be like, well, you have to understand Lex.

And for some reason that was making me feel really good.

I was like, he cares about me.

And I wonder if that key, if everyone has that key, that could be the name.

Just using people's name could be powerful.

Using the name is really context driven.

It can be extremely powerful with someone who's genuine.

And it comes across in their demeanor.

And it's used in a way that you can tell is meant to encourage you as opposed to explore it.

Sure.

And the people that are really into exploiting will also use it and do the same thing.

So you have to avoid using the things that people that are exploiters, manipulators use.

Because it might signal to others that this person is trying to trick me.

You've got to be very conscious of it.

What's labeling that you mentioned, the thing you like?

Well, I said earlier that old progression from you sound angry to this is probably going to be angry.

Dude, I know you're angry.

Labeling is hanging a label on an emotion or an affect.

And then just calling it up.

Is that almost always good?

Could it be a source of frustration when a person is being angry and you kind of put a label on it, call out the elephant?

Is it possible that that will lead to escalation of that feeling versus resolution?

Well, what would make it bad?

If I'm pointing out like that, blatantly obvious.

Like if I say, look, I need you to get up and go down to the bank and make the deposit.

Let's say I'm talking to somebody who works in my company.

I need you to get on the phone with this person and make the appointment.

And they go, sounds like you want me to talk to this person.

Yes.

That would be annoying.

If it's just so absurdly obvious that there's no insight in your label at all.

And as soon as you're demonstrating an awareness or a subtlety or an insight, either to you or to them, now we're making progress.

So the only time a label could ever potentially be kind of productive is like if you weren't actually listening and the label indicates that you're not listening.

I'm teaching at USC and I'm teaching labels and one of the kids in a class, he just wants to take the skills and make his deals and just hustle them.

And he's just looking for a hustle.

So he writes up a paper about, you know, he goes, there's some malls, I think over by Palm Springs or someplace, some out of malls, a lot of people go to buy suits.

So he goes in there and he immediately starts to bargaining that my book teaches with no empathy.

And he's like, throws a price to the guy and the guy's like, no.

And he throws another price to the guy and the guy's like, no.

And then he says to the guy behind the counter, sounds like we can make a deal.

Like, no, it doesn't.

I just shot down everything that you just said.

If anything, it sounds like we're never going to make a deal.

But he tried to use this label for manipulation.

Now the guy didn't get mad on the other side, but it's like, clearly this dude is not listening to me.

And at the core of everything, you have a bunch of like, you know, almost like hacks, like techniques you can use, but at the core of it is empathy.

That's the main thing.

You can be able to just sit there and listen.

And perceive.

Yeah.

And look for insights.

You know what?

I like silence.

Or you're like, you're both sitting there chilling with a drink, looking up at the stars.

There's a moment, the silence makes you kind of zoom out and realize you're in this together.

As opposed to playing a game or some kind of like chess game of negotiation, you're in it together.

I don't know.

There's some intimacy to the silence.

And like, if I, I'll ask a question and just let the other person sit there in silence before they answer.

Or vice versa.

They ask me a question.

I sit there in silence.

That's a big, feels like a big intimate thing.

Yes.

And the other two types until they've experienced that are afraid of it.

And what I'm actually going to do is for whatever reason, I'm really, I'm really comfortable with silence.

I think because I've experienced its effectiveness and also my son Brandon, like he's the king of dynamic silence.

Like he coaches people, he says, go silent, count thousands to yourself.
Don't stop till you run out of numbers.
That's a good line.
He's also good for good lines.
He is.
That is.
And so there's so much to it.
But the other two types are natural wiring against it.
Why until they've experienced it.
And you know, your gut instinct, intuition is giving you data once you've experienced it.
Yeah.
But your amygdala is kicking into gear again.
Sorry.
I realized it's more complicated than that until you've experienced it.
So accommodators, hope based.
How do they signal fury?
The silent treatment.
So when you go silent, they're scared the death you're furious.
Yeah.
Because that's how they indicate it.
The assertive thinks they use the analyst when silent because you wanted to talk some more.
When a point of fact, either you're thinking or, and I love your description, the feeling of intimacy and silence and experiencing the moment because I'm actually going to factor that into trying to get the accommodators love shared intimacy.
They would love to experience a moment.
And I can see that being very compelling, them be willing to cross that chasm and experience and see how, see how it works for them.
Yeah.
It's nerve wracking, which is why it's intimate because you start thinking, what's the other person thinking?
We're actually going to do this.
And we're going to sit here for 10 seconds and count.
I mean, there's tricks to it.
I guess like Brandon says is to just count it out and realize through data that there's intimacy to it.
I had a friend of mine, he lost his voice because he's singing.
So he couldn't, the doctor says he can't talk for a week, just to heal the voice of the vocal cords, but he hung out with other people with friends and didn't talk to them.
He just hung out and he said it was really intimate.
They both didn't talk to each other.
They just sat there and enjoy time together.
I don't know.
It's a wake up call.
It's the thing to try maybe with people in your life.

Just hang out and don't say anything.

As an experiment, don't say anything the entire day, but spend time with it.

We're trying.

Yeah, definitely.

It's interesting.

I haven't tried it myself.

It seems, it's kind of like a silent retreat, but more active as part of like regular everyday life.

Anyway, is there other interesting techniques we can talk about here?

So for example, creating the illusion of control.

Yeah.

It's principally by asking what and how questions, because people love to tell others what to do or how to do it.

It does a lot.

That was really the way when the book was first written that we really thought about what and how questions.

It's giving the other side the illusion of control.

And there's a lot more to it than that that we've discovered.

I mean, it triggers deep thinking, it wears people down.

Deep thinking can be exhausting.

And you want, so what's the role of exhaustion in negotiation?

Is that ultimately one of the...

You've got to be careful with that.

Some people exhaust intentionally.

One of my negotiation heroes, a guy now who's unfortunately suffering from dementia and Alzheimer's, John Domenico Pico, is the UN hostage negotiators that got all the Western hostages out of Beirut in the 80s.

And he wrote a book called Man Without a Gun.

And I acquainted with Johnny at this point in time to think, I don't think he has any memory of who I am at all.

But he writes in his book, one of the great secrets of negotiation is exhausting the other side.

Political negotiations that could be, Johnny was very deferential.

He was in the middle of in the 80s, leading up to about 1986-ish.

Every negotiation involving warring parties in the Middle East that you can imagine.

He was in Cyprus.

He was in Afghanistan, Iraq and Iran.

The Iranian government had tremendous trust in him as a representative of the UN, got all the Westerners out of Beirut, and he was just ridiculously patient.

And then which side found exhaust would often find exhausting?

So exhaustion can't be a component of finding resolution and negotiation.

If it tamps down the negative emotions, often exhaustion will tamp down negative emotions.

The real trick is really getting negative emotions out of the way, because you're dumber in a negative frame of mind.

So the goal is always positive emotion, as you talk about.

That's what you're always chasing together.

I think so.

And that's what that's right, it's about.

Yes.

Like, whatever the chemistry you're triggering in your brain, you're like, yeah, yeah, we're doing good here.

Yeah.

I think so.

Long term for long term success, absolutely.

How is the word fair used and abused?

The F-bomb.

The F-bomb, as you call it.

How is it used and abused in negotiation?

It's usually used, it's most frequently used as a weapon.

It's abused as a point of manipulation.

It's what people say when they feel backed into a corner and they can't come up with any legitimate reason as to why they're being backed into a corner.

Like nobody uses the word F, the F-bomb, nobody uses the word fair when they've got criteria to back them up.

So consequently, when somebody starts dropping out, you got to realize the other side's got no legitimate outside criteria.

They're feeling very vulnerable.

They can't explain it, but they feel defensive.

And it saying, hey, look, I've just, I've given you a fair offer is a way for me to knock you off your game if you're not aware of it.

So a lot of cutthroat negotiators are going to use it on you to knock you off your game.

The NFL strike probably now, it's been a good 10 years ago, and maybe even longer than that.

One of the sticking points was the owners were not opening their books to the players.

They just wanted to see the numbers.

And in order to not open their books, they just sent a rep to held a press conference saying, we've given players a fair offer.

Well, if it was fair, you'd open your books.

If you gave them a fair offer and it was justified by what was in your books, you'd open them to prove your point.

So what ends up happening though, that well, the owners gave the players a fair offer starts to get picked up in the media.

And then it starts getting repeated.

And now, now that different people on a player's side are going like, maybe they have given us a fair offer, it caused people to be insecure about their own position.

It's an enormously powerful word that can be used and abused.

And it almost always comes up in every negotiation.

It's shocking the number of times it comes up with people who don't really understand how or why it's coming up.

So usually it's a signal of a not a good place in the negotiation.
Without question, I'm completely convinced that if the person is using a word as a means of getting what they want, then either accidentally or on purpose, either in their gut or they know they got a bad position or their gut is afraid that they are.
Do I use the word?
What I'll say is, I want you to feel like I've treated you fairly.
And if any given point in time, you think I'm not treating you fairly, I want you to stop me and we're going to address it.
Big ridiculous question, but how do you close the deal?
How do you take the negotiation to its end?
Is it implementation ultimately?
You've got to pivot to agree upon implementation, to really move out on the negotiation.
And I may say, how do you want to proceed?
And if you don't know, I might say, no more into question, is it a ridiculous idea if I share with you some ideas of how to proceed?
And then you agree on the actual steps and that's the implementation, it's not just the philosophical agreement, it's actual steps.
The big problem in all negotiations is a lack of discussion of next steps.
That's deep.
Who is the best negotiator you've ever met?
Yeah, actually probably my son, Brandon.
Yeah?
Yeah, he's ridiculously talented.
I mean, he's ridiculously talented.
And yeah, he's, you know, and what was it, the Coil's book, the Culture, the Telecode says that, you know, people just noticed it and started getting good at it.
There's no such thing as a child prodigy, he's just got interested when they were kid.
I mean, Brandon started learning how to negotiate when he was two years old.
And he's been in it and immersed in it, you know, since he can make complete senses, even before he can make complete senses.
He's ridiculously talented.
What's his future?
What's he want to do?
He has been involved, he's run and built my company and now he's going to be an affiliated licensee run his own operation.
He's pretty much going to end up doing very much, he's going to open his entrepreneurial opportunities to do whatever he wants and not have his dad say no.
And do a better job than his dad.
Most likely.
Yeah.
Okay.
Do you see some of the techniques that you talk about as manipulative?
Manipulation is whether or not I'm trying to explore it, you hurt you.

Am I trying to manipulate a bank robber and to let me save his life?

Yeah.

So manipulation is like, what am I trying to do to you?

Yeah.

So, but you don't see the negative connotation.

If you're trying to bring a better future, it's not manipulation.

If I'm trying to bring a better future from being genuine and honest, I compliment you.

If my compliment is genuine, that's not manipulation, but if I think you got a pair of shoes that are the dumbest looking things I've ever seen, and I go, wow, those are great shoes.

Now that's manipulation.

So there's guys I call Warren Buffett who are big on integrity and honesty.

What's the role of lying in an effective situation?

Lying is a bad idea.

Lying is just a bad idea for a variety of reasons.

First of all, there's really good chance the other side is a better liar than you are.

They're going to spot it right off the bat.

Secondly, they could be luring you into a trap to see if you will lie.

Thirdly, the chances are they're going to find out that you lied to them eventually is really high, and then the penalties and the taxes are going to be way higher than what you had in the first place.

So long term, you want to have a reputation of somebody with integrity, and the more you lie, the harder it is to maintain their reputation.

Yeah, exactly.

And when it's going to get out.

Yeah.

So what's the, if we can just return to that question, what's the difference between a good conversation and a good negotiation?

Can we, because I think just reading your work, listening to you, there's a sense I have that the thing we're doing now and just conversation on podcasts and so on is different than negotiation.

It feels like the purpose is different.

And yet having some of the same awareness of the value of empathy is extremely important.

But it feels like the goals are different or no.

Really close, fine line.

I mean, I, you know, I ruled in here not having any expectations, not looking for anything other than having an interesting conversation.

And to hear what was behind the questions that you're asking me and what interests you.

And then also your description of silence and the power of silence, something I'm going to take away as a learning point and help learn to teach others.

But I ain't come in here, I suppose a negotiation is when we're both aware of a problem we're trying to solve.

Right.

There's no problem in the room just to solve, except maybe like the human condition.

And.

Insight.

You know, wisdom.

Insight.

Learning.

How do you train to become better at negotiating in business and in life?

Yeah.

Just small stakes practice for high stakes results.

I mean, decide what kind of negotiating resonates with you.

I mean.

What's that mean?

Small stakes practice for high stakes or small stakes.

It's a small little incremental, like picking up girls at a bar or what are we talking about?

Well, it can be for some people that's high stakes practice.

Well, you know, labeling mirrors, what are the basic tools of great negotiation?

Labeling mirror, paraphrasing, summarizing.

So you start labeling a mirror in people that you just have regular interactions with just to gain a feel for whether or not you can read somebody's affect or how accurate your read is to get better at it.

And so, you know, label the lift driver or the grocery store clerk or the person behind the airline counter at the airport.

So putting a label on their affect.

Or throwing something at them that, because negotiation is a perishable skill.

Intelligent intelligence is perishable.

So seeing if you can indicate that you understand their label.

One of my favorite labels to throw out on somebody, which, you know, maybe re-level,

I might look at somebody who looks distressed and I'll go tough day.

So several years ago, I'm at the counter at LAX, and while I'm waiting the line to get to the counter, and a lady behind the counter is clearly making an appointment to not meet my eyes so that I don't approach.

And she looks and so like, you know, you know, when you're next in line and they're making sure that you don't meet eyes.

And I'm thinking to myself, all right, so they're having a bad day.

So I walk up and as soon as I approach the counter, I go tough day.

And she kind of snaps around and she goes, no, no, no, no, how can I help you?

And goes out of her way to help me.

Now, I'm practicing, but I also know I made her feel better, relieved some of the stress.

So now I'm going to TSA.

I want to look for people who are having a tough day.

That's a good place to find them.

It's a good place to find them, practice.

And I'm rolling through the line and I realize I haven't tossed a label out on any one of these guys.

And there's this guy watching the bags come out of the X-ray machine.

And he's just kind of got an indifferent look on his face.

And I go tough day.

And he kind of goes, I can see from his body language like, no.

And I go, just another day, huh?

And he goes, yeah, just another day.

You know, he felt seen, but I missed and I'm practicing and I'm trying to stay sharp.

So these are the small...

Just a few words.

With just a few words, you're trying to like quickly localize the effect and the label on it.

Nice.

Very, very, very analytically said.

Thank you.

I'm not letting it go.

I love it.

Does the same apply to just conversation in general?

Just how to get better at conversation.

I think a lot of people struggle, they have insecurities, they have anxiety about conversation.

As funny as this to say, I have a lot of anxiety about conversation.

Is that it basically do the same kind of practice, practice some of the techniques.

Yeah, genuinely, just trying to make sure you heard somebody out.

Yeah.

What's the best conversation you've ever been in, except this one, of course.

Wow.

I mean, not the best conversation, but what stands out to you as conversation that changed you as a person, maybe?

Well, there's probably been a lot of them along the way.

But one that I remember on a regular basis, actually there's two, but when I was in the bureau, I'm at Quantico, I'm there for an in-service, there's another guy from New York, buddy of my name, Lionel, and we're both trying to decide whether or not we want to be trying to get into profiling or negotiation, because they're both about human dynamics, and both of us really like human dynamics, and we're sitting around talking about it, and we're talking about several things, and he labels me, and I knew he didn't know what he was doing.

I think he was just, he had picked it up, and I'd been talking about my family, quite a few things, and he said to me, and I never said this directly, that we were close, but he said to me, it sounds like your family's really close, and I can remember in a moment like this feeling, just like I felt great in the moment.

I mean, what he said just drew together everything that I'd been saying and nailed the essence of it, and I have a very clear recollection of how good that felt in a moment.

So a couple years later, I'm on a suicide hotline.

Now I got this line in the back of my head, you know, line, technique, reaction, read, whatever you want to call it.

Guy calls in on a hotline, and I could tell the dude is rattled by his tone of voice.

I mean, just amped up, and he goes, you know, I'm just trying to put a lid on the day, I

need you help putting a lid on the day, I got to put a lid on the day, and I go, you sound anxious, and he goes, yeah, and he came down a little bit, and he was a guy that was telling me about, he was battling a disease of paranoia, and he's going to go on a car trip with his family the next day, and he knew that on the car trip, he was going to, you know, twist himself in the knots, and so the night before he's twisted himself in the knots.

And he's laying out everything that he's done to try to beat paranoia and how much his family's helping him, and he's going on a car trip with the family because they're going to take him to see a doctor.

And so I hit him with the same thing that my buddy Lionel said, it sounds like your family's close.

He goes, yeah, we are close, and he leveled out a little bit more, and then he started ticking off all the things that he was doing to try to beat paranoia, and he sounded determined, and so I said, you sound determined, and he goes, yeah, I am determined, and I'll be fine tomorrow, thanks.

And that was all I said.

So those two conversations, which are overlapping conversations, those two things really stick out in my mind.

Do those things, like through all the different negotiations and conversations you've had, do they kind of echo throughout, like you basically, because when you empathize with other human beings, you start to realize we're all the same, and so you can start to pick little phrases here and there that you've heard from others, little experiences that we're all about, like we all want to be close with other human beings, we all want love, the world, I think we're all deeply lonely inside, looking for connection, if we're honest about it.

And so all humans have that same, all the same different components of, or what makes them tick.

So do you kind of see yourself basically just saying the same things to connect with another human being?

Yeah, there aren't that many different things that we're looking for understanding on or connection on or satisfaction of, there just aren't that many of them, regardless.

And so yeah, you're looking for it to manifest itself in some form or another, and you're willing to take a guess on whether or not that's what you're saying or hearing.

What advice would you give to me to be better at these conversations, to me and to other people that do kind of interviews and podcasts and so on?

Wow.

I really care about empathy as well.

Is there kind of as a lifelong journey in this process?

Yeah, well, I think I would advise you to take that approach, which is your approach that you're taking, you care about it, you're very curious about it, you see it as a lifelong journey, you're fascinated by it, you enjoy learning about it, and you definitely do see it as a lifelong journey as opposed to, this is what I can, if I can acquire this, then I can manipulate people.

No, I mean, I fall in love with people I talk to.

There's a kind of deep connection and it lingers with you, especially when I'm preparing the more material there is in a person, the more you get to fall in love with them ahead of time, you get to really understand, not understand, but what I mean by fall in love is- Well, appreciate, huh?

Appreciate, but also become deeply curious, that's what I mean by fall in love.

You appreciate the things you know, but you start to see like Alice in Wonderland, you start to see that there's all this cool stuff you can learn if you keep interacting with them, and then when you show up and you actually meet, you realize, it's like more and more and more and more, it's like in physics, the more you learn, the more you realize you don't know, and it's like really exciting, and then it could also be heartbreaking because you have to say goodbye, goodbye, I hate goodbyes, I hate goodbyes.

Seems terminal, right?

Yeah, it reminds me that I'm gonna die one day.

Like things end, good things end, it sucks, but then it makes the moment more delicious, you know, that you do get to spend together.

Yeah.

Okay.

I just want to, I completely forgot, I wanted to ask you about this, the 738, 55% rule.

This is really interesting, is there an all truth to it, that 7% of a message is conveyed from the words used, 38% from the tone of voice and 55% from body language, is that really true to that?

All right, so Albert Morabian, I think is the name of the UCLA professor that originally proposed the 738, 55 ratio and discussed it in terms of that it wasn't the message, but how much, he called it liking.

Like are you, not that your, the meaning is coming across, but you're liking of the message.

And so that's been extrapolated heavily by people like me to this meaning of the meaning in 738, 55, from liking to the meaning.

What I've seen regularly is people that communicate verbally, if they're speakers, Tony Robbins, 738, 55 guy, he throws the ratio out there, go, that's it exactly, that's exactly how the message comes across, this is how we got to balance it, this is how we got to do it.

Those that communicate principally in writing, the meaning of the words are much more important to them.

So they're deeply uncomfortable with 7 being the words, because the content, the words, the meaning of the words.

When you're writing, it's so important that you hate to poo-poo it that way.

So I, first of all, I 1,000% believe it's an accurate ratio, but the real critical issue is not what the ratio of those three things are, it's what's the message when they're out of line?

Like what's the message when the tone of voice is out of line with the words?

Like it don't matter what your ratio is, you got a problem if their tone does not match their words.

And that's hard to really put a measure on exactly, even in writing, there's a tone.

I mean, it's not just, even in writing, it's not just the words, there's the words, but there's like a style underneath the whole thing.

And there's something like body language, the presentation of the whole thing.

I mean, yeah, I'm a big fan of constraint mediums of communication, which writing is or voice like clubhouse.

There's a personality to human being when you just hear their voice that there's, it's not just, you could say it's the tone of voice, but there's like, you can like, what is it?

The imagination fills in the rest.

Like when I'm listening to somebody, I'm like, I'm imagining some amorphous being, right?

Doing things.

When they get angry, I'm imagining anger.

I don't know what exactly I'm visualizing.

Well, and so you may think of a funny story because we were talking about your buddy Elon before.

And I told you about, that I'd interacted with some of the senior executives.

So I know that they love working with him and I think he's an interesting guy and they realized that he can be funny and he jokes around.

So they're telling me, during this conference call, just words and a guy on the other end of the line says something that wasn't, wasn't, was wrong, but wasn't bad.

And so they said, they're on a phone and Elon goes, you're fired.

And then everybody in the room with him can see that he's joking.

But the person on the other side can't, and they're all going away, wait, wait, wait, they can't see your look on your face right now.

You got to stop.

You got to stop because the guy on the other side is dying right now.

He doesn't realize you're joking.

So there was, you know, there were the words and the tone of voice and, but it lacked the visual to go with it.

Nevertheless it was probably funny.

I'm sure it was very funny at the time.

Maybe not to him.

Just as an interesting to ask, I don't know if you're following along the developments of large language models.

There's been something called chat GPT.

There's just more, more and more sophisticated and effective and impressive chatbots, essentially.

They can talk and they're becoming more and more human like.

Do you think it's possible in the future that AI will be able to be better negotiators than humans?

Do you think about that kind of stuff?

Well, so definition of better or versus less flawed.

Like they're, you know, the chatbots have been out there for a long time and probably about five years ago now a company approached us because they were doing a negotiation chat button and they said two things.

First, first of all, I said, you know, why are you talking to us?

I said, well, in point of fact, we already spoke to the people that are teaching quote the Harvard methodology and, you know, the rational approach to negotiation just doesn't

work.

The rational approach just does not work.

Our chatbots are not getting anywhere, but we're showing in around about 80% of the interactions a higher success outcome with these chatbots.

And they showed me what they were doing and it was still a lot deeply flawed emotional intelligence wise, but the reason why that they were having higher success rates is the chatbots were never in a bad mood and you could reach out for a chatbot in the middle of the night.

So if you were talking to somebody that was never upset and was always available, then you're going to have a higher success rate.

Things go bad when people are in a negative frame of mind.

So the natural ability of a chatbot to be positive is just going to give you a higher success rate.

Yeah.

And then they're not going to get mad and argue with you.

You know, you say to a chatbot, you know, your price is too high, chatbot is designed to come back with a smiley face.

You say to a person, your price is too high, they go, how dare you, I'm trying to make a living.

You know, they're going to go off the deep end.

Unfortunately, or fortunately, I think the way chatbots are going now, they will come back negative because they're becoming more human, more and more human-like.

That's the whole point.

To be able to pass the toying test, you have to be negative.

You have to be an asshole.

You have to have boundaries.

You have to be insecure.

You have to have some uncertainty.

Well, it's them between having boundaries and being negative.

Like you threw a proposal at me, before I say no, I'm going to say, look, I'm sorry, that just doesn't work for me.

I'm going to set up a real clear boundary without being negative.

So a lot of people really struggle with setting boundaries without being negative, without name calling, without indignation, without getting upset.

But see, when you show that you're not getting upset, I'm not just seeing that, I'm seeing a flawed human that has underneath it a temper, underneath the ability to get upset, but chooses not to get upset.

And the chatbot has to demonstrate that.

So it's not just going to be cold and be this kind of corporate, blank, empty, sort of like vapid creature that just says, oh, thank you.

Thank you for saying that.

No, it's basically, you have to, the chatbot has to be able to be mean and choose not to be.

Interesting.

I don't know.

Maybe not.

But I'd be willing to see that play out and see how it plays out.

But I guess what I'm saying is to be a good negotiator.

You have to have the capacity to be a bad person and choose not to.

Really?

I think so.

See, I think you just got to have the capacity to set a boundary and stick to it.

Interesting.

Because I think it's hard for me to trust a person who's not aware of their own demons.

Because if you say you don't have any demons, if you don't have any flaws, I can't trust you.

Yeah.

Well, it's first of all to lie, right?

So somebody's lying.

Right.

This is back to life.

Yes.

So you have to have a self-awareness about that, but you be able to control it and demonstrate the ability to control it.

I mean, this is humans.

I just think humans, intelligent, effective humans, they're able to do this well.

And chatbots are not yet.

And they're moving that direction.

It makes me think about what is actually required for effective negotiation.

That's what AI systems do is they make you ask yourself, what is it that makes humans special at any discipline?

What is it that makes humans special at chess and go games, which AI systems are able to beat humans at now?

What is it that makes them effective at negotiation?

What does it make them effective at something that's extremely difficult, which is navigating physical spaces?

So doing things that we take for granted, like making yourself a cup of coffee is exceptionally difficult problem for robots.

Because of all the complexities involved in navigating physical reality, we have so much common sense reasoning built in just about how gravity works, about how objects move, what kind of objects there are in the world.

It's really difficult to describe because it all seems so damn trivial, but it's not trivial.

Because a lot of that we just learn as babies.

We keep running into things and we'll learn about that.

So AI systems help us understand what is it that makes humans release?

What is the wisdom we have in our heads?

And negotiation to me is super interesting because negotiation is not, it's about business,

it's about geopolitics, it's about running government, it's basically negotiating how do we, the different policies, different bills and programs and so on.

How do we allocate money?

How do we reallocate resources, all that kind of stuff.

That seems like AI in the future could be better at that, but maybe not.

Maybe you have to be a messy, weird, insecure, uncertain human and debate each other and yell at each other on Twitter.

Maybe you have to have the red and the blue teams that yell at each other in the process of figuring out what is true.

Maybe AI systems will not be able to do that and figure out the full mess of human civilization. Yeah.

Interesting.

Well, I mean, the two thoughts that I had along the way was, I mean, anytime you're talking about systems or scaling, my belief is chatbot systems, things that don't require decision making, just following the instructions, at least 80% of what's going on.

Now, the remaining percentage, whatever it is, does it require the human interaction and what's required?

I'm not pro-conflict and I also know that there's a case to be made in the creative world that some of the best thinking came out of conflict.

Human interviews are bono, you too.

Their admiration for some of the Beatles' best music came when they were fighting with each other and the song one, Octune Baby, which I believe from the album, Octune Baby, those guys were fighting.

I mean, they were on a verge of breaking up and their appreciation that conflict could create something beautiful.

And then when I was in the crisis negotiation unit, my last seven years in the FBI, there was a guy that named Vince, brilliant dude, brilliant negotiator, and he and I used to argue all the time.

And then when we had a change in the guy who was in charge, the guy who was in charge took me off to the side and he's like, I can't take you and Vince fighting all the time.

And I said, well, I got news for you, I think we come up with much better stuff as a result of our battles.

And he said, you know, Vince said the same thing to me.

And I'm like, so well, if we don't have a problem fighting, why do you have a problem?

But you know, there is something there that sometimes the most difficult insights, you rack your brains as to why someone is so dug in on something that you think is so wrong.

Yeah, maybe there's something to it.

I think there's something to it.

There's something about conflict, even drama that might be a feature, not a bug of our society.

Yeah, interesting.

Do you think there will always be war in the world?

Yeah.

So there will always be a need for negotiators and negotiating.

Well, as it turns out, why do you think there will always be war?

Is it what's your intuition about human nature there?

Yeah, just because we're basically 75% negative.

And then for lack of a better term, I call it two lines of code.

Like somewhere when everybody, when we were little, somebody planted in two lines into our head.

We don't know when it got in there.

But somebody said something to us that stuck.

And there are a lot of people that had some really negative garbage dumped in their brain when they were little and just based on the numbers.

What kind of opportunity they were given afterwards?

Did they ever have an epiphany moment when they genuinely believe they can get themselves out of it?

Like, what is it, one of Joe Dispenza's book is breaking the habit of being yourself.

Yeah.

Like, how do you get at that two lines of code that either mean or well-intentioned but stupidly speaking, adults said to you at the wrong moment and planted in your brain?

The chances of everybody on earth getting that out, even a majority of people on earth getting that out of their heads is really small.

What advice would you give to a young person today about how to have a career they could be proud of or a life?

Maybe something in high school, college, trying to figure out their way in this world.

It's probably a take on a cliché of do what you love, but if you figure out your ideals and pursue your ideals and stick to them when it costs you.

Like a guy I admire very much, Michael Moguil, runs this Operation Crisp video in Atlanta.

One of his talks, he would say, core values are what you stick to that cost you money.

It's not a value that really matters to you unless it's costing you and stick to your values.

Now, when I was in the FBI, I worked really hard at the number one core mission of the FBI is protect and defend the American people.

So I could pursue that value at all times, which I did, or I could follow the rules.

You don't have time to do both.

When did you know you found what you love?

When did you fall in love with whatever this process is that is negotiating?

I think it was in a conversation on the suicide hotline that I was telling you about earlier with the guy who was paranoid when I thought, I can have that significant of an impact on another human being in this short of a period of time.

That's really cool.

How hard is it to talk somebody off the ledge?

So this question is a big question, why the hell live at all?

How do you have that kind of deeply philosophical, deeply psychological, and also practical conversation

with somebody and convince them they should stick around?

Well, it's more clear than the clutter in their head and let them make up their own mind.

That was what volunteering on suicide hotline was really about.

Let me see how quickly I can clear out the clutter in your head if you're willing to have it cleared out.

Did you call here because you're actually looking for out, or did you call here to fulfill some other agenda?

Are you willing to clear the clutter in your head?

Not everybody is.

So once you clear out the clutter, there's a somewhat hopeful chance that you'll continue for another day?

Yeah.

If you step back, very few people that commit suicide physically are up against it that hard.

Most of them, by and large, are pretty intact physically human beings.

They're struggling with emotional stuff, but it's an emotional issue.

It's not a physical issue.

So if you were to be a complete mercenary, a guy I'm a very big fan of, a guy named Mark Pollock, a born great athlete, lost his eyesight and then became paralyzed.

He's an emotional leader.

He's about helping people thrive and live great lives.

Mark was born, he was a spectacular athlete.

First he lost his sight in one eye, then he lost his sight in the other eye, and then he fell out a window in a tragic experience.

If there was ever a dude that was saying, like, live and sucks, and if there's any doubt in my mind, something worse happens to me every few years, but Mark's about being alive and inspiring other people.

So the hard part with navigating with somebody who's tossing it in because there's a chemical imbalance or it's the way they're interpreting the world.

There's clutter in their head.

Can you help clear that clutter in their head?

And help them by themselves, inspire them to reinterpret that world as one worth living in.

Yeah.

What do you think is the meaning of life that was lost?

Why live?

What's a good reason?

Well, I have very strong religious beliefs, spiritual, you know, I don't, a thousand percent, if you were to try to confine me in a box, I'd be a Christian, I have tremendous respect for the Jewish.

I don't think any religions got it nailed exactly.

Again, you know, I keep mentioning them, I'm kind of a Bono Christian.

I think Bono is like what, and I'm going to butcher it, but, you know, my belief in Jesus is what I've got after Christianity leaves a room, you know, the dogma of man's application of spiritual beliefs.

So that being said, I truly believe that my life was a gift and there's a purpose here and, you know, for my creator decided that I woke up in the morning because he still

had some cool, interesting things for me to do.

And you have gratitude for having the opportunity to live that day.

Yeah.

Well, you do one heck of a good job at living those days.

I really appreciate your work.

I appreciate the person you are.

Thank you for just everything you've done today for just being empathic, honestly.

You're a great listener, you're a great conversationalist, it's just an honor to meet you and to talk to you.

This was really awesome, Chris.

My pleasure.

Thanks for listening to this conversation with Chris Voss.

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And now let me leave you some words from John F. Kennedy.

Let us never negotiate out of fear, but let us never fear to negotiate.

Thank you for listening and hope to see you next time.