**The Listening Triangle: A Tool for Exploring Interests in Negotiations**

Ever since Getting To Yes (Fisher and Ury 1983) introduced the concept of interest-based negotiations, negotiators and mediators have been on a quest to understand and use the interests of people at the negotiating table to reach efficient and workable resolutions for all involved. Interests, as defined, are the underlying needs, motivations, desires, and fears that drive people in their words and actions as they negotiate. The idea introduced in Getting To Yes was that negotiations based on understanding and satisfying the interests of the negotiating parties were much more likely to achieve good outcomes for the parties than those based on trading off bargaining positions.

Unfortunately, negotiators rarely communicate their interests directly as they talk to each other, if they communicate at all. For one, many people still approach negotiations with a competitive, positional view based on tactics rather than interests. They might come to a negotiation with some positions outlined in their minds and armed with tactics for moving through those positions. For instance, they might have an opening position, a bottom line position, an ideal ending position, and others that they define ahead of time and redefine during the course of the negotiations. Even in their own minds, these negotiators might have a difficult time relating those positions to the underlying interests that drive them, and at any rate, their tactical approach relies on keeping their cards close.

Even interest-based mutual-gains negotiators often lose sight of their interests part-way through the negotiations, as their emotions take over and their ability to think rationally diminishes. While able to articulate their interests ahead of time when they

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prepare for the negotiations, they become more positional as they feel pushed around by the negotiation process, by the other negotiator, and by their own unexpressed fears. For many, the fundamental interest of not wanting to be taken advantage-of or not wanting to lose in a negotiation pushes emotional buttons that make it difficult for negotiators to remain focused on their interests, instead hardening them in sometimes irrational positions. Furthermore, as their fears take over, people can become less communicative and less likely to share their interests with the other people at the table.

Finally, negotiators often either lack the communication skills or are blocked by circumstances from expressing their interests clearly during a negotiation. The fact that negotiations often occur coincident with conflict and stress further reduces people's ability to communicate as they would ideally like to. In an effort to be heard, parties to a negotiation will spend much of their time recounting histories of what happened to them, pointing blame at the other parties to the negotiation, and stating their demands going forward. Somewhere within all those words there are interests waiting to be understood and acted upon, but they rarely get stated directly. And that is in the good case. At worst, the environment of distrust and conflict combined with a tactical approach shuts down communication entirely, and negotiators communicate only through actions and reactions.

This situation begs a critical question facing interest-based negotiators. If the negotiation process for achieving good outcomes at the negotiating table relies on getting people to discuss their interests, but for all of the reasons outlined they are unlikely to discuss their interests, how do we get beyond those barriers and start exploring interests anyway? The Listening Triangle is a tool aimed at breaking this logjam by slowly

drawing out the interests of parties to a negotiation. The three corners of the triangle define the three basic steps in the process, which are repeated throughout the negotiation: (1) Ask open-ended, non-leading, non-judgmental questions, (2) Listen for interests, and (3) Reflect back what you've heard and understood.

**Ask**

If you want to know someone's interests, you have to ask. Simple enough to say, but in fact, not that easy to remember to do, and quite challenging to do well. One important reason people don't ask questions about interests is that they walk into their negotiations so full of assumptions about the other party or parties that they operate from their mental pictures rather than from the interests represented at the table that day. This is natural enough. Often times, negotiators have dealt with the other parties in the past, or have had similar experiences with other people. Their assumptions are also colored by their general experience, market conditions, the media, and cultural norms. Given all of this, being honest with yourself and humble about what you know and don't know, staying curious about the other party's interests, and remembering to ask is difficult to do.

In fact, the first negotiation you have to engage in is with yourself. You need to decide whether you really want to find out the other person's interests more than you want to talk about yourself. You need to decide to set aside your assumptions and judgments in favor of learning what there is to learn about your negotiating partner. Once you have convinced yourself to really try and learn the other party's interests, only then

do you have a chance at finding out. Now it's time to start the process by asking the other person a question.

There are many kinds of questions you can ask. One way of classifying questions is as open-ended or closed-ended. A closed-ended question has a short, one-word answer, typically "yes" or "no." Examples include questions such as "did you buy the item on sale?" or "will you agree to accept $1000 to cover the damages?" Closed-ended questions pose a premise and ask the other person to confirm or deny that premise. While closed-ended can be very useful in some situations, their specificity makes them less useful than open-ended questions as a tool for exploring another person's interests.

The problem with closed-ended questions is that they are not very effective at getting the other person to talk and limit how much you learn about their interests in the process. Open-ended questions, on the other hand, are really just prompts that encourage the other person to keep talking, and in the process reveal what is really driving them. Moreover, closed-ended questions place a great burden on the questioner to come up with the correct theory to test and with the right phrasing to get the other person to agree. With each closed-ended question, you only get confirmation or denial of your hypothesis, and if it's denial, you have to go back to the drawing board and come up with a new theory to test. This process ends up being a lot of work for you and yields scant results in terms of the other person's interests.

Open-ended questions can be a very effective tool in that they give the other person nearly all of the air-time and allow them to talk about whatever subjects matter to them most. Unfortunately, it is difficult to muster the patience to ask open-ended questions and wait for the other person to answer. People often take a lot longer to

answer our questions than we would like them to, and even when they talk, they often choose to address issues of importance to them rather than the ones we deem important. In some ways, it is much more fun to test our own theories by asking closed-ended questions than it is to let the other person drive the direction of the conversation, but it is also less effective than being patient and letting the process unfold.

It is also difficult to keep our own opinions and judgments out of our questions. It is natural to have opinions or judgments in many cases, and the temptation to try and guide the other person to the answers we wish them to have can overpower our desire to find out what is really on their minds. At the same time, if we yield to that temptation, we miss out on the opportunity to find out information about interests. In addition, people do not like to be judged or guided toward answers. The more they feel our presence in the questions, the less likely they are to speak freely in response.

If we truly want to encourage people to discuss their interests with us, we need them to feel as comfortable as possible. We need to become nearly invisible when we ask about their interests, and the questions themselves must be as neutral as we can manage to make them. Since this is so difficult to achieve, experience has shown that the shorter we make our questions, the easier it is to make them neutral. Try to keep your questions to no more than five words, and make them even shorter if you can manage it. Some great questions to employ include:

"What happened?"

"What's going on?"

"Why?"

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"What else?"

"What is important to you?"

"What then?"

And the list goes on…. Some of the best questions are not even questions at all, but instead short, open-ended prompts that encourage the other person to continue talking. Some examples include:

"Tell me more…"

"Anything else…"

"Like what…"

"And…"

"Please go on…"

If you feel stuck, and you don't know what to ask, "tell me more" or "anything else" will work nicely much of the time and will at the least buy to time while the person answers. To some this might seem too simple, but the beauty of it and the reason these questions and prompts work so well is precisely because of their simplicity. The more complex the question, the more likely we are to slip in our opinions and judgments inadvertently.

In addition, the more complex our questions, the more of our attention and energies are focused on thinking up brilliant questions and the less we seem to focus on the other person's responses. If you find yourself in a conversation where you are asking

a large number of long, complex questions, you are likely to find yourself very tired at the end of that conversation. This is especially true if your long, complex questions are closed ended to boot. You spend so much energy coming up with theories to test and figuring out the perfect wording to coax the other person to the answers you are looking for that you are doing all of the work. By the end of the conversation, you are exhausted, the other person is annoyed, and you have found out very little regarding their interests.

In summary, the first step in finding out another person's interests is to ask them, but for your questions to be effective in achieving this goal, they need to be short, non-judgmental, open-ended questions or prompts. The more you persist in asking questions of this nature, the more the other person will talk, and the more you will learn about their interests in the process.

**Listen**

After you ask your short, non-judgmental, open-ended question, and while the other person is talking, your job is to listen. Unfortunately, once again this is much easier in theory than in practice. In general, most of us don't listen to others as well as we should or could, and much of the time we are not even aware of our poor listening. The problem is that without listening, you can't hear interests. Yogi Berra said that "You can see a lot by looking and hear a lot by listening."

One good way to test your listening skills is to ask the people around you for their opinion of how well you listen to them. Oftentimes we think that we've been listening well, while our partners to the conversation don't feel listened to at all. It is important to

get a realistic assessment of our how well we are making those around us feel heard rather than to continue labor under the delusion that we are listening well while the people around us don't feel heard at all.

It's hard to listen well, because it's so easy to get distracted by other things. Oftentimes instead of really listening to the other person we find ourselves trying to think of the next thing to ask them. Sometimes what they say stirs a response in us, and while we are thinking of our reaction to the thing they said a moment ago, we are no longer listening to what they are saying at this time. Without thinking, we might start analyzing or judging what they say and get lost in our own thoughts, losing sight of where they've gone since then. Finally, life provides us with sufficient distractions to tempt our mind to wander regardless of what anyone else is saying. We might think of something we forgot to do, something that happened that day, or any number of thoughts unrelated to the subject at hand.

And yet, if we fail to listen as well as we might, for any of these reasons or for others, we are cheating ourselves out of opportunities to learn about the other person's interests. The very act of listening can encourage the other person to keep talking. Think of times when you felt really listened to by another person. When we listen, we make the other person feel good about talking to us. We make them feel valued and important and make them want to open up to us. Someone who met former President Bill Clinton once described the experience as one where he made her feel "like the most important person in the world" for the few minutes they talked to each other. When people feel valued and feel like what they have to say is treated with respect and interest, they reveal more of their interests.

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Conversely, when we don't listen to people, we make them feel small and unimportant. We invalidate not only what they are saying but them as individuals. There is no quicker way to shut someone down than to make them feel like they and what they are saying are of little interest to us. The impression they have of us as listeners and the feeling they have during and following the conversation depend upon our behaviors during the conversation. Both the non-verbal and verbal behaviors we exhibit, while varying from culture to culture, are watched closely by he other person and are interpreted as our interest in them and what they are saying.

Generally, it is helpful if we stop doing other activities while they are talking, face them and maintain eye contact, nod and respond with facial gestures that correspond to what they are saying, and stay focused on them throughout the time they are talking. Verbally acknowledging what they are saying and asking follow-on questions is also helpful. People are often looking for some acknowledgement that we have heard what they've said and have understood their meaning. It is important that all of these verbal and non-verbal gestures be sincere and come from a true desire to understand the other person and their interests. If we try to fake it or merely go through the motions of listening, the other person will detect this and will likely shut down worse than if we had done nothing at all.

In addition, it is very important to be both patient and silent while the other person composes themselves and figures out what to say. It is often the case that our mind races ahead faster than they can respond to our question, and it is difficult to wait them out. Too often we interrupt by embellishing our question or by asking another question altogether. In our impatience, we try and answer the question for them. In doing so, we

rob them of the opportunity to express their interests and rob ourselves of the opportunity to learn them.

There is a lot of power to the spaces between the words, and we need to give that power time to work. After we ask our short, non-judgmental, open-ended question, we need to give the other person the time and space to reflect on our question and answer it. It is best to stay absolutely silent until they respond. Sometimes uttering one syllable can dramatically weaken the power of the question we had asked. It may even be helpful to avert our eyes from them in order to take the pressure off of them. If we wait them out, they will eventually start talking, and generally what they say will be of great interest to us in that they will reveal some important aspect of the interests that are driving them.

Of course, the main reason we listen is to hear the other person's interests. This is much harder than it sounds, because as mentioned earlier, people don't express their interests directly. A negotiator or mediator must develop an ear for interests in order to pick them out of all of the noise and other information coming from the other person. Developing a keen ear for interests is a difficult skill and takes quite a bit of time to refine. It is not unusual for new negotiators or mediators to take up to a year before they feel as skilled as they would like to in this area. That's the bad news. The good news is that you can practice these skills all the time, not just when you are negotiating formally. Any time anyone says anything to you try to use it as an opportunity to try and hear their interests. In time, you will find that the fog will clear and you will be able to pinpoint what is driving the people you are talking to with greater speed and accuracy.

The combination of asking short, non-judgmental, open-ended questions, waiting patiently for the other person to respond, and listening attentively once they do respond is

extremely powerful. The person will feel valued and will continue to talk, revealing a great deal about their interests in the process.

**Reflect**

After we ask short, non-judgmental, open-ended questions and listen to the other person respond, it is important to reflect back to them what we have heard. This is important for a number of reasons. For one, reflecting back to the other person provides them with the acknowledgment they need in order to feel valued and listened-to. Additionally, reflecting back to them what we've heard allows us to confirm our understanding of what they've said and gives them the opportunity to correct any misunderstandings we might have. Third, reflecting back to them what they said allows them to hear themselves in a new way. Oftentimes their words will sound different to them when we repeat them than when they originally said them. Our reflection can give them pause and a different perspective on what they are saying. Finally, you can't reflect back to the other person if you didn't listen to them to begin with, and knowing that we are going to reflect back to them will enforce greater discipline on us to listen more attentively. This is something we absolutely can't fake. If we try to reflect back when we didn't really listen, we will get caught in our deceit and will lose credibility in the eyes of the other person.

Reflecting gives people acknowledgement, not only of what they've said, but also of the value they personally have in our eyes. When someone says something to us, they are putting their self-worth on the line and making themselves vulnerable to us in their

eyes. While they may want to achieve a practical purpose by communicating with us, they also want to know that we care enough to listen, and that we value them as people. This need for acknowledgement is so powerful that often if people get the practical result they are looking for from us but don't get the acknowledgement, they will devalue getting what they wanted and will still feel unsatisfied.

There are a number of ways to reflect back to someone. The simplest is to merely repeat or parrot back what they said literally back to them. Parroting has the advantage that it is easy to do, and there's a good chance you will get it right. It also has the advantage in that the person gets to hear what they said exactly and as literally as they said it. This can have a powerful impact on their perspective of what they said. The disadvantage of parroting is that it doesn't confirm your understanding of what the other person said. You can repeat someone's words without understanding what they meant. In addition, if used to frequently, parroting can irritate or annoy the person you are trying to listen to. They may get offended and think you are mocking them, or may accuse you of using a "listening technique." Of course, you ARE using a listening technique, but you don't want to make it obvious or it will backfire on you.

Because of this, it is often better to paraphrase what the other person says. When you paraphrase, you repeat the idea that the person articulated but say it in your own words. One advantage of paraphrasing is that it confirms your understanding of what the other person has said. You simply can't paraphrase correctly if you haven't understood the other person, and they have a chance to correct you. Paraphrasing also has the advantage that it's much more conversational than parroting. Once you get the hang of it, paraphrasing doesn't seem any different to the other person than any other response you

might give to what they say, except that they will find it much more satisfying. The only downside of paraphrasing is that it is more difficult to do than parroting, and you will occasionally get it wrong. At that point, the other person is likely to correct you, and may even get upset. They might say something like, "no, that's not what I meant." At that point, the key is to remain composed. A great response is to admit that you got it wrong and ask them what they did mean. They will gladly explain what they did mean, and the conversation will resume.

A more powerful and substantially more difficult way of reflecting back is called reframing, which involves reflecting back with a purpose. Often the purpose of reframing is to transform the speaker's frame of mind from positional to interest-based thinking. To reframe in this manner, you first have to be able to identify an interest from within the positional statements made by the speaker and then to find the correct wording with which to reflect that interest back to the speaker in a way that will resonate with the speaker. This is difficult on two levels: First, as indicated earlier, just identifying the interests within positional statements is difficult in itself. Second, finding the right wording so that the speaker will accept your reframing as reflective of their interests involves a great deal of skill.

Another purpose of reframing might be to change the speaker's mindset from blaming to problem-solving, or from focusing on the past to planning the present and the future. If you are successful in reframing and the speaker accepts your reframe, you can radically change the course of a negotiation, since reframing can fundamentally affect the way the speaker approaches the negotiation. Reframing is also the fastest and most effective way of identifying and confirming your understanding the other person's

interests in a negotiation. It can both speed up your negotiations and make the results more effective in meeting your interests by providing you with an accurate and nuanced understanding of the other person's interests.

No matter which method of reflecting you choose, parroting, paraphrasing, or reframing, the very act of reflecting back will create good will with the other party and will provide you with valuable feedback on your understanding of the other party's interests. The key is to be sincere when you reflect back – you really need to want to understand the other person. If you are faking it, the other person will sense it, and you will lose credibility in their eyes.

**Closing the Triangle**

The final step in making this tool work is to close the triangle by asking another open-ended question. The key in doing this effectively is to make sure that the open-ended question you ask comes not from your agenda or the interests you think the other person should have, but instead follows from the last thing the other person said.

People do not lead you to their interests in a straight line. Instead, they meander in various directions, go backwards and become positional again, leap forward and reveal important interests, and eventually tell you about the critical interests that are driving them in this negotiation. A thorough understanding of the other person's interests is what can make you effective in coming up with negotiated outcomes that maximize satisfaction of your interests in a negotiation.

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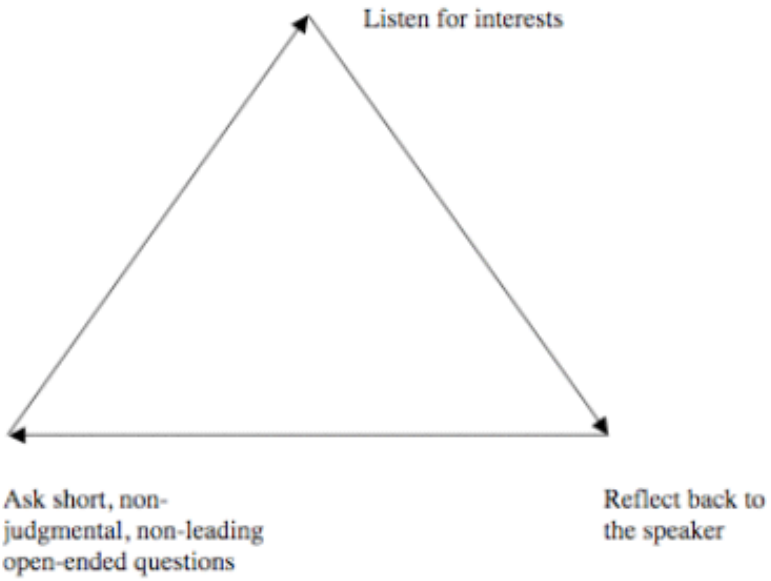
Since understanding the other person's interests is so important for you as a negotiator, and since the path to their interests is often nonlinear and unpredictable, the only way to track down the other person's interests is to follow them to their interests rather than to lead them there. That is why it is so important that your next open-ended question follow from the last thing they said. In this way, step by agonizing step, the other person will lead you to the interests that are driving them in the negotiation. Your open-ended questions merely nudge them to keep talking without constraining the direction in which they can go, and they will slowly reveal to you the interests that matter most to them.




**Summary**

Collaborative mutual-gains negotiation are predicated on being able to understand the interests of the people with whom we negotiate, yet those interests are so difficult to ferret out. The listening triangle described in this article provides a practical tool to help

negotiators overcome this difficulty and become more effective negotiators for themselves. The listening triangle may seem simple to look at, but each of the four steps involved in executing it is very difficult to do well, and requires considerable practice before you will find yourself using the tool proficiently.

That's the bad news. The good news is that you can practice constantly, not just when you are involved in formal negotiations. Any time anyone says anything to you, listen to them, think about what interests might be hiding behind their words, reflect back to them by parroting, paraphrasing or reframing, and ask them a short, non-judgmental, non-leading open-ended question to get them to keep talking. In time, this method of interacting with people will become natural and conversational, and you will find yourself much more capable of understanding their interests. This in turn will help make you a more effective and comfortable negotiator.

**Bibliography**

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