

Difficult Conversations: It does not have to end in crisis

A group of researchers from Harvard developed a five step model which can turn any difficult conversation into an opportunity. Adv. Michael Tsur, chairman of the Israeli Mediators' Society explains how to implement it.

By Dalia Tal

Difficult to Say

One morning, with no prior warning, the Israeli president of a local branch of an international high-tech company was informed of the mother company's decision to outsource one of the main projects he had been working on. From that moment his rage soared, he became furious and imagined how he would call the company's headquarters abroad and tell the president there what he thought about him, and perhaps even resign – insulted but in the right.

But before that critical phone conversation, the president decided that he would approach his business coach. He advised him to drink a glass of water, take a cold shower, calm down and work according to the method of Difficult Conversations, which has been developed at Harvard lately. The president's initial reaction was skeptic, but he finally gave in.

During the weekend the president and the coach sat and went through the events step by step, and examined the emotions involved in the matter. Then the president phoned the company's headquarters abroad and calmly and politely asked to understand the considerations behind the decision to take the project from him. It soon became apparent that he was to blame: the fact that he did not update the company's headquarters on the progress of the project – intending to surprise with impressive results – caused the company to think exactly the opposite, meaning that there was a problem and that it was better to transfer the project to another developer.

At the end of the conversation, in which mutual apologies were exchanged, the Israeli president turned to another head of a branch of the company in another country, and despite the covert competitiveness which characterized their relations in the past, suggested to him that they work together in order to obtain better results. Finally, the international management cancelled the decision to transfer the developing of the product to an exterior company, enlarged the budget of both branches and decided to pass on additional tasks to both.

Difficult Conversations like it or not, are an inseparable part of life. They cannot be avoided, be they a request for a raise in salary, ending a relationship, refusing a person in need or an inevitable dismissal talk. In fact, a Difficult Conversation is defined as an issue which is not easy for us to discuss, which threatens us, or which has the potential of jeopardizing our self value.

The Difficult Conversation theory was developed by three researchers from Harvard University – Sheila Heen, Bruce Patton and Douglas Stone – who together with Professor Roger Fisher developed the Harvard Method in the late seventies, which was published in the book Getting to Yes. According to this method, negotiation becomes more efficient when it attempts to realize the interests of both parties and refrains from presenting the positions as adversarial, while emphasizing the importance of two way communication in negotiation and everyday life.

After having sold three million copies of the book, the three tried to examine another aspect of the field. Their conclusion was that what hampers relations between family members or parties to a business negotiation is the complexity of emotions we carry around with us to all types of relationships and all sorts of negotiations we conduct. “These crises are usually caused due to misunderstandings, unrealized hopes and differences in expectations and attitudes,” explains Advocate Michael Tsur – a mediator, expert on Difficult Conversations and editor of the Hebrew edition of their book Difficult Conversations – How to Discuss What Matters Most (Modan Publishers).

The inevitable result, Tsur explains, is a Difficult Conversation between the parties. However, those who learn to understand the process which lead to the conversation and what lies behind it can prevent crisis – or even turn a Difficult Conversation into an opportunity.

Bureaucracy

Don't Blame, Connect to Feelings

One of the things the method strongly emphasizes is recognizing feelings and analyzing them. The aim is to transform a Difficult Conversation into a constructive engine, but the

technique may deter many men. “For years it was accepted throughout the business community that discussing emotions was unprofessional, out of context and characteristic of the female gender only,” says Tsur.

“In the past five years an understanding is being reached that if one is to succeed in resolving conflicts and bridging gaps, one is to use elements thought of as feminine or as feminine related – listening, empathy and containment – because the result is a derivative of the process.”

How does one perform this conceptual change?

“The method offers male managers tools which will awaken characteristics and feminine abilities existing in each one of them and an understanding that a conflict can bring about development and does not necessarily call for competition and confrontation. We recommend letting go a bit of the masculine world where everything is a contest and a hunt, and move on to places we never thought we would reach to start with.”

Such as?

“A while back the owner of a company contacted me after a dispute with a municipality over city taxes debts which had accumulated to a large sum. The manager felt that the municipality was harassing him and wished the destruction of the fresh business he had set up. His lawyer had offered him a compromise, but the company owner turned it down as unreasonable.

“After a five hour coaching for a Difficult Conversation he regained his self confidence and control of the move. He understood the municipality’s legitimate point of view, which according to his initial understanding wanted to harm him. He stopped blaming and trying to prove he was right and began examining his contribution and responsibility to the situation. The preliminary discussion about his worries, distress and fears of the business collapsing made the influence of his emotions on the conversation and on the interpretation regarding his identity clear to him.”

During the meeting with the municipality a dialogue was created at the end of which a suggestion was made to the owner to pay four thousand dollars instead of twenty thousand, including an arrangement for the current year’s debts. “Apart from the material gain,” Tsur emphasizes, “there is an importance to the degree of satisfaction and empowerment the owner felt, as to his relationship with the municipality.”

“The defensive mode of thinking is not economical. It puts us on the guard and focuses on the negative. Looking for potential problems only weakens the manager.”

You're the Boss

How to Fire an Employee

Conferring authority is a wonderful solution to many unpleasant situations, but not for firing an employee. Here you are alone, albeit not unique. “A dismissal talk, as well as any other breaking of bad news, has rules,” says Tsur. “The one receiving the notice must be treated with all due respect.”

Meaning?

“A proper place and appropriate atmosphere should be arranged for, the reason for the conversation should be stated right out front and the reasons should be given as well. The conversation should be short and the information should be transferred very clearly. You do not fire while walking in the corridor or in front of other people.”

Sounds simple, but not all employers do so.

“The method will not assist those who do not have self awareness or an ability to understand what is happening to them. They will turn first and foremost to lawyers who maintain a concept of attack, confrontation and war which climaxes in court. Many managers say they pay lawyers to fight for them, but do not take into consideration that the result is usually tiring deliberations with no foreseeable end. Therefore, I and the developers of the method believe that it is always better to try and reach agreements and only then move on to legal examination.”

Defensiveness is sometimes not such a bad solution.

“Many believe that defensiveness is not economical. It puts us on the guard and focuses on the negative. Looking for potential problems only weakens the manager, who wishes to reach understandings and only then legally examine them. An attorney should assist her client in understanding the aim and award him tools during the initial phase, such as support,

backing and accompaniment, but enable him to reach understandings before the deterioration which leads him to court.”

Tsur believes that every organization should develop abilities for enhancing negotiation, a mission given to one person or group. However, since negotiation is a profession in itself, it should not be left to manpower staff, but rather experts should be “created” who will have the knowledge to manage conflicts.

Such a team should be skilled in analyzing the What Happened Conversation, should assist in training for the Feelings Conversation and the Identity Conversation and prevent the blame conversations from taking over the company’s organizational culture. “I believe that if someone in the organization can identify stress and can realize that a cynical conversation is equivalent to yelling, she can prevent many crises in the future,” Tsur says.

Family Business

He’s Your Brother, Speak to Him

A regular conversation becomes a Difficult Conversation when emotions arise in the participants which they find hard to contain, explains Tsur. “The tossing back and forth among the parties intensifies the emotional element and escalates the conversation to being poignant and hurtful.” This situation becomes even more complex family businesses are at hand.

Such is the case, for example, of the brother and sister who jointly ran a large company. The brother spent many hours running the company and the sister remained less active for years. About a year ago the brother decided to penetrate the American market, this time without letting his sister in on the plans because he felt she did not put enough work into the joint company. Before the conversation in which he planned informing his sister about the intended split he decided to consult as to the most proper way of doing so.

“Together we analyzed the situation in order to understand the difficulty,” Tsur tells us, “and we found that the brother felt taken advantage of due to the sister’s insufficient involvement. We decided to hold a conversation and openly talk about this difficulty.

“In the beginning the sister was surprised, but asked to learn how the brother saw matters. Two days later another conversation took place in which she said that she too felt that she was not contributing enough, but explained this by preferring to leave management to her more dominant brother.

“After a few conversations in which they tried to examine the background of their relationship, starting at early childhood and up to present, including the relationship with the parents, it was decided that the sister would begin taking a more active role in running the company, thus allowing the brother to devote himself entirely to penetrating the American market.

“Without the use of the Difficult Conversation method and without working out their relationship, it is doubtful whether the siblings would have reached this result. It is even possible that they would have themselves brought about the dissolution of the company they worked on creating for so many years.”

Business Abroad

Cooperation vs. War

Globalization has proven that what is true for the Middle East is not true for East Europe, and certainly not true for the Far East. “A few months ago an Israeli company doing business in China approached me,” Tsur tells. “The company ordered a certain product and found out that a considerable delay was expected in development and production. As time went by the tension grew and calls were coming from the management to replace the Chinese manufacturer with another, which would have caused an extra delay in introducing the product to the market and resulted in a tremendous financial loss.

“We started by trying to find out who in the company had good communication with the Chinese manufacturer. We located a technical worker who spoke to the Chinese on a regular basis, we equipped him with the proper tools and asked him to check the situation in the Chinese plant. We also asked the management to sit quietly and wait for results.

“To everyone’s surprise it turned out that the product existed and that the Chinese only feared that they would not be able to complete the entire production. Instead of becoming angry we located another producer who took the task upon himself and thus the project was saved – the product was marketed on time. Instead of a war we received a product, but also an important lesson how to work in a different cultural environment.”

According to Tsur the stronger the pressure the more we focus on ourselves and actually bring about a decrease in our communication abilities. If we want to convince someone to purchase a certain product, and do not realize she just isn’t free for it, we are wasting precious time, not utilizing our resources properly and experience failure – all of which could easily have been avoided.

The Question of Responsibility

Excuses Are Not Enough

Tsur believes that dealing with Difficult Conversations should be taught using a technique of training and developing the ability to influence. No one teaches us the most important things in life such as parenting, spouse relations, negotiating and more, whereas these are the things we do most of all. We are constantly negotiating when we are at the supermarket, when we buy an apartment or when we educate our children. We learn all these things by intuition derived from where we grew up and it is not always applicable elsewhere.”

How does one cope with this?

“There are many questions which need to be asked. Acknowledging that all involved contributed to creating the problem does not mean that everyone contributed equally. Of course, quantifying the contribution is not easy and usually not useful. The aim is understanding, not allocating percentage.”

In 1991, a short time after the Gulf War, Tsur decided to study law at the College of management. “The day I started studying,” he tells, “I knew I would not become a lawyer. I liked the theory, but the practice repelled me. Gladly, I took a mediation course during the first year given by Adv. Yoram Elroi, who trained in the field at Harvard. It took me five minutes to know that this was my field.”

When he finished his studies Tsur founded the mediation unit at the ministry of justice and today he chairs the Israeli mediators’ society where some two thousand mediators are members. “The society set out with great backing by the system,” Tsur says, “and has become an industry.”

At first Tsur set up a center for family mediation and then moved on to the business and civil fields. In addition he began teaching in mediation courses and in multi participant courses at the faculty of law. In 1998 he received an invitation from the American Bar to lecture at an annual convention on alternative dispute resolution. Later on this connection lead to a New York partnership which has been offering training and coaching services to American clients in the USA and worldwide for several years.

Tsur has also studied at Harvard University with Professor Frank Sander and Roger Fisher who are considered masters in the field of mediation. Since 2001 he coaches for Difficult Conversations.

What is the best advice you can give someone coming to a difficult conversation?

“Ask yourself not what you have to say in the conversation, but what you can learn from it. Give your conversation partner a real and respectable place and in return receive from her multiple and important information, which can affect the decision making process.

“Reverend Andre Scheffer from the Dutch Reformed Mission Church in Africa would always say that whites had a harder task than blacks. When a problem arises, the whites have to find a solution, but the blacks always have an excuse ö they can say “Ingabilungu” a Xhosa expression which means “It is the whites.” This kind of saying exempts from responsibility. If we can only identify what we are doing to preserve a situation, we can learn how to influence the system. A behavioral change is enough to influence the problem.”

Talking about Everything

The Five Stages of the Difficult Conversation Model

- 1** There are three questions which need to be answered at the beginning of the conversation: the What Happened Question, the Feelings Question and the Identity Question. In the What Happened Question each party checks with herself who said what, who did what, who is right and who can be blamed. This is the moment to check what her story is made up of and the other party's and what each has contributed to the problem.

In the Feelings Conversation each party must check with herself whether her feelings are founded, whether to acknowledge them or deny them, put them on the table or ignore them. These feelings are not usually directly addressed in a conversation, but they find their way in and their influence on it should be examined. In the Identity Conversation each one examines himself: is he competent, successful, worthy of love, good or bad, and what influence this has on his self value.
- 2** The parties join together to examine their positions. If they find that the atmosphere is uncomfortable and that the conversation is not leading anywhere, it should be dropped and attempts some other time.
- 3** The differences between the parties' stories are presented while stressing the legitimacy of each story and each party's right to state her position.
- 4** Mutual questions are asked, the predicament is unraveled and an attempt is made to understand how both parties ended up in the crisis. Here it is recommended to discuss emotions, past experiences and feelings.
- 5** Each party presents his preferred solution by raising options that will comply with both their interests and wishes. Here mutual caring is examined, since it is known that one sided relationships do not survive.