

## **Mediator Insights: Receptivity and Resolution**

By: Sylvia Mayer

Receptivity is being open to listening and accepting new information, ideas, or suggestions. In the context of mediation, receptivity is often the key to resolution (i.e., settlement). Receptivity is also the core focus of Robert Cialdini's *Pre-Suasion: A Revolutionary Way to Influence and Persuade*.

Cialdini coined the word "pre-suasion" to encapsulate the process of laying the groundwork for receptivity. Relying on real-life situations and scientific studies, *Pre-Suasion* explores a myriad of ways to enhance receptivity before making any meaningful "asks." Word choice, focus, and connection are among the tools available to build receptivity.

Below I explore some examples drawn from *Pre-Suasion* and how they apply to mediation and conflict resolution.

### **Words Matter.**

How you say something has an impact on the listener's receptivity. For example, a healthcare organization may ask speakers to make these changes in their wording:

<u>Standard Language</u>	changed to	<u>Replacement Language</u>
Bullet points		Information points
Business targets		Business goals
Attack a problem		Approach a problem
Beat competition		Outpace competition

Why? Because a healthcare organization is focused on healing. Bullets, targets, attacks, and beatings are the antithesis of healing. Words matter.

The words we say can open up opportunities for agreement. Language is one of the primary means of engaging receptivity. In mediation or negotiation, choose your words carefully to engender openness and connection, while avoiding words that may trigger a fight or flight reaction.

### **Focus Matters.**

What is focal is presumed causal, meaning that what has our attention (focus) shapes (causes) our views on the subject matter. For example, a study compared the impact of changing the illustrations on a website landing page of a company selling furniture. If the landing page had fluffy clouds, then it drew in customers interested in the comfort of the furniture, whereas if the landing page had pennies, then it drew in customers interested in saving money.

In a different study, analyzing interrogations and confessions in criminal investigations, it was determined that the camera angle (focus) altered the viewer's bias (causation) between suspect and interrogator. If the camera focused on the suspect, then viewers were more likely to perceive guilt. Whereas, if the camera focused on the interrogator, then viewers were more likely to perceive innocence. The only thing that changed the impact was recording the interrogation from the side where both suspect and interrogator were equally visible.

How does this play out in a mediation or negotiation? Focusing on areas of agreement or positive deal points softens the impact of the areas of disagreement or negative deal points. This, in turn, enhances receptivity to exploring options for resolution of the disputed areas.

### **Connection Matters.**

Connection is a critical component of reaching receptivity. Connection comes in many forms – a familial connection, a cultural connection, an emotional connection, etc. Here are two examples drawn from the Holocaust that illustrate the power of connection.

In 1940, a career diplomat, Chiune Sugihara, worked in the Japanese consulate in Lithuania. As doors closed to Jews all around the world, a group asked Sugihara for visas so they could emigrate to Japan. Sugihara sought permission from Tokyo but was denied. He asked again. Twice. Each time denied. Nonetheless, defying his government, Sugihara issued thousands of visas before being recalled to Tokyo. In doing so, he saved thousands of lives and effectively ended his career in diplomacy.

Why did he do this? Connection. Growing up, his father was a Japanese official stationed in Korea. While in Korea, his parents opened an inn where they welcomed guests of all backgrounds. They taught Sugihara that everyone should be welcomed because we are all members of the human family. Years later, when asked why he risked his career to issue these visas, he explained that the Jewish applicants were members of the human family and needed his help. This sense of connection saved lives.

Fast forward to 1942. The Nazis were pressuring their Japanese allies to adopt the “final solution” for the Jews in Japan. Josef Meisinger, known as the “Butcher of Warsaw,” was sent to Japan to convince the Japanese government. The Japanese officials tasked with deciding sought input from both sides – the Nazis and the Jewish refugees. The Jewish community sent two rabbis – one a scholar and the other known for his humanity. The Japanese officials asked the rabbis why the Nazis hate them so much. The scholar struggled to offer a response, but the other rabbi answered simply, “Because we are Asian, like you.” His quick thinking and intuitive ability to build a connection saved 26,000 lives.

While very few mediations involve saving thousands of lives, the power of connection remains just as true. Finding or building a connection can be a powerful pathway to achieving receptivity.

Wording, focus, and connection are three tools available to build receptivity. *Pre-Suasion* is replete with other suggestions to lay the groundwork for receptivity.

*Author’s Note: As a mediator, I am a “forever student” always seeking new ways to help people find a path to resolution in mediation. Robert Cialdini’s “Pre-Suasion: A Revolutionary Way to Influence and Persuade” inspired this post. In reading his book, I was struck by the relevance to my mediation work. In the book, he explores a myriad of ways to enhance receptivity and focuses on laying the groundwork for receptivity before making any meaningful “asks.” If you aren’t a reader, but still interested in what he has to say, then you may enjoy this podcast in which he was interviewed about his book: Barry Ritholtz, Masters in Business (June 18, 2021), <https://podcasts.apple.com/us/podcast/robert-cialdini-on-the-psychology-of-persuasion-podcast/id730188152?i=1000423074089>.*