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**MANAGING CRITICAL
SITUATIONS: LEARNING FROM
THE MOVIE INDUSTRY**



*To my dad,
guide and mentor in many critical situations.*

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INTRODUCTION

Communicating is among the most spontaneous and instinctive activities that a human being can perform. Indeed, as the communication theorist Paul Watzlawick says, one cannot not communicate. We constantly convey messages and meanings not only with words, but also through gestures, movements, looks, attitudes, lifestyles and many more... Communication can take various forms: there are circumstances in which communicating is pleasant and enjoyable, such as having lunch with our friends or a walk at the park with our loved ones. There are scenarios characterized by more organized and formal communication such as business meetings or public speaking at an important convention. However, there are also certain contexts in which communicating is not as smooth or effortless as in the previous examples. Indeed, sometimes we stumble across feared and unpredictable critical situations, in which case communication turns into the only winning weapon that can make us succeed in achieving an optimal, reasonable solution.

Negotiating an agreement, delivering bad news, persuading with powerful arguments and changing someone else's mind (or even deciding to change our own mind) are all critical situations that inevitably require effective communication to find a (possibly win-win) solution. Since most of the time the path to the final agreement is arduous and tortuous, he/she who is determined to succeed in this task (whom I call the effective communicator) will necessarily need some helpers.

These useful helpers are nothing more than strategic tools that the effective communicator adopts to facilitate, strengthen or improve communication with his/her counterpart.

Hence, the aim of this thesis is to demonstrate how a proper use of these nine strategic tools gives an extra gear to manage critical situations successfully. To demonstrate so, we will take a closer look at realistic critical situations represented on the silver screen.

The first chapter is dedicated to a comprehensive and in-depth analysis of the nine tools that make up the effective communicator's toolbox. The tools are classified into three categories (basic, advanced and sensitive) according to their features and employment.

The second chapter focuses on the implementation of the toolbox in specific clips chosen from well-known movies. Analyzing and understanding how the protagonists face different critical situations (sometimes succeeding, sometimes failing) gives us a wider overview on how to handle every single tool properly and precious crisis management tips that can turn out useful in day-to-day situations as well.

After introducing the nine tools and dwelling on specific examples concerning their implementation, the last chapter is fully dedicated to a masterpiece of the movie industry, a movie that embodies the critical situation per excellence: *12 Angry Men*.

There are several valuable lessons that we can learn from the fascinating and intriguing world of the movie industry; indeed, the challenging situations that the characters face in this alternative reality are not so different and far away from the complex and seemingly overwhelming scenarios that we face every day: a discussion with our boss, bad news that a manager has to deliver to his/her employees, an argument among colleagues in a work team, misunderstandings with friends, a debate that involves opposite points of view are all critical situations that can be (most of the time) easily and successfully overcome with a well-thought and well-executed use of the effective communicator's toolbox.

CHAPTER 1

THE TOOLBOX OF THE EFFECTIVE COMMUNICATOR

1.1 Basic Tools

In this first section of the chapter, we are going to explore the three basic, ever-present tools of the effective communicator's toolbox: listening, the three expressive channels and reality and its representation.

These tools are fundamental because they represent the pillars of successful communication; it is just not possible to communicate well and effectively without a deep awareness of these elements. Knowing how to handle these basic tools perfectly allows to easily manage also more complex tools such as the advanced and the sensitive ones.

However, the term «basic» should not be interpreted as «easy to use»: indeed, misusing these tools means, almost certainly, to get stuck in a critical situation. But understanding how to use them properly gives an extra gear to quickly work our way out of a conflict (or even to avoid it in the first place) and pave the way towards a final agreement.

1.1.1 Listening

«We have two ears and one mouth so that we can listen twice as much as we speak».

This quotation, attributed to the Greek philosopher Epictetus, highlights the importance and the value of the first action in a communication setting. What it does not highlight is the difficulty and the complexity of this seemingly simple act.

The negotiation expert William Ury pointed out how listening is the missing half of communication, absolutely necessary, but often overlooked.

This claim may sound almost paradoxical in today's Age of Communication.

The truth is that since we are constantly bombarded by any conceivable form of communication, we do not have the mental and emotional space to listen to the other side anymore, as William Ury says. There is too much talking and very little listening.

A very long time ago, when there was not so much noise and when ways of recording had not been invented yet, the act of listening carefully was a necessity.

Today this necessity was converted into an option, and hearing (very different from listening) seems to be the most common way to receive someone else's words.

The lack of listening is the source of countless conflicts: jumping to conclusions, misinterpreting words and hostility towards different points of view are all consequences of poor listening, an omnipresent element of critical situations.

This inclination towards poor listening is confirmed by the sound and communication expert Julian Treasure during one of his TED Talks: although we spend 60% of our time communicating in listening mode, we only retain 25% of what we hear (Barker et. al, 1980 and Nicholas & Lewis, 1954).

Speaking of listening mode, Julian Treasure is the one who classified the so-called listening positions. These are not physical positions: they are just metaphors that highlight how there are several ways to «listen from different places». Here are some examples:

- **Active listening:** the best position to make somebody feel absolutely heard. It is also known as reflective listening and it is adopted in the healing or teaching profession, for example when doctors listen to a patient and then reflect what he/she said without changing, twisting or reinterpreting his/her words.
- **Passive listening:** consciously suspending the meaning making process. Selecting sounds to pay attention to and suspend judgements and evaluations.
- **Empathic listening:** this means truly connecting with our interlocutors, feel their feelings and leave them not just heard, but also understood.
- **Critical listening:** the typical judgmental/evaluative listening position at work. It is widely used in the business world, for example when we listen to a new marketing campaign proposal and we assess it in our mind at the same time.

Treasure emphasizes how there are countless listening positions as everyone listens in a totally unique way; the important thing is to choose the most appropriate listening position for the conversation we are having and communication will certainly improve.

Therefore, effective and successful communication is built on genuine listening, the indispensable element of the effective communicator's toolbox.

However, listening can be very challenging even for the most expert and trained communicators, who must dedicate a significant amount of focus and effort to it.

The negotiation expert William Ury highlights how the successful negotiator listens more than he talks and he illustrates the three reasons why:

- Listening helps us understand the other side. Negotiating is an exercise of influence, in which you try to change someone else's mind. How can you change someone else's mind if you do not know where his/her mind is?
- Listening facilitates the connection with the other human being.
- Listening makes it more likely that the other person listens to us.

To conclude, listening is the cheapest concession that we can make in a negotiation (Ury, 2015). To achieve successful communication, it should be learnt and practiced every day since it is not as easy and natural as it might seem at the beginning.

1.1.2 Expressive Channels

The second omnipresent tool in the effective communicator's toolbox is the Mehrabian's 7-38-55 communication model. This model comes from a study of communication involving feelings and attitudes conducted by the psychologist Albert Mehrabian and developed in his 1971 book *Silent Messages*.

The model teaches us a lot about the value of the emotional control of the language.

From the sections of the pie chart (Figure 1), we get the three expressive human channels:

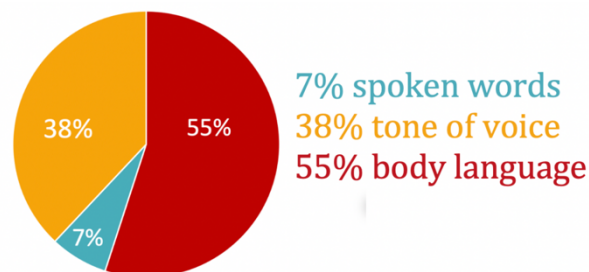


Figure 1 Albert Mehrabian's 7-38-55% Rule
Source: redwizard.consulting

1. **Verbal:** spoken words, the smallest slice of the chart (only 7%).
2. **Paraverbal:** it involves tone of voice, volume, speed, voice timbre, pauses, silence, rhythm, accent, emphasis... therefore, the effectiveness of that 7% (what we say) highly depends on how well we can manage this 38% (how we say what we want to say): for example, most of the time, our interlocutors do not get upset because of what we said, but because of the way we said it (e.g. yelling at them, emphasizing specific words, speaking too slowly, answering with silence...).

3. **Non-verbal:** the biggest, most significant slice of the chart (55%). It involves posture, gestures, touching, movement, eye contact, smile, proxemics, facial muscles, vitality, but also clothing and attitude. We often communicate with a simple look, a nod, hand gestures or a smile and, sometimes, this form of communication is even more effective and spontaneous than words.

A quick look at the pie chart is sufficient to grasp the importance of body language, non-verbal and paraverbal communication: 93% of the whole communication model.

Of course, words are unquestionably powerful too but, when distanced from the paraverbal and non-verbal sphere, they are not as mighty and strong as we thought them to be. The effective communicator knows how to read and manage skillfully the elements belonging to the third expressive channel, because they are the ones that show people's true feelings and opinions. They never deceive.

Especially when facing critical situations, knowing how to read and interpret non-verbal elements can be crucial: a clever negotiator can expose the counterparty's bluff, or a policeman can understand whether the suspect is telling the truth or is lying.

We can also witness the power and influence of non-verbal and paraverbal communication in everyday life: if I have to apologize to a colleague for not having completed my part of the project on time, he would not take my apologies seriously if I go there with a toothy smile and a mocking tone of voice. I would not look sorry at all.

On the other hand, he would accept my apologies if a sincere «I am sorry I could not handle in my part of the project on time», is backed up by a peaceful tone of voice with the correct pauses, and an honest look of displeasure on the face.

The same goes for compliments and praises. Let's suppose that an employee working in the Marketing and Sales department wants to congratulate his/her colleague for a deserved promotion as Marketing manager.

A «Congratulations, I am so happy for your promotion!» backed up by a smile, a hug and a lively tone of voice will sound quite different from a cold and distant «Congratulations, I am so happy for you», even if the content is exactly the same.

Giving feedback is another area in which the importance of paraverbal and non-verbal communication cannot be underestimated. In the book *Il Linguaggio dell'Accordo* (Carmassi & Lucchini, 2016) we read: «In feedback, a look can hurt more than words. [...] It can be punitive, seductive, blaming, attractive, ironic, sad, peaceful. Through a gaze we can give strength to our messages like nothing else».

Therefore, the verbal, paraverbal and non-verbal expressive channels should always support each other and be aligned: words will always be more powerful and convincing if body language and intonation are consistent; on the other hand, they will sound false and untruthful if body language and intonation express something else.

In conclusion, miscommunication can be easily avoided if our interlocutor receives a message that is clear and coherent in all its three expressive channels.

1.1.3 Reality and Representation



Figure 2 Reality and Representation
Source: Communicating in Critical Situations

The third basic tool of the effective communicator's toolbox helps to reflect on the sense of reality and its representation.

The starting point is reality (**R.**), defined by the Cambridge Dictionary as «The state of things as they are, rather than as they are imagined to be». In simple terms, reality is the unique, objective world surrounding us, which is exactly the same for everyone: buildings, houses, shops, schools, trains, cars, the passing of time...

What is not exactly the same for everyone is the perception that we have of the world surrounding us. Each one of us builds a different mental representation of reality (**R.R.**) on the basis of many unique and subjective aspects.

Therefore, the mental representation of reality is the value, meaning and importance that we attribute to reality. It is how we perceive reality and it can change over time as the subjective meaning we attribute to reality changes.

The third element of the chain is the languages and the words we use to express our mental representation of reality: the linguistic representation of the mental representation of reality (**R.R.R.**); e.g. the words *brother*, *fratello*, *hermano* and *frère* all describe the same reality and mental representation of reality.

The order of the letters in Figure 2 describes what happens during a conversation.

For example, I am currently attending IULM University and I want to tell my experience to a friend of mine. The first R. involves IULM buildings, cafeterias, laboratories,

classrooms, professors, colleagues surrounding me and everyone else... During my three years here at IULM, I had the chance to develop my own mental representation of reality (R.R.), which is my thought, opinion and perception about the university.

When I tell my personal experience to a friend, so when I communicate about IULM, I transmit my linguistic representation of the mental representation of reality (R.R.R.).

My interlocutor will go through the sequence the other way around: he/she receives my words (the triple R.), decodes them according to his/her double R. and finally gets a subjective picture of reality (different from mine).

How many chances are there that my reality and the one of my interlocutor match?

Not many. This is because there are a lot of distortions between what reality truly is and what our audience perceives through our own unique way of expressing ourselves.

In conclusion, this last basic tool helps us to understand that even though we live surrounded by many objective (critical) situations and circumstances, there will always be thousands of interpretations and reading keys.

When facing a critical situation, it is essential to go beyond our own mental representation of reality and try to put ourselves in the shoes of our counterpart to get a clearer picture of his/her R. R.. By doing so, we can better understand his/her words (together with the other two expressive channels) and try to interpret them in the most correct way, avoiding the conflict or reducing the amount of time needed to solve it.

1.2 Advanced Tools

In this second section of the chapter, we are going to explore three advanced and more complex tools of the effective communicator's toolbox:

- The representational systems.
- The CML method.
- The logical levels.

If the basic tools are essential to understand and get the picture of our interlocutor, the advanced tools allow us to make one more step forward and raise the bar of a negotiation. Indeed, when used properly, they have the power to address a conflict or a negotiation in the right direction. This is because they strengthen the connection (which is technically called «**rapport**») with our counterpart and, if a negotiator is able enough to exploit this (hopefully) positive connection, success is almost certainly guaranteed.

However, these advanced tools must be practiced over and over even by the most expert negotiators and communicators, because using them incorrectly will pave the way to a negative rapport, which will dramatically increase the distance between the two parties instead of reducing it.

1.2.1 Representational Systems

The «reality and representation» tool highlighted how there is always more than one interpretation for the same objective phenomenon.

To learn more about the different ways to interpret and process reality it is essential to become familiar with our representational systems.

In every single moment of our life, we filter reality through our sensory channels, the five senses, and unconsciously reprocess it. The senses are the entry channel of all our knowledge, the door to reach our brain and heart (Lucchini & Mascherpa, 2023).

In this way we create our (subjective) internal representation of the world and we build our personal map made of images, sounds, smells, tastes, sensations and moods.

Therefore, with reference to the business coach Mike Sweet, we can say that representational systems are the way people construct their reality and how they convey that construction (Sweet, 2017).

The three representational systems are **visual**, **auditory** and **kinaesthetic**, and they indicate the sensory organ primarily used for gathering and processing information. Indeed, even though everybody uses every representational system (sometimes also simultaneously through what is technically called «synesthesia»), we usually tend to favor one of them. Since representational systems constitute a complex but fundamental element of communication, it is essential to understand their main traits.

This is because, as Sweet says, people will not only construct different representations in their minds depending on their (sensory) preferences, but they will communicate in those styles as well. The preference of one system over the others is then reflected in people's language and physical behavior, revealing the dominant system of a person.

Therefore, it can be crucial (especially when negotiating) to carefully deconstruct what the other person is saying to fully understand the message and build a strong and solid connection with the sender, the so-called rapport.

Now we will delve into the three representational systems and their main characteristics.

Visual people have a strong imagination and always pay attention to colors, sizes, distances and appearances. They like observing reality and reproducing images in their minds. Indeed, they are pretty good at memorizing what they see.

The following example describes the typical visual person: someone is walking on a busy street and recognizes a familiar face among the crowd. However, the classic visual person keeps walking staring at the face, unable to remember his name and trying to picture the context in which they had met before. Indeed, visual people are really good at remembering faces, but often forget names.

Another typical trait of visual people is that they tend to gesture a lot, as if they were trying to sketch a picture to complement their words.

Therefore, if someone asks for directions to a visual person, they'd better be ready to hear phrases like: «If you go straight on you will see the post office, then turn right and you will find a big red supermarket in front of you». It is crucial to pay full attention to the gestures that will support the instructions because visual people often confuse right and left, but their gestures are more credible and reliable than their words.

When visual people talk, they use a lot of words and expressions that relate to the sense of sight. Here is a list of the most used verbs, adjectives and nouns taken from *Communicating in Critical Situations* (Lucchini & Mascherpa, 2023):

- **Verbs:** see, observe, clarify, focus, outline, depict, schematize, frame.
- **Adjectives:** light, dark, sharp, dusky, hazy, limpid, turbid.
- **Nouns:** picture, painting, scenario, perspective, dimension, distance, panorama, overview, pattern, scheme, color.

More typical sentences could be: «Picture that: you and I building a brighter future together!» and «Here is the script for the show. Can you give it a look to see if it is fine?». An analysis carried out by the coach Damon Cart (*NLP Representational Systems! Are you Visual, Auditory or Kinesthetic?*, 2020) highlights more conventional traits of visual people: Cart points out how they tend to speak really fast and, while doing so, they look up or straight ahead because it helps them to visualize. Speaking fast and trying to keep up with the images in their minds, makes them breath shallowly.

Auditory people record how the information sounds, not how it looks like.

Unlike visual people, they remember voices more than faces and they seldom forget other people's names, keywords or typical idioms.

They usually have an harmonic and linear (although sometimes monotonous) tone of voice and synchronize gestures with words when they speak.

They keep hands close to mouth and ears and, as Damon Cart says, «they tend to gravitate towards music or any pleasant source of sound» (Cart, 2020).

Another characteristic aspect of auditory people according to Cart is that they pay great attention to how their voice sounds.

The list of the typical auditory people's expressions includes the following verbs, nouns and adjectives: listen, hear, talk, say, explain, sound, play, acute, deaf, shrill, loud, soft, harmony, tuning, dissonance, alarm bell...

More typical auditory expressions are: «We are not on the same wavelength!»; «It does not sound good to me»; «Something is interfering. Could you repeat what you said?».

Kinaesthetic people are led by olfactory, gustatory, tactile sensations and the whole sphere of emotions. Cart's comprehensive analysis of kinaesthetic people uncovers the following characteristics: when they talk, they tend to look down (usually to their right) to process their feelings. It seems like they are passing the information through their body to understand what to say or how to go forward. Kinaesthetic people breathe very deeply because this is the way to get in touch with our feelings.

The most common kinaesthetic words and expressions that relate to physicality and emotionality are: feel, try, taste, smell, touch, hot, cold, heavy, concrete, rough, tasty, scent, contact, tangible, flavor, sensation, attraction.

Representational systems are effective and powerful communication tools.

It is important to keep in mind that even if we favor one specific representational system, we cannot push aside the other two. Just consider that when we cut out or when we do not pay attention to our other representational systems, we often feel stuck because we do not have enough information to know how to solve the problem (Cart, 2020).

To highlight the importance of representational systems, Cart points out how they not only allow us to better understand ourselves and how we represent reality, but also to find out how other people process information. As a consequence, they become one of the main keys to face critical situations in the best way from the very beginning.

Indeed, the secret to start building rapport as quickly as possible is to align your representational system with that of your interlocutor (a technique that we will encounter many times in the next chapters).

Cart provides the following suggestions: if your counterpart is very kinaesthetic, then you should slow down your speech and breathe more deeply; on the contrary, if your opponent is very visual, then you should speak faster and in visual terms.

In conclusion, representational systems are the key tool to be a more influential and persuasive communicator, if understood and used properly.

Fine-tuning representational systems ensures higher chances to walk away from any critical situations, possibly with a win-win agreement.

1.2.2 CML Method

This second advanced tool is taken from the field of neurolinguistics (defined by the Cambridge Dictionary as «The study of the relationship between language and the brain»); its main purpose is to build trust. Indeed, when two people struggle to establish rapport naturally, the CML method is the perfect tool to get the two parties closer.

The three phases, Calibration-Mirroring-Leading, favor the creation of a shared feeling, a trusting relationship and a mutual comfort zone, which helps to ease the tension.

As we can see in Figure 3, the three steps are all crucial: a meticulous calibration is essential to determine what and how to mirror; a well-executed mirroring facilitates the building of trust and of a positive interpersonal relationship; a positive rapport allows to move on smoothly to the final leading phase. Let's analyze each step individually.

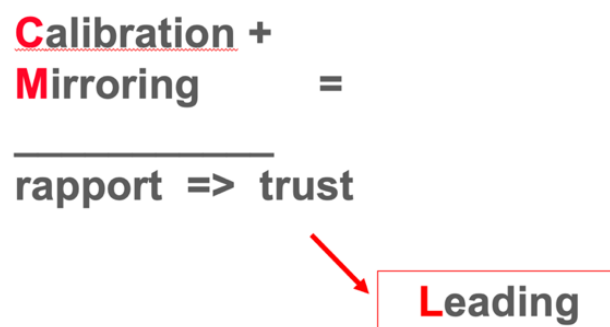


Figure 3 CML Method
Source: Communicating in Critical Situations

The first phase, **calibration**, consists of the attentive study of the models of knowledge and the representational systems of the receiver.

It is performed through listening and observing our counterpart, trying to capture not only images, words and expressions used, but also physical and emotional manifestations. Hence, to perform an accurate calibration all the three basic tools plus the first advanced

tool must be used simultaneously. When it comes to calibrate the three expressive channels, it is important to take note of the following elements:

- **Verbal:** salutation style, length and structure of sentences, representational systems, structure of representational systems, modal operators, timeline...
- **Paraverbal:** timber, tone of voice, volume, speed, pauses...
- **Non-verbal:** posture, gesture, mimic, eye contact, proxemic...

Calibrating is a hard exercise that tests many of our abilities: to observe and listen, check several elements of other people's communication style (verbal, paraverbal, non-verbal)... Through an accurate calibration it is possible to identify the preferred representational system of our interlocutor and, as a result, understand how he/she receives, processes and selects information and how he/she thinks, decides and acts.

Consequently, a careful calibration can give a precious advantage for the following phase, in which we will have to reproduce the most significant calibrated elements in order to start solidifying the rapport.

In short, calibration is the first, most important, but probably most difficult phase because it must be executed in the most objective way, putting aside our desire and predisposition to judge (which is almost natural in every human being).

The **mirroring** phase, also known as tuning or pacing, is about reaping the benefits of a well-executed calibration: we have to recreate - totally or partially - the verbal, paraverbal and non-verbal behavior of our interlocutors to establish an emotional connection.

Hence, it goes beyond the simple replica of the content (words and expressions used), as it also requires a mindful recreation of the form (attitude, posture, body language...).

Mirroring someone means entering their personal communication sphere, seeing things from their point of view, speaking their language and knowing their feelings.

In simple terms, mirroring is about getting closer to someone else. Indeed, one common trick of this second phase is to use first names at the beginning of sentences or questions. This is because our first name fits into the category of the so-called «**keywords**» which are words that, just like keys do, have the power to open or close our heart.

Some other keywords can be the name of our parents and relatives, the city we live in, our core values, our favorite idols, the most special year of our life and many more. Therefore, one of the secrets of a perfectly executed mirroring is to make good use of our

interlocutor's keywords because, if pronounced respectfully, they can open the door to the relationship and pave the way to a positive rapport.

On the contrary, if pronounced disrespectfully or with the purpose to make fun of them, they become locks and generate an almost irreversible closure.

We can see calibration and mirroring also in the perspective of a «copy and paste» process. But if we want to go down the road of the laboriously obtained trust, we have to take a step forward and add our personal touch to the mirroring phase.

The transition between the second and the last phase of the CML method is very delicate. **Leading** is when we stop reproducing the linguistic style and behavior of our interlocutor and we start guiding him/her towards our goal. We have to make sure that this transition occurs gently and gradually, otherwise all the effort we did to build trust would be wasted. This means that we should carefully introduce our slightly different point of view.

Anyway, the most important thing to always keep in mind is that leading means moving together towards a common goal, and it should never be done with the purpose of pushing, forcing or putting pressure on our interlocutor because we would only get the opposite effect. Moreover, to make our leadership more effective, we constantly have to switch between leading and mirroring and in the meantime calibrate our counterpart's reaction (mirroring and leading are alternate phases, but calibration is always active!).

To conclude, the CML method is one of the most precious tools that the effective communicator has at his/her disposal. Its complexity and comprehensiveness allow to also train the other tools simultaneously and, when used properly, it has the power to reverse a critical situation or even to favor the de-escalation of a big fight.

1.2.3 Logical Levels

This is an extremely effective advanced tool to communicate in critical situations.

The effective communicator should know the pyramid of the logical levels of thinking, learning and change like the back of his hand. Indeed, moving up and down cleverly guarantees good management and control over conversations.

The logical levels were developed by the linguist Robert Dilts, who drew inspiration from the work on learning and change of the anthropologist Gregory Bateson.

However, the oldest ancestor of Dilts's logical levels can be traced in the logical types of the philosopher, logician and mathematician Bertrand Russell.

Basically, our thoughts and consequently our language are structured in six levels.



Figure 4 Logical Levels

Source: coacharya.com

Three of them belong to an area of our personality known as «world of doing» and the other three belong to the so-called «world of being».

The world of doing involves our visible and concrete world: where and when we act, what we do and how we do it. The world of being preserves more intimate and confidential aspects like our values, motivations and sense of self.

Dilts claims that the six levels are connected through a kind of elevator which allows to move upwards and downwards the pyramid.

The lowest section of the pyramid involves the three levels that belong to the world of doing. Starting from the bottom, there is the logical level of the **environment** which relates to where and when we do something. Indeed, we live surrounded by a concrete environment made up of specific constraints and characteristics like sounds, lights, space, time and so on... Since this logical level is the most concrete part of our experience, it represents a safe zone when negotiating. Asking questions connected to the environment like «Where? When?» allows to keep the conversation in a sort of agreement area.

Suppose that a company has to relocate some of its employees in order to reduce a surplus. If a manager asks to his disappointed employees «Why don't you want to move to our headquarters in Rome?» he will probably get as an answer a useless «Because we want to stay here in Milan!». But if the manager asks «Is two months enough for you and your families to move to Rome or do you need more time? Do you prefer to be moved to the corporate offices in Naples instead of Rome?» he will get more relevant answers.

Furthermore, paying attention to the physical environment during a negotiation can also help a lot: moving around and perform a walking negotiation creates empathy and allows to better study our interlocutor and his representational systems.

The choice of a seat around a table can also make a huge difference. Sitting next to our counterpart to eliminate any potential barrier gives a different feeling than sitting behind a big desk with our interlocutor positioned opposite to us on an uncomfortable chair.

Moving upwards the pyramid we find our **behavior**, the second logical level.

When we learn or experience something new in a specific place, our behavior is impacted as well. In simple terms, the environment shapes what we do and how we behave.

We all know that there are written and unwritten rules of conduct to follow depending on different circumstances, which means that the way we behave at school or at work will be different from the way we behave during our best friend's party or at a karaoke night. The last logical level belonging to the world of doing is that of **skills and capabilities**, which compose the knowledge, expertise and mental model or mental map we are working from. From this mental map we process a behavior and through our behavior we bring skills and capabilities into the environment.

Basically, this level is about how we do what we do. We do not engage in conversations only because we react to the surrounding environment, but we do it because there is something deeper inside us that we want to share.

Anyway, it is important to remember that skills are not only cognitive, but emotional as well. Indeed, they also involve our memories and what we have learnt from our history (so, all the experiences that shaped and influenced our personal way of doing something).

Moving on to the second section of the pyramid we find the three levels belonging to the world of being, which represent the most confidential and intimate part of our personality. Therefore, the fourth logical level is that of **values and beliefs**, which are one of the most solid parts of our unique way of thinking and acting.

This level goes way beyond what we do and how we act; it is a whole sphere of feelings. It is all about the reasons, the ideas and the motivation that drive our skills and behavior. In simple terms, values and beliefs answer the question «Why?»: why do we behave respectfully? Why are we kind to other people? Why do we tend to be selfless?

The answer lies in our personal values and beliefs.

As we get closer to the top of the pyramid, we encounter what Robert Dilts depicts as the deepest, truest and more delicate logical level: our **identity**.

Hence, this level is about who believes, who knows, who does, who experiences...

Dilts highlights how the identity shapes our beliefs: «If I believe that I am a strong, healthy and resilient person, then I am going to believe that I can get through certain

troubles or transform things (values/beliefs), I am going to learn things more easily than others (skills), I am going to do specific activities (behavior)» (Dilts, 2018).

On the other hand, if my sense of identity is that of a bad, weak and nasty person, my beliefs will be completely different and so will be my skills and behavior.

The top of the pyramid is occupied by the sixth logical level, the so-called **beyond identity** level, which is based on the idea that we are all part of something bigger than ourselves. Most people love feeling part of a group like a family, a community, a profession, a university, a sport team because it helps to strengthen their sense of identity. Other people have a very strong sense of being part of something that goes way beyond their identity like humanity, the Planet, the universe...

Dilts points out how this level often represents the foundation of what people would call «mission» or «spiritual experience» (with «spiritual» not necessarily interpreted as «religious», considering that religion fits in the logical level of values and beliefs).

Therefore, our reality is composed by all these six different logical levels, with each level being less concrete as we approach the top of the pyramid. It is important to underline that each level can be both a resource and a limitation, especially when negotiating.

One of the main rules of expert negotiators is to protect the world of being by bringing the discussion into a territory that is easier to manage, where we can try to gently introduce a change in our interlocutor's environment, behavior or skills.

All of us carefully protect our world of being and there are very few people we choose to welcome inside because when our ethics, principles and values are questioned, we tend to fight back aggressively without thinking about it.

Another aspect that deserves particular attention is the risk of generalizations.

Indeed, in the agreement language, using correctly contextual and generic expressions makes a huge difference on the meaning of a sentence. The sentence «You have done a stupid thing» has a totally different meaning than «You are stupid»: from the first sentence we can infer that the behavior that a person adopted in a specific context was not so smart, whereas the second sentences implies that the person is stupid all the time (so, this last consideration deals with someone's identity, not with his/her behavior).

Hence, generalizing involves the world of being because it moves the accusation from a limited and contextual plan to a personal one. However, the fact that the world of being is a potentially dangerous zone does not mean that we should never try to get inside it. Indeed, if the purpose of our conversation is to motivate or encourage, we should aim at

the identity or values and beliefs level because a change in this part of the pyramid will cause a domino effect, provoking a change also at the skills and behavior level.

For example, if a shy person is persuaded to acquire more confidence, then he will start to develop new skills and introduce new behaviors, like speaking in front of an audience. To conclude, Robert Dilts's six logical levels are one of the most powerful tools that the effective communicator has at his/her disposal. Knowing how to move among them using Dilts's «elevator» cleverly allows to bring a critical situation closer and closer to the so desired agreement zone.

1.3 Sensitive Tools

At this point, there is room only for three more tools in the effective communicator's toolbox: the conjunctions «But – And», the best structure for a «Positive No» and the B.A.T.N.A. and Q.I.A. acronyms.

They can all be considered sensitive tools because, if used in the wrong way when facing a critical situation, they can cause an aggressive (sometimes disproportionate) reaction of our counterpart. In simple terms, their incorrect or improperly calibrated use can throw away the chance to reach an agreement quickly and peacefully. Therefore, even if they may seem simple and trivial at first sight, the effective communicator must always plan their use carefully because once employed turning back is extremely difficult.

1.3.1 But – And

Let's start with the basics: «but» is an adversative conjunction, while «and» is a copulative conjunction. Hence, they serve two different purposes within a sentence.

As the name suggests, adversative conjunctions express opposition or contrast between two sentences or phrases: «I would like to come to the party, *but* I cannot now».

The effect that the conjunction *but* has on the sentence is pretty obvious: there is an overwhelming superiority of the second part over the first one. The fact that I am not able to join the party towers over the desire to come and celebrate with my friends.

On the other hand, copulative conjunctions indicate that something has been added.

The second part of the phrase complements the first one.

Therefore, if in the previous example we substitute the conjunction *but* with *and*, the sentence acquires a different meaning:

«I would like to come to the party *and* I will right after I finish my assignment».

This time neither of the two sentences is prevailing; it is like they are both standing equivalently on the same plan. Indeed, the word *and* produces in our minds exactly what the equal sign produces in mathematics.

Hence, while the conjunction *but* generates adversity and controversy, the conjunction *and* copulates and puts together.

The choice of conjunctions during a negotiation is anything but a mere or meaningless detail. Indeed, this sensitive tool must be adopted with extreme consciousness.

Let's analyze the following sentences:

- «I agree with you, *but* I believe that this is not the right time to implement your idea».
- «I agree with you *and* I believe that this is not the right time to implement your idea».

Even if the two sentences seem almost identical, they have two different shades of meaning and a totally different impact on the interlocutor.

In the first sentence, the adversative conjunction *but* makes the second part of the sentence dominate over the first one. Hence, the counterpart will probably get the impression that his idea is somehow inappropriate or out of place.

However, the use of *and* instead of *but* changes the perception: this time the counterpart will feel like his idea is good and it is better to wait and implement it in a second step.

So, adopting a copulative conjunction instead of an adversative one can make a huge difference: indeed, in the first case the counterpart felt offended because of the rejection of the idea; in the second case the counterpart felt like his idea has been praised.

1.3.2 The Best Structure for a «Positive No»

Yelling a hard «No!» in the face of our interlocutors when negotiating is always a risky move because it favors the escalation of the conflict, and it generates closure on the other side. Hence, the second sensitive tool offers a great alternative to the aggressive and disrespectful «No!» and it represents the perfect antidote to conflict escalations.

Before analyzing the structure of a «Positive No», it is essential to understand the three ways to encode our messages in two-dimensional communication.

The first one is the so-called B.L.O.T. structure, which stands for «Bottom Line On Top».

The concept behind B.L.O.T. is that the core of our message (the bottom line) should go

at the beginning of the speech, email, document or business report, so that it stands out immediately. Hence, this structure works best for messages of an informative nature.

The following example shows how to implement the B.L.O.T. structure:

We have decided to enable remote working to meet the needs of our commuter employees. Considering the continuing train delays due to railway renewal, we allow commuters to work from home for the following two weeks. Commuters are invited to:

- Fill the form on the company website.
- Notify if they need to borrow a laptop or any other devices.

See you all back in two weeks.

The second structure is B.L.O.B., which stands for «Bottom Line On Bottom» and it places the main concept at the end of the message. Hence, firstly the topic is introduced and developed and then, at the end of the message, the main concept is presented.

This strategy is particularly useful when we want to demonstrate something (and persuade our interlocutor): to have a good idea, a good product, a winning argument...

The following example further illustrates the B.L.O.B. structure:

Students' performance is considerably improving after the introduction of the afternoon reinforcement classes, which provide the precious opportunity to revise the topics covered in the morning and to perform extra exercises.

Therefore, I suggest that a significant part of the school budget should be dedicated to raise the hours of reinforcement classes to make them more intensive and interactive.

Finally, we can build our messages adopting the **B.L.I.M.** structure.

B.L.I.M. stands for «Bottom Line In the Middle» and this is the perfect structure to deliver a «No», a rejection, bad news, critical feedback or any other message that can have a negative impact on our interlocutor.

This is also called the Sandwich Structure: it starts with good news (the soft bread on top), delivers the critical message (a rotten slice of cheese) and ends with a reconciliatory good news (the second slice of soft bread).

The pattern to follow is straightforward: good news – bad news – good news.

This is why the B.L.I.M. structure is also known as the «three K Structure», the three Ks being «kiss – kick – kiss». The first kiss is essential to establish a positive mood that can possibly safeguard the relationship and prepare the interlocutor to the upcoming kick. When the kick comes, it should hit in the lightest possible way. So, instead of saying «No, I cannot be there at 9:00 a.m.», we can propose a reasonable alternative like «Could we reschedule the meeting at 10:00 a.m.?». The last kiss alleviates the pain of the kick.

Let's look at another example:

Your resume was comprehensive and impressive. Since all the positions open to interns are full at the moment, you could send your resume to one of our clients. They might need interns in their new offices in Milan.

The two kisses protect the relationship (which is different from the content of the message!) and squeeze the kick in the middle.

At this point, the previous sensitive tool comes in handy because we have to be careful when we connect the kick to the kisses. If after the first kiss we use an adversative conjunction like *but*, it is like we are throwing the positivity of the first kiss away:

«I would like to join you, *but* I cannot»; «I would like to help you, *but* I am busy».

Therefore, placed between the first kiss and the kick, the *but* only makes things worse. However, if we place it between the bad news and the second kiss, it can generate a good effect:

I would like to come to your birthday party because you are such a good friend. Unfortunately, I have a business meeting at 5:00 p.m., *but* I promise you that as soon as the meeting is over, I will stop by to wish you happy birthday.

Anyway, it is also possible to deliver the exact same kick in a way that wraps it up in the form of a subordinate. Therefore, the shade of meaning and our interlocutor's perception change, as it seems like the kick goes in the background:

I would like to come to your birthday party because you are such a good friend. Since I have a business meeting at 5:00 p.m. I promise you that as soon as the meeting is over, I will stop by to wish you happy birthday.

William Ury, Professor of Negotiation at Harvard University, is one of the most expert users of the «Positive No». In *The Power of a Positive No* (2007), Ury highlights how a «Positive No» is essential in order to get to the right and smart «Yes».

The example he did when he presented his book is a masterpiece of the language of agreement: «I have a very important family commitment, so I cannot work this weekend. Here is what I can do: I can work on Wednesday or Thursday night».

In conclusion, it is important to remember that a hard «No!» is a difficult and potentially disruptive word in critical situations. Adopting the B.L.I.M. or Sandwich Structure is the perfect alternative to avoid the conflict escalation and preserve the soundness of a

relationship. Therefore, effective communicators always start by expressing a «Yes» and giving a first kiss; then they assert the «No» in a respectful clear and clean line, and finally propose a «Yes», an alternative proposal wrapped in the final kiss.

1.3.3. B.A.T.N.A. and Q.I.A.

This last sensitive tool is just about alternative proposals wrapped in the final kiss.

The concept of **B.A.T.N.A.** (Best Alternatives To the Negotiating Agreement) was introduced by Roger Fisher, William Ury and Bruce Patton in their seminal book *Getting to Yes: Negotiating Agreement without Giving In*.

The B.A.T.N.A. comes in handy when we have to communicate bad news or critical messages with the B.L.I.M. structure and it represents a clever strategy to deliver the final kiss and complete the Sandwich Structure.

The following example shows how to use it properly:

Thank you for calling me Emma, I would love to study with you for the Law exam (kiss).
However, tomorrow afternoon I have an appointment with my thesis supervisor (kick).
Is it ok with you if I come this evening or the day after tomorrow?
Otherwise, I can skip gym and we can study tomorrow morning (kiss, with B.A.T.N.A.)

Hence, this last sensitive tool represents the key to achieve a win-win situation by offering reasonable alternatives. Indeed, demonstrating total willingness to find a solution is usually very appreciated by the counterpart, who will consequently get committed to reach an agreement which satisfies both parties.

The **Q.I.A.** (Questions with Illusion of Alternative) is another good option to use in the final kiss. Basically, these are questions you already know the answer.

Let's suppose that an average student gets 26/30 at a very hard Mathematics and Statistics exam. A possible Q.I.A. to attach to the final kiss would be «Will you accept a 26 or will you struggle for the rest of your life to get a 30 cum laude?».

In another scenario, a mother is dealing with a whimsical child who does not want to eat his dinner. Instead of asking «Are you going to eat your dinner now, yes or no?», she can ask the following Q.I.A.:

«Are you going to eat dinner with the yellow or with the orange spoon?».

The second question leaves no choice to the child: he must eat his dinner, either with the yellow or with the orange spoon.

The reasons why questions with illusion of alternative are precious sensitive tools is that by drawing a crossroad they may also open a third road on the other person's side: for example, the student can negotiate a couple of extra questions to reach at least 28 and the child could ask to eat dinner with his mom's spoon.

To conclude, adding the B.A.T.N.A. or a Q.I.A. at the end of the second kiss is always a smart way to find an agreement and preserve the positivity and solidity of a relationship.

CHAPTER 2

HOW THE EFFECTIVE COMMUNICATOR EMPLOYS THE TOOLBOX

2.1 Handling Advanced Tools

In this section of the chapter we will focus on the implementation of the three advanced tools: the representational systems, the CML method and the logical levels.

We will explore three clips drawn from well-known movies and there will be an in-depth analysis of how the chosen protagonists negotiate in different situations.

2.1.1 Chocolat

The movie *Chocolat* is a romantic comedy with Juliette Binoche and Johnny Depp, released in 2000 and directed by the Swedish filmmaker Lasse Hallström.

Vianne Rocher and her six-year-old daughter move to a small French village to open a special and very unusual chocolaterie, which at the beginning is welcomed with concern and skepticism by the locals. This last aspect is particularly evident in the clip «What do you see?» in which Vianne Rocher has to deal with exceptionally difficult customers.

The clip I chose starts with a smiling Vianne Rocher making the last preparations before the official opening of the chocolaterie.

She does not seem to care too much about the disgusted gaze that a rigorous man walking nearby throws towards her: indeed, she keeps on her radiant smile.

The focus shifts on a strict woman, whose name is Caroline, walking stiffly with her son beside the chocolate shop. All of a sudden, she gets accidentally hit by an old bicycle wheel chased by a bunch of boys playing on the street.

At this point, Vianne Rocher comes out from her shop to help the woman who, at first, rejects Vianne's invitation to enter the shop.

Indeed, Vianne asks: «Do you want to come in and sit down?», but the woman answers: «No, please do not trouble yourself. I am fine». Vianne replies in a very smart way, brilliantly implementing the first two steps of the CML method.

After a quick but effective calibration, Vianne moves on to the mirroring phase and she says: «No, it is no trouble. I am Vianne Rocher». As Vianne replicates the same sentence

structure, the lady's walls seem to lower slowly, and she introduces herself and her son Luke. Without the least hesitation, Vianne moves confidently to the leading phase by putting her arm behind Caroline's back and stating a firm, but sweet «Come in!».

Vianne welcomes Caroline and Luke with a special hot chocolate made from a two-thousand-year-old recipe, but Caroline coldly turns it down with a «Thank you, but no» and she prevents her son from drinking it.

In this rejection we notice an example of the wrong use of the adversative conjunction *but*: turning down the hot chocolate with a cold «Thank you, *but* no» makes the sense of rejection seem bigger than the appreciation and gratitude for the kind gesture made by the friendly shop owner. Indeed, a few clips later, there is the definitive confirmation that Caroline does not feel comfortable at all being in a chocolaterie during Lent time.

In the meantime, a new client enters the shop and she is warmly served by Vianne and her young daughter. While a colorful plate spins on the counter, they ask the woman two simple questions: «What do you see? What does it look like to you?».

Here, they are clearly trying to stimulate the lady's visual predisposition by using visual verbs like «see» and «look like». Hence, she hesitantly replies with a very kinaesthetic image («A woman riding a wild horse»), but she immediately feels uncomfortable and judged when Caroline laughs at her answer.

Ashamed of her answer, the woman whispers a desolate «Silly answer»; but once again Vianne chooses to appeal to the CML method and she mirrors her interlocutor in order to cheer her up: «There are no silly answers!». Vianne succeeds again.

At this point of the movie, we witness an extremely clever use of the first advanced tool: the three representational systems. Indeed, based on what the client sees on the colorful spinning plate, Vianne realizes whether the person is more visual, auditory or kinaesthetic and she offers the most appropriate and suitable type of chocolate.

Therefore, she matches her clients' favorite representational system to the most ideal type of chocolate for their personality. For example, she suggests chili pepper chocolate for the very kinaesthetic woman, who loves it to the point that she buys a full bag.

Soon thereafter, it comes Luke's turn to spin the plate. The young boy shows a clear inclination towards the visual representational system, especially for dark and gloomy images such as teeth, blood and a skull. Vianne cannot help but propose a very dark chocolate which would perfectly match his personality, but Caroline strictly forbids her son from eating the chocolate square because of Lent season.

The clip ends with one last dialogue between Vianne and the kinaesthetic woman.

Once again, Vianne beautifully relies on the powerful CML method to reassure her client about the amazing power of her chocolate. Indeed, when the woman complains about her husband's bad personality with an upset «You have obviously never met my husband», Vianne promptly replies: «You have obviously never tried these».

To conclude, Vianne Rocher is an extremely effective communicator (and seller as well) and a perfect example to follow. She cleverly masters two advanced tools like the representational systems and the CML method, and she does it in the most effective way. Finally, it is also very important to highlight the great effort that she makes (especially during the mirroring phase) to always tune in with her interlocutors to try to be on the same wavelength.

2.1.2 The Negotiator

As the title suggests, this 1998 American action thriller is a great masterpiece when it comes to the implementation of the effective communicator's advanced tools.

Danny Roman is an incredibly talented and skilled negotiator and in the first clip of the movie he has to stop a man who is pointing a rifle at his daughter's head.

To succeed, he has only one weapon available: the power of his words.

Here, we will analyze not only the impeccable handling of the most challenging tools (some F.B.I. policemen were involved in writing the script), but also the building and exploitation of an extremely delicate rapport. The scene starts with Omar threatening to kill his daughter if his wife does not get inside to witness his suicide.

Danny is located outside Omar's apartment with an entire police force ready to break in, and he is communicating with Omar in an attempt to talk some sense into him.

After checking a list with instructions and information about Omar, Danny chooses a topic that could allow him to build a relationship with the hostage-taker.

The list in his hands is split in two columns: one includes the things that Omar likes (which would be Omar's opening keywords) and the other contains the things that Omar does not like at all (his closing keywords).

DANNY: Yeah, I like animals better than people, sometimes. Especially dogs. Dogs are the best. Every time you come through the door, they treat you as if they haven't seen you in a year. And the good thing about dogs is they got different kinds of dogs for different kinds of people. Like... Pitbull. The dog of dogs. Pitbull can be the right man's best friend, and the wrong man's worst enemy. Yeah, if you gonna give me a dog for a pet, give me a Pitbull, give me... Raul, right Omar? Give me Raul.

Danny cleverly starts his speech with a «Yeah» to metaphorically bring his interlocutor closer. Then, he immediately adopts the CML method: he cannot see Omar physically, but the list of information is sufficient to perform a quick calibration.

As a consequence, Danny carries out two mirroring phases, with a leading one in the middle; «I like animals better than people» represents an emotional mirroring moment. Basically, Danny is reproducing Omar's state of mind: since he is pointing a rifle at his daughter, the negotiator infers that Omar does not feel unconditional love for human beings, therefore Danny is telling Omar that he understands how he feels.

However, the negotiator adopts the adverb «sometimes» to make it clear that he does not feel like this all the time: it is fine to love animals more than people once in a while, but hating people to the extent that you want to kill your own daughter is definitely wrong. This is a smart attempt to try to lead towards positive feelings.

Then, there is the second mirroring moment: «Especially dogs. Dogs are the best».

Omar owns Raul, so Danny claims that dogs are the best animals in the world. «Every time you come through the door, they treat you as if they haven't seen you in a year». This second social mirroring moment is an attempt to establish a connection and possibly build trust with the out-of-control hostage-taker.

There are three more noteworthy details in this speech. The first one is the hidden command in the second mirroring moment: when Danny says «[...] you come through the door» he is implicitly inviting Omar to open the door and let him in. The second detail is the use of the copulative conjunction *and* instead of the adversative conjunction *but* at the beginning of the fifth sentence («*And* the good thing... »): it is extremely important that in this highly critical situation Danny uses a positive terminology.

Lastly, when the dog barks, the negotiator adopts the (supposedly opening) keyword «Raul», hoping that it would inspire more positive feelings.

However, things do not go as hoped because of a mistake in Danny's list. Raul, who appears under the section of things that Omar likes, is actually hated by his owner.

OMAR: I fucking hate Raul. (To Raul) Shut the fuck up, asshole. (To Danny) Son of a bitch, don't know when to shut up.

DANNY (to Nate): He hates Raoul. Farley fucked up the list.

DANNY: Yeah, I can dig it, Omar, I had a dog like that. A poodle. She didn't bark, though. She pissed on the floor. Hated that dog. But if I was ever depressed, she'd lay her head in my lap, look up at me with those big old eyes, and even though I thought I hated that dog, I loved her. It's like that, ain't it, Omar? That love-hate thing.

OMAR: (Shouting) No more goddamned talk. I can't wait anymore. You hear me? I want my wife. [...] Or I'll do our daughter.

DANNY: (Aloud) Omar! Listen to me.

OMAR: No more fucking talking. I want that bitch, or I'll do the girl.

DANNY: Omar, I'm doing the best I can here, man!

At this point, the conversation enters a negative semantic field because Omar hates his dog. Danny must immediately turn things around before the situation gets worse. Therefore, after emphasizing one more time that he understands him («I can dig it, Omar»), he tells a short story about a small, female, quiet poodle (Raul's opposite).

The purpose of the story is to gradually lower the tension and lead the conversation towards a more positive semantic field. Hence, Danny performs a mirroring-leading step by mirroring the feeling of hate, while also leading towards a possible change of scenery. Moreover, he makes a clever use of the adversative conjunction *but* («*But* if I was ever depressed...»): this time Danny accurately implements it, to make the sphere of love overcome the one of hate.

However, Omar is completely out of his mind and he furiously opposes Danny's attempts to calm things down. At this point, Danny appeals once again to the CML method and he mirrors Omar's auditory representational system: indeed, when Omar asks: «You hear me?»; Danny replies «Listen to me!». Furthermore, Danny realizes that Omar is (predominantly) a very kinaesthetic person as he uses twice the kinaesthetic sentence «No more talk!». Anyway, Danny's flexibility when it comes to keep up with Omar's switch of representational systems is simply remarkable.

The dialogue ends with Danny claiming that he is doing his best. This is a very popular sentence during negotiations. Indeed, Danny uses it to make Omar understand that he is on his side and that he is doing whatever he can to help him.

Another relevant detail stands in Danny's paraverbal sphere: Omar screams and talks really fast because he wants to end it all as soon as possible, but Danny keeps a calm and moderate tone of voice to try to smooth things over (another form of leading).

At this stage the situation gets even more critical: Danny's police team suggests that it is time to break in, but Danny completely disagrees because he knows that if they breach, Omar would still have enough time to pull the trigger and kill his daughter.

Therefore, Danny has to negotiate with his own team as well. This is another characteristic of many critical situations: it could happen that we have to negotiate with different parties simultaneously (including our own team!) to reach the final objective.

He declares that he is going in and when his team opposes his decision he asks:

«Know another way to get the gun off her head?».

This is a rhetorical question to make his team understand that he must enter the apartment, as it is the only option they have to try to save Omar's daughter.

DANNY: Yo, Omar! Just got word. Your wife's here. I've been authorized to make the trade. But I gotta come in, look around, make sure there's no other hostages and there's no surprises. Alright?

OMAR: Fuck you. I wanna see her first.

DANNY: Omar, I got to come look. Then I can bring in your wife, get the girl.

OMAR: What if you're lying?

DANNY: Then shoot me!

OMAR: Ok, fair enough! Nice and slow! You look around, then I get my wife. Or you fucking die.

Danny implements a famous technique: if he wants to get in, he must bluff and pretend that Omar's wife is there. So, when he says «Just got word» he means that someone else told him about Omar's wife, but he did not see her. Basically, he is declaring that it is not his fault if she is not actually there because he is playing an impartial role.

Once again, Danny accurately adopts the conjunction *but* to introduce a condition and switch the representational system from auditory («Just got word...») to visual («Look around»). It is important to highlight how Danny cleverly avoids negatives: when Omar asks «What if you're lying?», he does not reply «I am not lying»; instead, he answers with a loud and confident «Then shoot me!».

At this point, Omar opens the door to let Danny in.

DANNY: Nice breeze. Great day to be out, you know? Not cold, cool, kind of brisk... Too bad we got stuck in here.

OMAR: You've seen everything, there's no surprise. Now let's do this.

DANNY: Hey, I gotta look in those rooms down there, you know, make sure there's nobody there.

OMAR: Alright, move.

DANNY: Football, huh? Perfect day for it. I ain't missed a Bears home game since I left the Corps. The Corps was a winning team, wasn't it?

OMAR: Oh, yeah? You were in?

DANNY: Yeah. I did a tour in '73.

OMAR: Semper fi, motherfucker. I did two tours: '68 and '69.

DANNY: Well, hoo-fucking-rah, Omar. Hoorah!

OMAR: Don't meet many Marines these days. Everybody joins the Navy.

Danny cleverly starts with a situational mirroring («Nice breeze»): this is another famous negotiation technique adopted to make both parties agree on at least one easy and ordinary topic. It is an attempt to reduce resistance and bring the two sides closer.

Moreover, the weather is the perfect topic to distract (but also comfort) Omar and to bring him back to reality.

It is important to emphasize Danny's paraverbal sphere one more time: indeed, he enters the apartment with a reassuring smile, even though he is extremely stressed.

When Omar rushes Danny to make the trade, the negotiator mirrors his (this time) visual representational system («I gotta look... »). Moreover, he refers to «Those rooms down there» to lead Omar to the spot where he can get shot by the hidden police shooters.

While they move towards the rooms, Danny takes advantage of the football match on TV to perform another situational mirroring (the name of Omar's favorite football team was on the list of the opening keywords). Furthermore, he takes the opportunity to introduce what he knows to be a key topic to build the rapport: the Corps.

Omar falls for it, and he even believes that he is leading when he realizes that he has more experience than Danny («I did two tours: '68 and '69»). Indeed, most negotiators know that the most effective mirroring consists precisely in making the other person believe that he/she is leading the negotiation. Therefore, Danny seizes the opportunity and he immediately mirrors Omar's pride for the Marines.

OMAR: See? Nothing here, lieutenant, so now we make the trade.

DANNY: No. Stay cool. Like I told you, gotta check out everything. Omar, a Marine and a sailor are in the bathroom taking a piss. The Marine goes to leave without washing up. Sailor says: "In the Navy, they teach us to wash our hands." The Marine turns to him and says: "In the Marines, they teach us not to piss on our hands."

In the last dialogue of the clip, we see Danny saying «No» to Omar for the first time.

He does not mirror Omar's visual representational system willingly because he does not want to stimulate his sight: it is crucial that Omar does not notice the police shooters or the signals that Danny is making to them.

Therefore, Danny cleverly exploits the rapport built with the hostage-taker and he tells a joke about the Marines to keep Omar's mind busy. Omar is so captured by the joke that he does not expect the shooting. Indeed, Danny gives the green light to the shooters and Omar finds himself on the floor wounded by the gunshot. The police finally break in.

In conclusion, Danny solved an extremely critical situation (probably the most critical of all) only with the power of communication. He masterfully handles the most complex advanced tools (he naturally performs emotional and situational mirroring) and he is able to not only build, but also exploit the rapport with an insane hostage-taker.

In addition, the clip reminds us about the importance of the basic and sensitive tools: Danny is a trained listener and he is an expert when it comes to adjusting his verbal, paraverbal and non-verbal spheres to the situations he is facing. Moreover, he has full control over the use of potentially dangerous tools like the conjunction *but* and the risky «No». In other words, he is the perfect example of an extremely effective communicator.

2.1.3 The Big Kahuna

The Big Kahuna is a 1999 American movie with Kevin Spacey as protagonist. Larry Mann and Bob Walker are two salesmen waiting for a big client (who they call «The Big Kahuna») that could save the struggling industrial lubricant company they work for.

In one clip Larry (the boss) and Bob have a heated discussion that will eventually turn into a fight. Bob is an extremely religious person and he spontaneously talked about religion with the Big Kahuna at the convention the salesmen are attending to save the lubricant company. Larry wants Bob to focus only and exclusively on business, but the two seem to not understand each other.

The argument makes us understand the huge importance of Dilts's logical levels pyramid and it reminds us that negotiations should always stick to the world of doing.

At the beginning of the clip, Larry and Bob's paraverbal sphere is characterized by a calm and peaceful tone of voice. Larry asks: «Who raised the subject of Jesus? Honestly».

Before answering Bob makes a very long break and, after taking a seat, he admits that he was the one who talked about Jesus at the convention. At this point Larry does not hold back, and he instinctively asks: «Why?». Then Bob replies: «Because it's very important to me. The people hear about Jesus». Therefore, Larry makes a significant non-verbal gesture as he kneels next to Bob to look him straight in the eyes.

From the very beginning of the conversation Larry sharply invades Bob's world of being by asking the questions «Who?» and «Why?». As we saw in the previous chapter, breaking into someone else's world of being is always a risky move because we approach the most confidential and intimate part of their personality.

Here Larry wants to willingly provoke Bob, that is why he questions his identity and his values and beliefs, which are the most solid parts of our world of being.

If Larry wanted to keep the conversation in a safe zone, he would have asked questions related to the world of doing, like «How did the subject of Jesus come up at the convention?» (instead of «Who?») and «What was your purpose?» (instead of «Why?»).

The conversation goes on; Bob is looking downwards and once again Larry asks one potentially dangerous question:

[...] understanding that it was very important to our being here that we meet with and speak to Mr. Fuller concerning the lubricant situation, why did you instead choose to talk to him about Jesus?

Again, we notice the intentional attack to Bob's world of being: Larry does not mention at all Bob's ability and skills as a salesman, but he keeps questioning Bob's ideas and reasons that drive his behavior. He always targets his values and beliefs.

Indeed, Bob suddenly stands up and he confidently states the reasons why he did not mention lubricants or work and why he chose to talk about religion instead: «[...] I didn't want him to think that I was insincere». Once again, Larry aims to Bob's world of being; he stands up and says: «But you were insincere, Bob, in a much greater sense».

At this stage, the discussion starts to get serious. Larry did not limit himself to an inoffensive: «Maybe the way you acted was not as sincere as you think». Instead, he targets Bob's identity and he defines him as an insincere and deceitful person.

Moreover, as the tension increases and the tolerance decreases, we witness some alterations in Larry's paraverbal sphere: he raises his tone of voice and he talks faster.

[...] And for a couple of days, Bob, we lose our identities, here, in Wichita. And we become the hands of the company, shaking all the other hands before us! What you did – the reason you were insincere – is that you cut off that bond [...].

In this monologue Larry stresses how they lose their identities when they play the role of salesmen. As Robert Dilts says, we have more than one single identity because we change our behavior according to the environment that surrounds us.

This is what Larry wants Bob to understand: since they are working at an important convention, Bob should behave as (and be like) a professional salesman, leaving the «extremely religious Bob» aside for that specific circumstance.

However, Bob combines the salesman with the religious person (making the second dominate over the first one), bringing up topics that Larry considers as incredibly inappropriate for the occasion.

One thing to mention here, is that Larry quickly switches between world of doing («What you did», your behavior) and world of being («The reason you were insincere», his values and beliefs). This shows how Larry is still very inclined to provoke Bob.

When Bob diverts the subject to talk about the Apostle Paul, the discussion turns into a heated argument. Larry is sick of Bob talking about religion when they have a company to save. Besides, the contrast with the first pieces of conversation from the paraverbal and non-verbal point of view is more than evident. Indeed, at this stage they are both screaming, gesturing animatedly and moving nervously around the room.

In the middle of the argument Bob attacks Larry for the first time: «We're not here to go chasing women either, but that doesn't seem to stop you». Sick of Larry's umpteenth reproach («We're not here to save souls!»), Bob claims that Larry is cheating on his wife, therefore he attacks his identity insinuating that he is a traitor.

Moreover, he intentionally uses the conjunction *but* to make the insinuation seem bigger. That was the straw that broke the camel's back and the escalation is about to reach its peak. Lowering his voice and articulating his words, Larry makes it clear that he has never cheated on his wife.

However, when Larry mentions Jesus and the Bible one more time, the heated argument turns into a real fight. The two of them start screaming over each other until Larry grabs Bob from his shirt and they both find themselves on the floor trying to punch each other. There are several lessons that we can learn from this clip, but the main one concerns the importance to understand how people use Dilts's logical levels.

The whole fight could probably have been avoided if Larry understood from the very beginning that, as a deeply religious person, Bob is strongly connected with his values and beliefs sphere. Therefore, to preserve the relationship, Larry should have stuck to the world of doing and avoided to question Bob's world of being all the time.

In conclusion, when negotiating, it is always worth to dwell on people's logical levels and make sure that we respect their world of being to avoid potential conflicts.

2.2 Handling Sensitive Tools

In this section of the chapter we will delve into the sensitive tools, with a specific focus on the adversative conjunction *but* and the «Positive No».

Once again the movie industry will be our starting point, as we will analyze how the main characters of the chosen movies face three different critical situations, and how they implement the set of sensitive tools. Of course it goes without saying that, like in the case of the advanced tools, the use of sensitive tools is always backed up by the basic ones.

2.2.1 How to Get Away with Murder

This paragraph focuses on the clip «Annalise's Powerful Closing Argument», taken from the American TV series «How to Get Away with Murder».

Annalise Keating is a great lawyer and criminal law professor who has been charged with murder. By the end of her trial, she gives a brilliant closing argument to convince the jury of her innocence. Given the vital importance of her speech and considering her long experience as effective communicator, she skillfully makes use of some basic and sensitive tools to try to get out from an extremely critical situation.

Annalise's posture in front of the jury is very significant: before starting her speech, she stands up straight, holding her hands and hiding her palms from the jury.

She begins with a very powerful statement: «I am no victim. USA Lennox was right about that. But that's the only true thing that he said today».

Annalise adopts the adversative conjunction *but* from the very beginning of her argument. Indeed, she starts with two assertions apparently not in her favor, and cleverly concludes with a third statement in which the *but* combines two functions: first, it discredits everything that Annalise's opponent said except for one thing (that she is not a victim) and second, it makes Annalise's version of the story more appealing to the jury. Therefore, exploiting the advantage that this gives to her version of the story, she goes on stating: «So, here's the truth about me: I've worn a mask every day of my life».

At this stage, she lists the different types of «masks» that she wore from high school until the day of her marriage, and it is important to look at her non-verbal sphere when she does so: indeed, she is still crossing her arms along her body, even when she draws the quotation mark with her fingers while explaining that she changed her name to sound more «New England».

She finally states the reason why she wore all those masks: «[...] And it was all to create a version of myself that the world would accept. But I'm done».

She strengthens these words by persuasively nodding her head (another significant non-verbal sign) and, as she talks, her eyes start to get filled with tears.

Once again, she effectively adopts the sensitive tool *but*. Indeed, she makes a short break between the two sentences to emphasize it even more. This is a clever use of her paraverbal skills. The sentence is short, but very effective because it highlights how Annalise is sick of pretending to be someone else to get other people's approval.

She is a determined black woman who made her way through a legislative world mostly made up of white privileged lawyers and judges, and she is tired to make compromises to establish herself as a successful lawyer and professor.

Her argument goes on with a list of smaller «crimes» that she admits having committed, and then she adds: «But those are not the crimes I'm being tried for. It's murder. And I am no murderer». Another brilliant implementation of the first sensitive tool: Annalise swore to tell the truth and she does not hide that she has done many bad things in the past. However, with the use of the conjunction *but*, she reminds everybody that in that precise moment she is being charged with something bigger that she has never committed. Therefore, she adopts the copulative conjunction *and* to better emphasize this point.

Annalise goes on claiming that she is a survivor and, once again, she lists all the reasons why she considers herself so. We can notice how often she makes use of lists to better explain her point and go into the details of her claims.

Hence, after enumerating the reasons why she wore a mask her whole life, the series of small crimes she has committed and why she should be considered a survivor instead of a criminal, she says:

But today you decide. Am I a bad person? [Smiling] Well, the mask is off, so I'm gonna say yes. But am I the mastermind criminal who pulled off a series of violent murders? Hell no.

She adopts the *but* to underline how, even though she survived many difficult situations relying on her own strength, this time whether she survives or not depends on them. So, she intentionally chooses *but* over *and* to highlight the importance of the jury's decision. Once again she admits to be a bad person, but with the use of the second *but* she emphasizes the difference between a bad person and a ruthless murderer.

It is important to pay attention to how much emphasis she puts on the «Hell no» which she pronounces with a little wry smile to imply how crazy is the charge against her.

Annalise is ready to conclude her speech and she does it with an extremely effective escalation, characterized by a slight increase in speed and tone of voice:

Who I am is a 53-year-old woman [...]. I'm ambitious, black, bisexual, angry, sad, strong, sensitive, scared, fierce, talented, exhausted. [Long break] And I am at your mercy.

As she goes on with the list, she articulates and emphasizes more and more her words with a mix of anger and pride. She hints a smile when she says «fierce» and «talented»

and she concludes with a sincere and emotional «exhausted». After an effective break she ends her speech with an almost freeing «And I am at your mercy».

At this point, for the first time after the beginning of her speech, we see Annalise's full body and we can notice a very significant detail: she is still standing up straight in front of the jury, but this time her arms are wide open with her hand palms directed towards the jury as if she is finally showing her true self to the world. At the same time, it looks like she is ready to welcome whatever decision the jury will make, without any fear.

To conclude, this is a very effective and well-designed argument. Indeed, not only does Annalise perfectly implement the first sensitive tool, but she also supports everything with a coherent (but at the same time honest) paraverbal and non-verbal language. Another really effective communicator to add to our list of movie characters.

2.2.2 Margin Call

Margin Call is an American movie about the initial stages of the 2007-2008 financial crisis. The clip «Fire Sale» focuses on the speech that Sam Rogers (interpreted by Kevin Spacey) gives during an extremely critical situation, with the financial collapse around the corner. Once again, there is a lot to learn from the analysis of such a spontaneous but well-structured speech and from how Sam Rogers faces this unprecedented situation.

At the beginning of the speech, Sam adopts the B.L.I.M. structure to deliver bad news:

Thank you all for coming in a little bit earlier this morning. I know that yesterday was pretty bad and I wish I could say that today is going to be less so, but that isn't going to be the case. Now I am supposed to read this statement to you all, but why don't you just read it on your own time, and I'll just tell you what the fuck is going on here.

This kiss-kick-kiss strategy is characterized by a very fast kiss, in which he sincerely thanks his employees. Then, without mincing words, he immediately kicks to make his colleagues face the sad inconvenient truth (if yesterday was bad, today will be worse). Note how he uses the conjunction *but* to kick and promptly deliver the bad news.

At this stage, not to demoralize his employees, he adds the final kiss in which he refuses to read the official statement and he volunteers to explain what is going on («[...] *but* why don't you just read it in your own time, *and* I'll just tell you what's going on here»).

This is a very meaningful kiss because it conveys a sense of closeness to his employees. However, both his paraverbal and non-verbal language communicate urgency and

concern: indeed, Sam talks really fast, making small breaks between the most significant sentences and gesturing animatedly to emphasize his words.

Sam Rogers confidently goes on with the speech, implementing one effective technique that we have already analyzed in the paragraph «The Negotiator».

Sam says: «They believe that it is better to have this turmoil [in the markets] begin with us». He does not specify who said so, but he limits himself to an elusive and vague «They». So, he does not take any responsibility; he is just objectively reporting someone else's words. However, while Danny Roman plays an impartial role between the hostage-taker and the police force, Sam Rogers clearly sides with his employees.

It is possible to infer it from the exceptional emphasis that he puts on the personal pronoun «They» and from the use of «Us» instead of «You» at the end of the sentence.

As the speech goes on, there is another relevant detail to note down. For three times in a short period of time, Sam brings the speech together with the use of «As a result»:

- *As a result*, the firm has decided to liquidate its majority position of fixed income.
- ...on your relationships with your counterparties and, *as a result* on your careers.
- *As a result*, if you are able to complete a 93% sale of your assets, you will receive...

Indeed, this expression is typically adopted to add the final kick in the B.L.I.M. strategy in order to illustrate the consequences deriving from the painful or delicate kick.

Therefore, he is trying to simplify and clarify as much as possible the implications of the tough decisions that the executive committee was forced to make (the painful kick).

After giving all the instructions about the fire sale, Sam takes a moment to make it clear that this extreme solution is their only possible way out:

«Obviously, this is not going down the way any of us would have hoped, but the ground is shifting below our feet and apparently there's no other way out».

The use of *but* is essential to highlight how the situation is out of anyone's control and with the use of *and* Sam confirms that that is the only reasonable option they have.

Before moving on, Sam makes something very significant: he takes a long break during which he seats down and takes off his glasses to look everyone straight in the eyes.

This is another gesture that demonstrates empathy and closeness towards his employees. He looks exhausted. Indeed, he sighs deeply before concluding the speech:

I cannot promise that any of you, all of you, some of you will be repositioned within the firm, but I can tell you that I am very proud of the work we have done together. I have been at this place 34 years, and I can tell you from experience that people are going to say some nasty things about what we do here today, and about what you dedicated a portion of your

life to. But have faith that in the bigger picture, our skills have not been wasted. We have accomplished much, and our talents have been used for the greater good.

The conjunctions *but/and* appear many times in Sam Rogers's conclusion.

It is worth to dwell on the two positive *but* that Sam implements to lift the spirits of his demoralized employees. They both emphasize how much he cares about them and how precious their work has been for the whole company. On the other hand, the conjunction *and* reinforces two claims: firstly, Sam mentally prepares his employees to the bad things that people are going to say about the company and secondly, he tries to cheer them up as he highlights how their efforts, skills and talents have not been wasted.

The paraverbal and non-verbal language support as well the key points of this last part of the speech. Indeed, Sam stands up again before encouraging his employees to have faith and a subtle shade of positivity finally appears in his tone of voice.

To conclude, Sam Rogers succeeds in his extremely difficult task: delivering bad news as the catastrophic event that will upset everyone's lives is just around the corner.

Sam immediately gains his employees' trust when he refuses to read the official statement and he decides to explain what is happening in his own words. Then, he builds a speech packed with sensitive tools that he implements between ups and downs. Indeed, this movie clip can be compared to a roller coaster of rational and emotional communication, just like Annalise Keating's closing argument in the previous paragraph.

2.2.3 The Negotiator – Take Care of «No»

This second clip taken from the movie «The Negotiator» focuses on the challenging and potentially disruptive word «No». It gives an idea of how important is to avoid strong negatives and denials in order to keep the negotiation on a positive tone.

In this second clip, the scenario has been completely reversed. While in the first clip we see Danny Roman in the role of a serious and disciplined negotiator, after being accused of corruption and murder Danny turned into a furious and aggressive hostage-taker.

As he has locked himself in a building with a bunch of hostages, he gets a phone call from an inexperienced and clumsy negotiator belonging to his police team.

The phone call will not be successful at all.

Danny picks up the phone convinced to find Chris Sabian (the negotiator he wants to talk to) on the other side, instead a police negotiator stutters: «No-no it's Farley».

Farley has already made a big mistake even before starting negotiating: he said «No» twice. As we saw in the previous chapter, «No» is an exceptionally important sensitive tool because, if adopted in the wrong way (like Farley does), it can make the negotiation blow up. Indeed, as Danny is already extremely nervous and disappointed because Chris Sabian is not on the phone, the last thing he wants to hear is a hard «No» twice.

Because of Farley's terrible debut, the negotiation is already compromised and Danny does not want to talk to him. Farley asks for more time and Danny promptly mirrors him: «But you don't have more time, Farley». This answer highlights how Danny is leading the negotiation as he is the only one who can dictate rules and conditions.

Farley is already losing Danny and he keeps making mistakes every time he talks. Once again, he stutters: «[...] tell me w-w-what are you doing here, this is like pretty serious....». Of course Danny perfectly knows that the situation is serious and there is no need to remind to a hostage-taker how delicate the situation is (Danny never did it with Omar).

It is important to dwell on the differences between Danny and Farley's paraverbal and non-verbal language: Danny is standing up and he talks with a very loud (sometimes he screams) tone of voice, while Farley is sitting down, whispering and stuttering all the time under stress and nervousness. He even takes off his jacket as he starts sweating too much. It is evident how terribly uncomfortable and inadequate he feels.

At this stage, almost resigned, Farley asks: «Tell-tell me what you want, alright?».

Danny understands Farley's discomfort and he takes advantage of it by making fun of him: «Oh! What do I want? Let's see... How about... Can I see a priest?».

Once again, Farley takes the bait and naively answers: «No, you can't see a priest».

Two more big mistakes (*No, can't*).

Amused by the situation, Danny replies with a provocative smile: «That's good Farley! [...] You shouldn't let me see a priest because a priest gets associated with death and you don't want me thinking about death in my state now, do you?».

Farley ingenuously answers: «No, no». As Farley falls again into the trap, Danny's smile disappears and he gets angrier than before. Holding a gun in his hand, Danny says:

But you told me "No", Farley! You can't say "no"! Never use "no" in a hostage situation!
[...] Let me give you some advice. Never say "no" to a hostage-taker! It's in the manual.
Now, are you going to tell me "no" again?

Farley has totally lost control and he replies: «No, I'm not». Wrong answer for the hundredth time. It is important to notice how the scenario reversed during the negotiation:

now Danny is comfortably sitting on a chair and Farley is standing up, almost panicking as his colleagues are trying to help him and pass him a script to follow.

He throws the script away and listens to Danny's reply: «[...] Eliminate "no" from your vocabulary, Farley. Never use "no, don't, won't or can't", all right? It eliminates options». This is a precious rule to extrapolate from Danny's tips, as it further illustrates the vital importance of knowing how to manage such sensitive and sometimes dangerous tools. Eliminating options makes the counterpart more obstinate and uncompromising, pulling away valuable chances to build rapport and find an agreement.

Danny goes on saying: «The only option that leaves is to shoot someone». Now Farley has been seriously cornered: next time he says «No», Danny will shoot one hostage.

Therefore, Danny immediately tests Farley and he asks him questions to lead him to answer «No». At the beginning, Farley succeeds in avoiding the questions with a dismissive, but effective «I'll see what I can do» or «I'll look into that».

He falls for the first time when Danny asks him if he has ever cheated on his wife, but the hostage-taker only warns him: «Watch yourself! I'll kill someone!».

The game goes on and, as Danny's questions become more and more weird, Farley starts losing patience. Indeed, when Danny asks him if he knows any jokes, Farley answers «No» without thinking. At this stage, upset by the fact that Farley defined his test unproductive, Danny screams: «NO? You just cost someone their life Farley! Game over!». He suddenly shoots towards the ceiling and throws the phone to the hostages screaming that he wants to talk only to Chris Sabian. The hostages reassure the police and one of them screams to the negotiator: «We're ok! Just don't be saying "No" no more!». It is evident that Farley did a terrible job as a negotiator in this critical situation.

As he keeps making bad mistakes when he talks to Danny, who is an expert and professional negotiator, Farley makes the hostage-taker angrier and more nervous (which is exactly what you want to avoid when there are people at gunpoint). Danny teaches him a very important lesson, that everyone should remember: the negation «No» (as well as other negative forms like don't, won't and can't) must be carefully and wisely adopted. It is important to always try to keep the negotiation on a positive tone.

2.3 More Critical Situations to Manage

In this section of the chapter we will delve into three more critical situations from the movie industry, that require the implementation of the effective communicator's toolbox. Here we will not focus on a specific set of tools, but we will analyze the combination of all tools and techniques adopted by our protagonists to face complex scenarios.

2.3.1 Hidden Figures

This 2016 American docudrama tells the story of three brilliant female African-American mathematicians working as «human computers» at NASA. The movie is set in the 1960s, a time when the three women have to deal with racism and discrimination at work.

The chosen clip is called «No More Colored Restrooms» and it shows a very significant and touching discussion between the mathematician Katherine G. Johnson and her boss. At the beginning of the clip, we see Katherine entering her office at a brisk pace and head down. By reading her non-verbal language, it is possible to infer that she is trying to enter the room in a very discrete way as she would like to pass unnoticed.

Unfortunately things do not go as hoped and, as soon as her boss sees her, he asks with a severe tone of voice and in front of everyone else:

«Where the hell have you been? Everywhere I look you're not where I need you to be. It's not my imagination. Now, where the hell do you go every day?».

He speaks with a moderate tone of voice, but he is quite aggressive in the choice of words. Moreover, he adopts the visual representational system and he also puts his glasses on, to draw the other employees' attention on her.

The framing of the scene is also very meaningful: indeed, we see the white powerful male boss on a higher floor and the black female employee looking at him from the bottom up. Katherine, who clearly feels slightly uncomfortable, takes a moment before answering. She wipes off the sweat from her face, adjusts her dress, takes a deep breath and then she replies very respectfully: «To the bathroom, Sir».

The boss mirrors her with the intention to make her answer look ridiculous: «The bathroom. To the damn bathroom. For 40 minutes a day? What are you doing there? [...]». As he asks these questions, he comes down from the upper floor and he positions himself in front of Katherine, hands on his hips to highlight his anger and nervousness.

Once again, Katherine replies in a very calm and respectful way: «There's no bathroom for me here». Shocked and confused by this answer (he gets one step closer), the boss mirrors her without thinking: «What do you mean there's no bathroom for you here?». At this stage, the scene changes. Katherine stops answering passively to her boss' questions and she takes up the courage to say everything she has always wanted to say. Her speech is characterized by a very powerful and effective escalation. «There is no bathroom. There are no colored bathrooms in this building or any building outside the West Campus, which is half a mile away. Did you know that?». She starts increasing her tone of voice and she articulates her words: indeed, we notice that she intentionally avoids the use of the contracted forms «There's/there're». Since her question remains unanswered, she fearlessly goes on:

I have to walk to [...] just to relieve myself; and I can't use one of the handy bikes. Picture that Mr. Harrison: my uniform, skirt below my knees, my heels and a simple string of pearls. [The escalation starts]. Well, I don't own pearls! Lord knows you don't pay colored enough to afford pearls!

Katherine is rightfully letting off steam and no one dares to interrupt her. In her speech, she adopts a very visual expression («Picture that») to reply to Mr. Harrison's visual representational system and to make him see things from her unprivileged point of view. When the escalation starts, we notice how she takes advantage of her anger to move from the particular to the general: she underlines how she does not own any precious pearls because the company does not pay black employees adequately. Especially women. The whole office is totally hanging on her every word as the escalation continues. At this stage she is screaming and her eyes are shining full of tears of anger. «[Screaming] And I work like a dog! Day and night! Living off a coffee from a pot none of you wanna touch!». As she cries out these words, the framing switches from Katherine to her white male colleagues. Some of them keep their head down, hit by Katherine's speech and deeply ashamed of the inconvenient truth she is telling. There is a long break in which Katherine takes another deep breath to calm down. Then, she concludes her powerful speech and this time she speaks with a quiet and peaceful tone of voice. «So, excuse me if I have to go to the restroom a few times a day». She grabs her stuff and gets out of the office, leaving everyone else visibly impressed and touched by her story. Indeed, the first thing that Mr. Harrison does is to make his way to the coffee pot and take off the sticker with the inscription «Colored».

The second meaningful thing that he does is to remove the sign «Colored Ladies Room» from the toilet. Right after, he proudly says: «No more colored restrooms. No more white restrooms. Just plain old toilets. Go wherever you damn please, [pointing at Katherine] preferably closer to your desk». He concludes jokingly stating: «Here at NASA we all pee the same color». We notice the hint of a smile on Katherine's face.

This is a very touching critical situation: we see a smart black woman fearlessly fighting for her rights and against discrimination, and she eventually succeeds with a powerful and emotional speech (in which we analyzed mostly basic and advanced tools).

During the escalation the paraverbal and non-verbal language play an extremely significant and delicate role, as they support and help Katherine to release her deepest and truest emotions in front of her boss and colleagues. Moreover, it is remarkable how she stands up for herself: even though she is truly angry, she elegantly dominates the clash with her boss using even a hint of sarcasm, which eventually gives her the extra gear to succeed in this critical situation.

2.3.2 Thank you for Smoking

It is a 2005 American satirical comedy that tells the story of Nick Naylor, Vice President of the Academy of Tobacco Studies (and Big Tobacco's chief spokesman) who defends smokers and promotes cigarette manufacturers' rights.

In the chosen clip, Nick Naylor is hosted in a famous TV show together with a representative of the Health & Human Services and Robin, a young boy affected by a severe form of lung cancer caused by cigarettes.

Sitting next to them, there are also the President of the group «Mothers Against Teen Smoking» and the Chairwoman of the Lung Association. Therefore, it is evident that Nick Naylor is the bad guy sitting among four good people who fight against Big Tobacco companies and raise awareness on the irreversible consequences of smoking.

However, we will see how by the end of the interview the perception that the audience has of Nick Naylor changes. Indeed, throughout the TV show, he cleverly acts as an extremely concerned man, who really cares about helping unfortunate boys like Robin.

The clip starts with the TV host introducing Robin and telling his touching story to the audience: Robin is a 15-year-old student from Wisconsin, who enjoys studying history and being part of the school debate team. Robin hints a sad, nostalgic smile as the TV host reminds him of his happy past. We can catch a glimpse of regret in his eyes.

His smile quickly disappears when the TV host goes on:

Robin's future looked very very bright, but recently he was diagnosed with cancer, a very tough kind of cancer. Robin tells me he has quit smoking though, and he no longer thinks that cigarettes are cool.

At this point, the audience breaks into a thunderous applause dedicated to Robin.

In this first interaction between Robin and the TV host we notice that the boy only communicates through his facial expressions. Even though Robin does not say a word, we can perfectly catch the emotions and the message that he wants to send to the audience. This reminds us of the second basic tool (Albert Mehrabian's communication model) which shows how 55% of communication happens through our body language.

The second thing we notice is the use that the TV host does of the adversative conjunctions *but* and *though*: she implements the *but* to bring out the sad image of a bright happy future interrupted by a serious disease caused by the wrong but thoughtless decision to smoke. On the other hand, the conjunction *though* («[...] Robin tells me he has quit smoking *though*... ») strengthens Robin's good decision to quit smoking for good and it brings the sentence back on a more positive tone.

When the TV host introduces Nick Naylor as the Vice President of the Academy of Tobacco Studies, we hear very loud boos and disappointment mutterings coming from the audience. We even see a woman in the front row spitting towards him. Nick, who is very familiar with this feeling of hatred and contempt, replies with a forced smile.

To accentuate the contrast between Nick and the other four people, the camera makes a close-up on every single guest pausing a little bit longer on Nick Naylor.

At this stage, we get the impression that the live show stops and Nick starts a soliloquy in his own mind to introduce himself. Hence, we get the full picture of Nick Naylor: the face of cigarettes, a man who plays a key role in an organization that kills 1,200 human beings a day and that would do whatever it takes to keep Big Tobacco alive and profitable. When the monologue ends, the scene goes back to the live TV show and we see the five guests ready for the interview. Nick immediately raises his hand to begin and he asks a provocative question:

«How on Earth would Big Tobacco profit out of the loss of this young man [Robin]? I hate to think in such callous terms, but if anything, we'd be losing a customer».

Nick's totally heartless and selfish observation leaves everyone speechless.

This is exactly the worst thing that he could have ever said in such a delicate critical situation. Moreover, it is evident that «thinking in such callous terms» is precisely the way he reasons and thinks all the time: like we saw in the previous chapter, the use of *but* right after the verb «I hate to... », suggests that he does not hate it at all. Another thing that deserves special attention is the strength of Nick's unexpected gesture (raising his hand): indeed, even if it seems just an innocent request, it is actually a very powerful (well thought-out) communication strategy, just like the open-ended question under discussion. Nick Naylor confidently goes on: «It's not only our hope, it's in our best interests to keep Robin alive *and* smoking». Everybody is shocked by Nick's merciless observations, emphasized by the conjunction *and*, which puts *alive* on the same level as *smoking*. The representative of the Health & Human Services is the only one who tries to stop him exclaiming: «That's ludicrous!». Indeed, it definitely seems like Nick chose the worst strategy to face what was an extremely critical situation even before he started talking. However, Nick surprisingly turns things around. With hands joined, he asks: «Please, let me share something with the fine, concerned people in the audience today». His paraverbal and non-verbal language amplifies his (fake) sense of care and concern. Now that he has everybody's attention, he drops the bomb:

The Ron Goodes [representative of the Health & Human Services] of this world want the Robin Willigers [cancer boy] to die. You know why? So that their budgets will go up! This is nothing less than trafficking in human misery and you ought to be ashamed of yourself!

Everyone in the TV studio is completely shocked. By using the plural form, Nick is stating that politicians ruling over the country (Ron Goodes) want kids like Robin to die.

Ron Goode tries to mirror Nick with a rhetorical question («I ought to be ashamed of myself?»), but Nick does not seem to care about what Ron wants to say.

Indeed, he goes on and he drops a second bomb:

As a matter of fact, we're about to launch [short pause to turn towards the audience] a fifty-million-dollar campaign [short pause] aimed at persuading kids not to smoke. Because I think that we can all agree that there's nothing more important than America's children.

Before the show gets interrupted by a commercial break, we can see many significant things: first of all, we notice how some people in the audience nod as a sign of approval; then we see how Ron's attempt to raise his hand to speak gets completely ignored by everyone; last but not least, we see Nick and Robin shaking hands as if they were friends.

This last frame is particularly meaningful, because on one side we see Nick and Robin friendly shaking hands, while on the other side we see a defeated and upset Ron Goode. The initial situation has been totally reversed and Nick Naylor incredibly succeeded in getting out of a difficult situation by making the audience change opinion about him. His clever strategy to transform the representative of the Health & Human Services into the bad guy tricked everyone, including Robin who accepts to shake Nick's hand. To conclude, Nick is an extremely clever and skilled (but of course infamous) negotiator, as he succeeded in an incredibly difficult task: through the choice and the power of his words, he managed to turn reality into his twisted representation of reality (effective, but extremely unethical communication, which is something that every single communication practitioner should always keep far away). And everyone fell for it.

2.3.3 Frost/Nixon

It is a 2008 movie adaptation of the real interviews that the British journalist David Frost made in 1977 to the former U.S.A. President Richard Nixon about the Watergate scandal that ended his presidency. On the one hand, there is a fierce journalist, determined to find out the truth about the lies, red herrings and false statements that characterized the Watergate scandal. On the other hand, there is an equally fierce former President, who keeps declaring his innocence and wishes to win the public opinion back once and for all. The chosen clip «When the President Does It, It's Not Illegal», presents one key moment of the interview in which Frost manages to extract an important confession.

The clip is characterized by a very tense atmosphere and a quite nervous Richard Nixon sitting in front of an impatient and incredibly curious David Frost.

Nixon immediately stops Frost and he accuses the journalist of quoting him out of context and out of order. Then, he adds that he has never used a note during the interviews and Frost ironically replies: «Well, it is your life Mr. President».

It looks like David Frost is far away from building rapport with the former President and, consequently, with the truth about the Watergate scandal.

Nixon seems highly annoyed, but this does not stop Frost from continuing the interview. Indeed, without taking a breath, Frost obstinately goes on with the interview completely ignoring Nixon's complaints and nervousness. He wants the truth at all costs.

These are just the first stages of a significant escalation that will reach its peak by the end of the interview. Without mincing words, Frost asks the first uncomfortable question:

Now, you've always maintained that you knew nothing about any of this until March 21, but in February, your personal lawyer came to Washington to start the raising of \$219.000 of hush money to be paid to the burglars. Now, do you seriously expect us to believe that you had no knowledge of that?

David Frost's paraverbal and non-verbal language tells us a lot about his state of mind: as soon as he begins the question, he leans forward to get closer to his precious source of information. In addition, we can notice how he starts speaking really fast, but slightly slows down as he introduces the new sentence with the conjunction *but*. Moreover, Frost puts a lot of emphasis on the pronoun «you» when he addresses the former President.

Without the slightest hesitation, Nixon defends himself claiming that he believed that the money was for humanitarian purposes. At this stage, there is a first escalation during which the two of them talk loudly over each other. Nixon keeps defending himself:

«I knew nothing, ok. Fine? Fine! You made a conclusion there; I stated my view. Now let's move on! Let's get on the rest of it!». Nixon's nervousness increases.

But Frost keeps insisting and, as he talks over the interviewee, he uses a potentially dangerous word: «No, hold on. No, hold on!». He is so involved and eager to obtain more information, that he does not think about the fact that the hard «No» can make you get the opposite effect in such a tense situation. Indeed, even if they are both screaming over each other we can hear Nixon exclaiming: «I don't want to talk!».

Somehow, David Frost manages to temporarily restore calm and he asks another question: «If Haldeman and Ehrlichman were the ones really responsible [...] why didn't you call the police and have them arrested? Isn't that just a cover-up of another kind?».

This is a potentially dangerous question because it is closed-ended and in negative form. Not only is Frost seriously questioning Nixon's world of being, but he is also implying that he has committed a crime. Indeed, we can feel a substantial shade of anger in the former President's answer (which is already a first confession):

[...] These men, Haldeman and Ehrlichman, I knew their families. I knew them since they were just kids. Yeah, but you know, politically, the pressure on me to let them go, that became overwhelming! So, I did it! I cut off one arm, then I cut off the other, and I'm not a good butcher! And I have always maintained what they were doing, what we were all doing was not criminal!

This answer is a rollercoaster of rational and emotional communication. First of all, Nixon brings out the contrast between the man and the President highlighting how hard it was for him to distance two people he had always trusted. We can also notice the up and down

between world of being and world of doing (*families* and *kids* are words belonging to the beyond identity level; «I'm not a good butcher» which is identity level; «what we were all doing was not criminal» which is behavior level). It is important to emphasize how Nixon sticks to the world of doing, as he limits himself to argue that the way they all acted was not criminal, instead of claiming that they are not criminals.

Nixon goes on, caught up in the rush:

Look, when you're in office you gotta do a lot of things sometimes that are not always, in the strictest sense of the law, legal, but you do them because they're in the greater interest of the nation!.

He gestures a lot and puts way more emphasis on the second part of the sentence, starting from *but*. Meanwhile, David Frost foresees the chance he was eagerly waiting for:

Right, wait, just so I understand correctly. Are you really saying that in certain situations the President can decide whether it's in the best interest of the nation and then do something illegal?.

Frost slows down and he articulates every single word. He is leaning forward, with raised eyebrows and eyes wide open waiting for Nixon to reply. And here it comes.

The confession Frost has been patiently and eagerly waiting for:

«I'm saying that when the President does it, it means it's not illegal!».

Frost is incredulous and he carefully and slowly rephrases Nixon's answer:

«So, in that case, will you accept then, to clear the air once and for all, that you were part of a cover-up and that you did break the law?».

This intriguing critical situation ends with an extremely uncomfortable Richard Nixon who does not answer Frost's very well and cleverly calibrated question.

To conclude, we can draw a comparison between these last two critical situations (*Frost/Nixon* and *Thank you for Smoking*) to highlight their complementarity.

Indeed, if Nick Naylor used words to muddy the waters, defend the indefensible and get out from a tight spot, David Frost does the exact opposite: his aim is to bring Nixon out of his hideout, push him to the wall and expose the truth in front of the whole country.

CHAPTER 3

LEARNING FROM A MASTERPIECE: 12 ANGRY MEN

3.1 Life is in their Hands. Death is on their Minds

12 Angry Men is an American legal thriller released in 1957, directed by Sidney Lumet. The movie has a one-of-a-kind plot: at the end of a trial, twelve men gather in the jury room to reach a unanimous verdict on a case that, at first sight, seems self-evident.

An 18-year-old boy is charged with his father's murder; all the hard evidence points at the young boy's guiltiness and his heavily troubled past certainly does not help the cause. However, what happens in the jury room throughout the whole movie is quite astonishing: there is one juror who does not want to jump to hasty conclusions and he leads his colleagues (sure about the boy's guiltiness) through a long journey in the name of the reasonable doubt made up of reflections, heated discussions and twisted conversations.

This movie is a masterpiece under many points of view and this whole chapter is dedicated to its comprehensive analysis, with a specific focus on how communication takes place in such a critical situation in which every single word can make a substantial difference. The effective communicator's toolbox with all its basic, advanced and sensitive tools will be omnipresent and implemented in every negotiation or debate that will pave the way to a final, perhaps unexpected, agreement.

3.2 One Vs. Eleven

The movie starts with the judge wrapping up the young boy's trial for first-degree-murder. Addressing the twelve-men-jury, the judge (with a touch of annoyance in his voice) says:

It's now your duty to sit down and try and separate the facts from the fancy.
One man is dead. Another man's life is at stake. If there's a reasonable doubt in your mind as to the guilt of the accused - a reasonable doubt - then you must bring me a verdict of not guilty. If, however, there's no reasonable doubt, then you must, in good conscience, find the accused guilty. However you decide your verdict must be unanimous. [...]
You're faced with a grave responsibility. Thank you, gentlemen.

This introduction gives us the full picture of what will soon happen in the jury room.

As the twelve jurors are locked in closed session and get things ready, we immediately notice one relevant detail that will be a crucial reading key for the first part of the movie: while the other eleven jurors start talking and settling down around the table, there is one isolated juror who is looking with wandering eyes out of the window.

He seems lost in his thoughts and disconnected from what is happening around him, to such an extent that he does not even pay attention to a juror that approaches him with the intention to start a conversation. It looks like he wants to be left alone thinking.

In the meantime, some other jurors share their opinions about the trial to break the ice and they do not try to hide how they honestly feel about the case. One juror frankly says:

«We can all get out of here pretty quick, huh? I don't know about the rest of you, but I happen to have tickets to that ball game tonight».

The (initially) peaceful atmosphere in the room reveals how the jurors are highly confident that the session will be closed in a matter of minutes. Indeed, this first-degree-murder case seems too obvious and (as we can guess from the disproportionate emphasis that the man puts on the words *but I*) some jurors have other more enjoyable priorities.

It is finally time to start the session and the jurors sit around the table complying with the ascending order of their jury numbers. It is important to highlight how they always use numbers to talk and refer to each other instead of names or surnames. This general rule strengthens the concept of neutrality and fairness that should support the final verdict.

The man by the window is still lost in his thoughts and, since he has not realized that the session is about to start, the jurors at the table draw his attention:

«Gentleman at the window. We'd like to get started».

Brought back to reality, the gentleman replies «Oh, I'm sorry» and he heads to the table.

Once the whole jury is ready to start, the session officially begins.

A juror proposes to start with a preliminary vote and the one with the tickets for the baseball game supports him, hoping that after this first vote the session will be over.

Juror 1, who leads the session, quickly reminds the procedure: the verdict has to be unanimous and, if the boy is declared guilty, he will be inevitably sentenced to death.

However, the final result of this preliminary vote is not the one the hasty juror was expecting. When the main juror asks who votes for guilty, eleven people raise their hand.

We cannot see the face of the one who did not raise his hand as we see him only from the back in the frame. When the juror number 1 asks who votes for not guilty, the frame changes and we finally see the face of the man who did not raise his hand in the first place: it is exactly the juror who was looking out of the window lost in his thoughts: juror

number 8. It is important to notice that this is the first frame in which we can clearly see his face. Indeed, all the previous camera angles showed either his profile or his back, giving us the impression of an isolated and enigmatic man.

This first frontal frame confirms this sense of isolation and alienation as he is the only one raising his hand in favor of not guilty while everyone else is staring at him.

Eleven guilty and one not guilty. This is just the beginning of our unique critical situation.

3.2.1 Talking about Facts

When the juror with the baseball tickets, number 7, expresses his concern («So, what are we doing now?»), the enigmatic juror (number 8) peacefully answers: «I guess we talk». In these few words there is a hint of CML method, with a smart and gentle attempt to lead that involves the mirroring of the pronoun *we*.

This apparently obvious answer hides an important shade of meaning: indeed, this very kinaesthetic response is not only an invitation to take the case to heart, but it also highlights how it is essential to dwell on the facts before jumping to hasty conclusions.

At this stage, we start perceiving a sense of disagreement among the group for the first time. Someone asks to juror number 8 if he really believes in the boy's innocence and, after a long pause and with a sincere look on his face, he answers: «I don't know».

There are a couple of noteworthy details here: the first one is the use of the word «innocent» («You really think he's innocent?») instead of the expression «not guilty».

Until now (and for the rest of the movie) the jury adopts the juxtaposition «guilty/not guilty» to refer to the boy. Indeed, the expression «not guilty» is related to the boy's behavior (not guilty stands for «The boy did not commit the crime»), whereas «innocent» is more associated with the boy's world of being (specifically with his identity level).

The second relevant detail stands in the paraverbal and non-verbal sphere of the juror who thinks differently: juror number 8 (interpreted by an extraordinary Henry Fonda) is not intimidated by the other eleven members of the jury. He keeps a peaceful and diplomatic tone of voice, complemented by a look of sincere concern on his face.

The jury is confused and surprised by juror 8's attitude, but the atmosphere in the room is still quite peaceful. Juror 3 tells him: «That kid's a dangerous killer, you could see it». He consciously adopts the visual representational system to make him visualize the scene in light of all the evidence that has been listed in court and he sharply steps in the boy's

world of being by defining him a killer (if he had said «That kid has committed murder» the sentence would have acquired a different shade of meaning).

The dialogue between juror 3 and juror 8 goes on:

Juror 3: He stabbed his own father four inches into the chest. They proved it a dozen different ways in court. Would you like me to list them for you?

Juror 8: (smiling) No.

Juror 10: Then what do you want?

Juror 8: I just want to talk.

Juror 8 is an extremely effective and clever communicator.

His strategic choice to say «No» has a very specific purpose: switching the representational system from auditory to kinaesthetic. Indeed, he does not want to listen once again to what has already been said in court, but he wants (he mirrors this verb to strengthen his statement) to talk, discuss and reflect upon it with the rest of the jury.

He reaffirms this concept more than once in his following sentences because, as he says, «It's not easy to raise my hand and send a boy off to die without talking about it first».

This is exactly the «grave responsibility» that the judge mentioned at the end of the trial and it would be inconceivable to sentence an 18-year-old boy to the electric chair after only one preliminary vote. However, most of the jury firmly believes the boy is guilty.

Juror 7 claims: «I honestly think the guy's guilty. Couldn't change my mind if you talked for a hundred years». Juror 8 confidently answers implementing the CML method:

«I'm not trying to change your mind, it's just that we are talking about somebody's life here. We can't decide in five minutes supposing we're wrong».

Juror 8 promptly mirrors his colleague's answer and then he leads as he makes the others understand that the young boy's fate cannot be decided in a matter of minutes.

Afterwards, he takes advantage of the effective leading phase to present his argument:

Look, this kid's been kicked around all of his life. You know, born in a slum. Mother dead since he was 9. He lived for a year and a half in an orphanage when his father was serving a jail term for forgery. It's not a very happy beginning. He's a wild, angry kid.

That's all he's ever been. And you know why? 'Cause he's been hit on the head by somebody once a day, every day. He's had a pretty miserable 18 years. I just think we owe him a few words, that's all.

He immediately starts the argument with an expression that stimulates his colleagues' visual representational system so that they can picture in their minds the boy's unhappy past. To emphasize this sad image (which belongs to the logical level of the environment),

he gets into the young man's world of being and he labels him as a wild and angry kid. This is the right way to use Dilts' elevator among the logical levels, as juror 8 starts from the objective and miserable environment that marked the boy's childhood to explain how that affected his identity and turned him into a kid full of anger and negative feelings.

After this speech (whose purpose is to overcome the jury's resistance), the atmosphere around the table starts to heat up. Juror 10 stands up and shares his honest point of view: «You're not gonna tell me that we're supposed to believe this kid, knowing what he is. [...] You can't believe a word they say. You know that. I mean, they're born liars».

This extremely offensive and mean sentence summarizes the thought of most of the men sitting around the table. By using the pronoun «they», juror 10 makes an unfair generalization that does not contribute to the fair and objective discussion the jury should have before establishing the final verdict.

At this stage the jury finds itself at a crossroads: is juror number 8 the one who has to illustrate to everyone else the reasons why he disagrees or is the rest of the group who should try and persuade him to change his mind? The jury chooses the second option.

Therefore, starting from number 2, the jurors explain why they think the boy is guilty.

Juror 3 resorts to the testimony of an old man living in the apartment under the crime scene to support his opinion: the old man heard a loud fight and the young man screaming «I'm gonna kill you» before hearing a body hitting the floor. Then, number 3 adds:

«I know he's only 18, but he's still got to pay for what he did».

The implementation of the adversative conjunction *but* leaves no room for emotions.

Juror number 4 claims that the boy's account of the night of the murder seems to flimsy: the boy argues to be at the cinema by the time of the murder however, one hour later, he does not remember the title or the characters of the movie he has supposedly watched.

At this stage, juror 10 takes the floor to remind about the key testimony of a woman who claims that she saw the boy killing his father from her bedroom window.

Remembering about the offensive generalization that juror number 10 made a couple of minutes earlier, juror 8 steps in to make a provocative but smart observation:

«You don't believe the boy's story. How come you believe the woman's? She's one of them too, isn't she?». He emphasizes the pronoun «them» to make the contradiction stand out and his interlocutor stays speechless after realizing that he shot himself in the foot.

This is only the first provocative and clever observation of the session.

In order, the jury keeps on presenting the reasons why they believe in the boy's guiltiness.

Juror 5 decides not to speak and juror 6 reiterates the importance of the witnesses living nearby the boy's apartment. However, juror 8 is still not fully convinced by this testimony. Juror 7 lists all the crimes that the boy has committed since he was a just a kid. At this stage, even if he was not expecting to speak, the jury wants to know what is holding juror 8 back from voting guilty and without thinking too much he organizes his speech:

I don't have anything brilliant. I only know as much as you do. According to testimony, the boy looks guilty. Maybe he is. [...] Everybody sounded so positive; you know, I began to get a peculiar feeling about this trial. I mean, nothing is that positive. There are a lot of questions I'd like to ask. I don't know, maybe they wouldn't have meant anything but... I began to get the feeling that the defense counsel wasn't conducting a thorough enough cross-examination. I meant, he let too many things go by.

The thing that stands out the most in all of his speeches is how he constantly questions what he says: he almost overuses expressions like «maybe, it's possible, I'm guessing, I don't know, probably, supposing, it could be...». This is his effective strategy to lead his colleague along an insidious journey in the name of the reasonable doubt.

He disagrees with his colleagues' vision of the facts, but he cannot impose his own point of view because that would be absolutely counterproductive since they would never reach a unanimous agreement. Therefore, he diplomatically proposes an alternative version of the story and he questions it since nobody really knows the truth about this murder.

We learnt this strategy with the study of the last phase of the CML method: the effective communicator does not enforce his ideas, but he gently and gradually introduces a slightly different point of view that perhaps his counterpart has never considered before.

Speaking of the CML method, juror 8 finds himself in a situation that requires its full knowledge: since it is very hard to build rapport naturally with eleven people who think differently (and a young man's life at stake!), the CML method represents the key to try to establish the famous «trusting relationship» or «mutual comfort zone» that should ease the tension and favor a fair and objective discussion about the facts. The following dialogue between juror 8 and juror 12 is another example of its implementation:

Juror 8: [...] But actually, those two witnesses were the entire case for the prosecution. Supposing they're wrong...

Juror 12: What do you mean «Supposing they're wrong»? What's the point of having witnesses at all?

Juror 8: Could they be wrong?

Juror 12: What are you trying to say? Those people sat on the stand under oath.

Juror 8: They're only people. People make mistakes. Could they be wrong?

Juror 12: Well, no, I don't think so.

Juror 8: You know so.

Juror 12: Oh, come on, nobody can know a thing like that. This isn't an exact science.

Juror 8: That's right, it isn't.

There are two different types of mirroring in this dialogue.

The first one is social mirroring and it makes reference to a general statement: witnesses are people and people make mistakes; therefore, witnesses can be wrong.

In the second part of the dialogue, juror 8 mirrors his interlocutor's answers: «I don't think so / You know so»; «This isn't an exact science / It isn't» (note how instead of replying «No, it isn't», he chooses a positive affirmation to agree «That's right, it isn't»). Discussing about facts does not seem to result in any progress. Therefore, it is time to look at some compelling evidence. Here we have the first real plot twist of the movie.

3.2.2 Looking at the Evidence

The first hard evidence is the murder weapon: a (supposedly one-of-a-kind) switchblade knife. Juror 3 wants to bring it at the heart of the debate, but juror 8 has a plan in mind: not only does he want to talk about it, but he also wants to see it.

Therefore, he quickly switches representational system from auditory to kinaesthetic and from kinaesthetic to visual: «Alright, let's talk about it. Let's get it in here and look at it». This is another smart move: he does not say «No, I want to see it first», but he keeps his answer on a positive tone, stimulating his colleagues as well (he uses «Let's» twice).

As highlighted in the first chapter, the loud and aggressive «No» is always a risky move that can favor the escalation of the conflict and generate closure on the other side.

Juror 8 must make sure that the evidence enters the room to carry on his plan, therefore he starts the sentence with an affirmation («alright») and links it to his strategic proposal. Juror 4 points out how the murder weapon was not an ordinary knife as it had an unusual carved handle and blade and the shop owner who sold it to the boy claimed that «It was the only one of its kind he had ever had in stock».

Now, even though that specific knife had been identified in court as the murder weapon, the boy claims that he lost his on his way to the movie, therefore he cannot be considered the author of his father's murder (which happened at midnight, hence during the movie). However, juror 4 (together with the rest of the jury) does not believe his story:

Juror 4: I think it's quite clear that the boy never went to the movies that night.

No one in the house saw him go out at 11:30, no one at the theatre identified him, he couldn't even remember the names of the pictures he saw!

At this stage, the murder weapon is brought into the jury room and juror 4 sticks it into the table so that everyone else can look at it. Then, he asks to juror 8:

Juror 4: Now, are you trying to tell me that this knife really fell through a hole in the boy's pocket, someone picked it up off the street, went to the boy's house and stabbed his father with it just to test its sharpness?

Juror 8: No, I'm just saying it's possible that the boy lost his knife and somebody else stabbed his father with a similar knife. It's just possible.

Juror 4: Take a look at this knife. It's a very unusual knife. I've never seen one like it, neither had the storekeeper who sold it to the boy. Aren't you asking us to accept a pretty incredible coincidence?

Juror 8: I'm just saying a coincidence is possible.

Juror 3: And I say it's not possible.

Juror 8 is cleverly paving the way for the ace up his sleeve. He insists on the possibility that there could be another side of the story that no one else has ever taken into account. This brings us back to our third basic tool: reality and its representation.

Unlike the rest of the jury, juror 8 does not limit himself to the most obvious and simple representation of reality but, in name of the reasonable doubt, he wants to consider all the other plausible perspectives and he demonstrates how everyone else should do the same. He unexpectedly takes out of his pocket a second switchblade knife and he sticks it next to the first one. They are exactly the same. Here it is, the first reasonable doubt.

The surprise effect makes the other eleven jurors gather around the knives incredulous. Juror 4 had confidently claimed that the switchblade knife was a one-of-a-kind piece and, a couple of minutes later, an identical knife (bought by juror 8 in the boy's neighborhood the night before) enters the scene. Some certainties are starting to tremble.

This turn of events splits the jury in two sides: some jurors still believe that it is highly unlikely that someone else killed the boy's father with an identical knife, but some other jurors seem impressed by the double-knife coincidence and they slowly start opening their minds (not their hearts yet) to the possibility that the boy may not be his father's murderer. However, the atmosphere in the room is getting tenser and the most obstinate jurors felt like that knife trick was a waste of time. Juror 10 yells: «Somebody saw the kid stab his father! What more do we need? [...] Let's get done and get out of here!».

At this stage, we get a meaningful and eloquent frame of juror 8: while the other jurors are discussing animatedly, he gets away from the table to look outside of the window.

He looks worried and, once again, lost in his thoughts. His sense of solitude and isolation is emphasized by a provocative question: «What about it? You're the only one».

For the first time, we see juror 8 as a disconsolate and resigned man, lacking in charisma and fighting spirit. With a dull tone of voice and a desolate look on his face he calls for a second vote during which he abstains. Then, he adds:

«(If) There are 11 votes for guilty, I won't stand alone. We'll take a guilty verdict to the judge right now. But if anyone votes not guilty, we stay here and talk it out».

For the first time since the beginning of the movie, everyone agrees and there are several tools that juror 8 consciously implements to make this happen: first of all, he implements the B.L.O.B. structure to illustrate his proposal and then he accurately introduces the last sentence with the *but* in order to make the B.A.T.N.A. (which is in his favor) stand out.

This is the perfect combination of sensitive tools and it cannot but work. He steps aside and watches his colleagues writing their vote on an anonymous piece of paper.

Judge 1 starts flipping through the votes. The first nine pieces of paper are not in favor of the young boy, but the tenth anonymous vote holds a surprise: not guilty. In an atmosphere of general shock and nervousness, the hunt for the man who changed his vote begins.

Juror 3 fiercely accuses juror 5 (who, at the beginning of the session, claimed to come from a slum just like the young boy). Juror 5 immediately fights back:

«You can't talk to me like that! Now, who do you think you are?».

The latter is the most common and spontaneous rhetorical question that we ask during a fight when we want to hit our interlocutor's world of being. Another juror paves the way to the escalation when, with reference to juror 3, he says: «He's very excitable».

This second shot aimed at his identity makes an already very nervous juror 3 angrier:

«[Screaming] Excitable? You bet I'm excitable! We're trying to put a guilty man in the chair where he belongs! Someone starts telling us fairy tales and we're listening!».

The violent language reflects an equally violent personality.

Anyway, careful and genuine listening is precisely the reason why someone changed his vote. Juror 9, the oldest and wisest man of the jury, steps forward and confidently states that he is the one who changed his vote from guilty to not guilty. He stands up and says:

This gentleman has been standing alone against us. Now, he doesn't say the boy is not guilty. He just isn't sure. Well, it's not easy to stand alone against the ridicule of others. So, he gambled for support. And I gave it to him. I respect his motives. The boy in trial is probably guilty, but I want to hear more. Write down the vote is 10 to 2.

Here it is, the first juror who opens his heart to the reasonable doubt. With simple but very powerful words, he gives a perfect (objective) overview of the situation and then he links this general overview to the (subjective) reasons why he chose to change his vote. Moreover, as he ends his speech, he resumes juror 8's last words:

- **Juror 8:** [...] But if anyone votes not guilty, we stay here and talk it out.
- **Juror 9:** [...] The boy in trial is probably guilty, but I want to hear more.

The only difference stands in the representational system, which is kinaesthetic in the first case (juror 8 is the charismatic leader) and auditory in the second (juror 9 talks only when he has something smart and relevant to say. The rest of the time he is in listening mode). Indeed, juror 8 (who never misses a detail) immediately mirrors his auditory representational system when one juror runs annoyed to the toilet while juror 9 was still talking. Then, he leads «May I hear you? He never will. Let's sit down».

Before going on with the session, juror 1 proposes a break. It is a really hot and muggy day, the fan is broken and the atmosphere in the room definitely got heavier after the second vote. Juror 8 goes to the toilet to fresh up and he bumps into juror 7.

Juror 7: What are you wasting our time for? [...] This kid is guilty, pal.
It's as plain as the nose on your face. So, why don't we stop wasting our time here?
We'll all get sore throats if we keep it up, you know?
Juror 8: What difference does it make if you get it here or at the ball game?

The two of them are alone and juror 7 does not miss the chance to try and persuade his colleague to change his mind. With his first question he indirectly aims at juror 8's values and beliefs, but juror 8 does not take the bait and he immediately brings the conversation back to the world of doing, right on the bottom of Dilts's pyramid. What he means is that juror 7 will get sore throat anyway, either in the jury room discussing about the fate of an 18-year-old boy or at the baseball game, screaming to support his favorite team (it is just a matter of time and place!). Juror 6 enters the toilet as well and, just like juror 7, he does not resist the temptation to provoke his colleague:

Juror 6: Nice bunch of guys, huh?
Juror 8: They're about the same as anyone else.
Juror 6: Boy, what a murderous day. You think we'll be much longer?
Juror 8: I don't know.
Juror 6: He's guilty for sure, not a doubt in the whole world. We should've... we should've been done already. [...] You think he's not guilty, huh?
Juror 8: I don't know. It's possible.
Juror 6: Well, I don't know you, but I'm betting you've never been wronger in your life.

Juror 6's choice of words to describe that hard (murderous) day is no coincidence. Moreover, he repeatedly and indirectly blames juror 8 for keeping everyone stuck in that claustrophobic room and eventually emphasizes (with *but*) how he is undoubtedly wrong. However, our calm and peaceful juror 8 does not take the bait this time either. For the second time, he avoids a potential argument by keeping a serene tone of voice and implementing his winning weapon: expressions that raise or refer to the reasonable doubt. The break is over and everyone is back into the jury room ready to restart the session. After less than one minute there is the first small tiff: while juror 8 is talking, he notices juror 3 and juror 12 playing games on a piece of paper; he immediately picks it up and crumples it in his hand. His eloquent gesture is accompanied by a serious reproach: «This isn't a game!». Juror 3, who is not particularly fond of juror 8, replies: «Did you see him? The nerve! The absolute nerve! This isn't a game? [Screaming] Who does he think he is?!». Juror 8 is too smart to concede him an escalation. He ignores his provocative and violent attitude and goes on with the speech he previously interrupted. Indeed, he is about to raise one more reasonable doubt by putting together the testimony of the old man living in the apartment under the crime scene and the one of the woman who claimed that she saw the murder from her bedroom window.

3.2.3 Making Room for More Reasonable Doubts

In court the old man swore that he heard the boy screaming «I'm gonna kill you!» and a body hitting the floor just one second later.

However, the woman declared that she saw the murder from her bedroom window, specifically through the last two cars of a passing elevated train. Therefore, juror 8 points out that «since the woman saw the killing through the last two cars, we can assume that the body hit the floor just as the train went by». Now, the question is: how could an old man possibly hear the words «I'm gonna kill you!» and a body hitting the floor if an extremely loud train was passing by in that precise moment?

Juror 8: It's not possible he could have heard it! [...]

Juror 3: You're talking about a matter of seconds! Nobody can be that accurate!

Juror 8: Well, I think testimony that could put a boy into the electric chair should be that accurate.

The last mirroring is just the icing on the cake. Once again, juror 8 sets up a brilliant and persuasive argument with the help of the B.L.O.B. structure, and some jurors genuinely

start taking this second reasonable doubt into account. The final blow is given by juror 9, as he puts himself in the shoes of the old witness, strengthening the just raised doubt:

Juror 9: [...] I think I know this man better than anyone here. This is a quiet, frightened, insignificant old man who... who has been nothing all his life. Who has never had recognition or his name in the newspapers. Nobody knows him. Nobody quotes him [...].

Juror 7: Now, wait a minute. What are you trying to do? Tell us he lied just so he could be important once?

Juror 9: No, he wouldn't really lie, but perhaps he made himself believe he heard those words and recognized the boy's face.

Juror 9 must have been in empathic listening mode for the whole old man's testimony and now, in light of the second reasonable doubt, he reprocesses what he has accurately absorbed. Moreover, his paraverbal and non-verbal channels sadly reveal how similar the two men must be in their loneliness. Anyway, borrowing juror 8's language (but perhaps...) he makes a clever and logical (possibly correct) assumption.

Juror 8 brings his theory forward by making the others reflect on the weight of our words.

Juror 8: I think we've proved that the old man couldn't have heard the boy say «I'm gonna kill you!». But suppose he did [...] supposing he really did hear it... this phrase, how many times have all of us used it? Probably thousands. [...]. We say it every day. That doesn't mean we're really gonna kill him.

Once again, it is worth to dwell upon juror 8's doubtful and cautious style (I think, couldn't, but suppose, probably...) to raise a supplementary reasonable doubt which turns out to be decisive in a couple of clips. Indeed, when juror 3 yells the following sentence «Anybody who says a thing like that the way he did it, they mean it!», he still does not know that he is blatantly shooting himself in the foot.

Anyway, these additional reasonable doubts are enough to make juror 5 change his vote from guilty to not guilty. Now the vote is 9 to 3 in favor of guilty and it seems like more jurors are starting to embrace the power of the reasonable doubt:

Juror 11: I have been listening very carefully and it seems to me that this man has some very good points to make. From what was presented at the trial, the boy looks guilty on the surface, but maybe if we go deeper...

At this stage we can split the jury into two groups: the good and the bad listeners.

In the first category there are jurors number 1, 2, 5, 8, 9 and 11 who implement genuine listening while minimizing inappropriate or unnecessary comments. They speak only when they have something smart and relevant to say, otherwise they remain silent.

They understand the seriousness of the situation and contribute to the issuing of a fair verdict by listening carefully and embracing a reasonable, alternative side of the story.

The bad listeners, headed by juror 3, are the ones who always offer resistance to juror 8's observations without taking them into account for even one second. Actually, they are tired of listening to a version of the events that does not match their own and their stubbornness, obstinacy and prejudiced attitude comes exactly from this anti-listening mode. Indeed, they are precisely the ones who talk the most, like jurors 3, 7, 10 and 12.

Jurors 4 and 6 do not belong to a fixed category: indeed, during the first part of the movie juror 6 seems a bad and disengaged listener, but as he gets more and more involved in the case he starts paying attention and care to his colleagues' points of view.

On the other hand, juror 4 resists juror 8's observations in a peculiar way: he cannot be identified as a good listener because (like some of his colleagues) he never suspends judgement and he keeps «listening» through the filter of his personal opinion but, among the guilty side, he is definitely the one who puts an extra effort to listen to the other side. Anyway, with an excellent use of the *but-and* tool, juror 11 makes a clever observation.

Moreover, the way he refers to the testimonies the jury heard in court is also remarkable: he does not mention any witnesses and avoids the active form to favor a passive, more impersonal form («From what was presented...») that removes any blames from apparently inaccurate testimonies like the old man's one (which will not be the only one).

At this stage, it is juror 11's turn to raise a reasonable doubt: if the boy really killed his father, why would he go back home three hours later risking to be caught by the police?

The jury proposes many assumptions and, after listening to them all, juror 8 summarizes:

Maybe. Maybe the boy did kill his father. Didn't hear the scream, did run out in a panic, did calm down three hours later and come back to get the knife risking being caught by the police. Maybe all of those things happened, but maybe they didn't. I think there's enough doubt that we can wonder whether he was there at all during the time the killing took place.

This is too much for the obstinate juror 10 who, blinded by prejudice, would bet his own life on the boy's guiltiness. He furiously stands up with the intention to start an escalation.

Juror 1 asks to keep the yelling down, but yelling is exactly what number 10 wants.

Another interesting comparison that we can draw at this point concerns the paraverbal sphere of the good and the bad listeners: jurors 3, 7 and 10 tend to scream a lot, as if screaming is necessary to make their rigid ideas prevail over their colleagues' ones; on the other hand, the good listeners rarely raise their voices and they have great control over their paraverbal and non-verbal sphere even in the most critical moments (we can notice how jurors 3, 7 and 10 frequently stand up and walk when they are angry or annoyed). In a very tense atmosphere juror 8 calls for another vote which holds a surprising twist. There are still only three jurors who believe in the boy's innocence but, after an intense and sympathetic look at juror 8, number 11 changes his vote from guilty to not guilty. He addresses a meaningful, sincere smile to his charismatic colleague and then he justifies himself in front of an upset juror 3 by stating: «There is a reasonable doubt in my mind». On the other hand, juror 3 is so far away from any conceivable reasonable doubt that he insists on «listening to the facts». This is an interesting choice of representational system: he opts for the auditory system instead of the visual one to emphasize how everyone should stop listening to juror 8's doubts and focus on the concrete and objective evidence. Speaking of hard evidence, juror 7 mentions once again the old man's testimony: «Are we supposed to believe that he didn't get up and run to his door?». The word «run» hits juror 5 who rightfully wonders how an old man (who drags his foot because of a stroke) could run from his bedroom to the front door in 15 seconds. This is another legitimate doubt that deserves more attention, therefore juror 8 promptly asks to see the diagram of the old man's apartment. This request annoys the group of obstinate and distrustful jurors, especially number 3 who, as usual, screams:

Juror 3: How does he know how long 15 seconds is? You can't judge a thing like that!

Juror 9: He said 15. He was very positive about it.

Juror 3: He was an old man. Half the time he was confused! How could he be positive about anything?!

The whole room is staring at juror 3 who has just scored a clamorous own goal by admitting that the old man's testimony may not be one hundred percent accurate. Anyway, the diagram of the apartment enters the room and juror 8 (who is an architect) positions himself at the head of the table, behind the map, to lead the discussion. Juror 8's choice to place himself behind (and not next to) the diagram is no coincidence: indeed, this strategic position allows him to calibrate and lead at the same time. He perfectly succeeds in what is a difficult task even for the most expert communicators.

He switches between the reconstruction of events with the help of the diagram (leading) and small pauses to check if everyone is following his crucial reasoning (calibrating with questions like «Am I right so far?»). Moreover, the diagram is a key element in this framework because it brings everyone on the lowest (at this stage safest) level of the logical levels pyramid. To better emphasize how this testimony is just a matter of space and time, juror 8 decides to recreate it in order to verify its accuracy.

Therefore, the setting in the jury room changes as everyone is standing up around the table to participate and some chairs have been moved to stage the old man's apartment. Dragging his leg to better reproduce the old man's walk, juror 8 walks around the room the exact same distance (calculated with the diagram) between the witness' bedroom and the front door. The result is clear: it takes exactly 41 seconds to cover that distance.

Consequently, juror 8 assumes that the old man (lying in his bed) heard a body hitting the floor in the apartment above, got to the front door as fast as he could, heard someone racing down the stairs and supposed that it was the boy because of a fight between the boy and his father that he heard earlier in the evening. The jury is gathered around juror 8 to listen to his reconstruction of events, except for juror 3 who stands on the sidelines, ready to explode with anger. This is one of the most crucial scenes in the whole movie.

Juror 3: [Screaming] What's the matter with you guys? You all know he's guilty! He's got to burn! You're letting him slip through our fingers!

Juror 8: Slip through our fingers? Are you his executioner?

Juror 3: I'm one of them!

Juror 8: Perhaps you'd like to pull the switch.

Juror 3: For this kid, you bet I would.

Juror 8: I feel sorry for you. [...] Ever since you walked into this room, you've been acting like a self-appointed public avenger. You want to see this boy die because you personally want it, not because of the facts. You're a sadist!

Juror 3: [Trying to attack juror 8] I'll kill him! I'll kill him!

Juror 8: You don't really mean you'll kill me, do you?

The argument starts in the world of doing, but it soon escalates in the world of being. Indeed, when juror 8 calls his colleague «executioner» or when he points out how he is «acting like a self-appointed public avenger» (expressions related to the lowest section of Dilts's pyramid), juror 3 does not show any signs of disproportionate anger.

However, when juror 8 strikes a hard blow to his colleague's identity («You're a sadist!»), juror 3, blinded by anger, scores the second clamorous own goal.

Maybe this was juror 8's intention from the very beginning of the argument: he takes advantage of juror 3's arrogant attitude and uses provocative words to aim at his world of

being. Juror 3 foolishly takes the bait and shoots himself in the foot by demonstrating how sometimes people say «I'm gonna kill you!» without really meaning it.

This is a practical demonstration of the logical levels pyramid effectiveness and of the benefits that a proper use of Dilts's elevator grants in favor of powerful communication. Anyway, it is juror 11 who restores calm by reminding everyone else the reason why they are all there. This is an attempt to shake the jury's values and beliefs logical level because it seems like everybody lost sight of the true purpose of that session.

The jury votes again and, surprisingly, jurors 2 and 6 change their vote to not guilty because, as juror 2 points out: «Well, it just seemed to me there was room for doubt». Therefore, the situation is totally balanced: six for guilty and six for not guilty.

3.3 Six Vs. Six

3.3.1 Halfway to the Unanimous Agreement

Juror 10 does not like this turn of events at all, and he has a small tiff with juror 9 who, as we can see in the last line of the following dialogue, is a smart user of the CML method.

Juror 10: I'm telling you, some of you people in here must be out of your minds. A kid like that!

Juror 9: I don't think the kind of boy he is has anything to do with it. The facts are supposed to determine the case.

Juror 10: [...] I'm sick and tired of facts! You can twist them anyway you like. You know what I mean?

Juror 9: That's exactly the point this gentleman [juror 8] has been making.

This is a very important concept that we highlighted in the paragraph dedicated to Dilts's logical levels: separating the facts (behavior, world of doing) from the person (identity, world of being). Of course, juror 10 is too blinded by prejudice to keep these two aspects separate. Moreover, just like juror 3, he also shoots himself in the foot when he accuses half of the jury of twisting the facts; this is exactly what they are trying to prove and, once again, the assist comes from those who obstinately believe in the boy's guiltiness.

The last, decisive part of the movie is accompanied by a sudden and heavy thunderstorm which is only a taste of the storm that is about to burst inside the boiling hot jury room.

The score is still six to six which means that half of the jury has to change its mind in order to issue a unanimous verdict. Juror 2 comes up with another clever reasonable doubt that concerns the stab wound and how it was made: if there is a difference of seven inches between the boy and his father, why would he stab his father down into the chest?

The obstinate juror 3 points out how «they» (the lawyers in court) have been over and over this topic and juror 2 confidently replies: «I know they did, but I don't go along with it». The choice of *but* instead of *and* turns the sentence into an invitation to go over the evidence one more time to try and uncover what might have been overlooked in court.

Therefore, juror 3 proposes to stage the murder: he plays the boy and juror 8 the father. For a brief but very tense moment, it looks like juror 3 is going to stab his colleague for real. When he is done with his seemingly unquestionable demonstration, juror 5 realizes something important that leads to the umpteenth reasonable doubt.

Juror 5, who comes from the slum just like the boy, states that no one would ever use the knife the way juror 3 did and he shows everyone the correct way to handle that weapon. Consequently, the boy (who, as the jury highlighted many times, is an expert with switchblade knives) may not be the author of his father's murder which has probably been committed by someone who is not very handy with this type of knife.

At this stage juror 7, who cannot wait to run to the baseball game, changes his vote to not guilty. However, juror 11 (who previously tried to talk to and shake the jury's values and beliefs level) has something to say about this choice.

Juror 11: What kind of a man are you? You have sat here and voted guilty with everyone else because there are some baseball tickets burning a hole in your pocket, and now you've changed your vote because you say you're sick of all the talking here? [Standing up and moving in front of juror 7] Who tells you that you have the right to play like this with a man's life? Don't you care?

Juror 7: Now, wait a minute. You can't talk like that to me!

Juror 11: I can talk like that to you. If you want to vote not guilty, then do it because you are convinced the man is not guilty, not because you've had enough. And if you think he is guilty, then vote that way. Or don't you have the guts to do what you think is right? [...] Guilty or not guilty?

Juror 7: I told you. Not guilty.

Juror 11: Why?

Juror 7: Look, I don't have to...

Juror 11: You do have to! Say it! Why?

Juror 7: I don't think he's guilty.

There are several tools to analyze in this intense discussion. First of all, it is interesting to look at the logical levels in which the argument takes place: juror 11 immediately questions juror 7's identity highlighting how he is being extremely superficial and careless in an environment that requires utmost seriousness. Moreover, juror 11's non-verbal and paraverbal expressive channels intimidate his counterpart as he articulates every word and stands up to be face to face with his colleague.

Of course, juror 7 has the most obvious reaction that anybody could have when his/her world of being is called into question («You can't talk like that to me!»). Here comes the second advanced tool: a very determined and convincing mirroring amplified by the auditory and kinaesthetic representational system («I can talk like that to you!«).

This would normally be a potentially dangerous answer but juror 11, who is an honest and upright man, must make his point clear. It is important to highlight how he adopts the conjunction *and* to put the two alternatives on the exact same level (conjunction that he implements correctly also in the first part of the discussion when he says «*and* now you've changed your vote» instead of «*but* know you've changed your vote», which would have emphasized even more the note of hypocrisy in his sudden change of vote).

By the end of the discussion, juror 11 uses Dilts's elevator to go down one step in the logical levels pyramid: he must make sure that juror 7 changed his vote for the right reason. Therefore, he asks twice the (sometimes dangerous) question «Why?» and adopts one more decisive mirroring (followed by leading) when his colleague tries to avoid the question related to his values and beliefs sphere: «I don't have to» / «You do have to!».

As the thunderstorm outside gets more and more intense, the jury votes one more time and the result changes again: nine to three in favor of not guilty.

3.3.2 Overcoming Prejudice to Embrace the Reasonable Doubt

At this point something extremely significant happens. Juror 10, who just like juror 3 and 4 still believes in the boy's guiltiness, starts a monologue (which is more like an invective) in which he criticizes and heavily insults all the kids born and grow up in slums.

Juror 10: Look, you know how these people lie. It's born in them. [...] And let me tell you, they don't need any real big reason to kill someone either. They get drunk, oh they're real big drinkers, all of them, [pointing at juror 5] you know that! [...] Well, nobody's blaming them for it. That's the way they are, by nature. You know what I mean? Violent! [...] They're no good! There's not a one of them who's any good!

The monologue is so disrespectful that, for the first time, the jurors leave the table one by one as a protest, and they turn their back to juror 10 because they refuse to listen to his unfair and mean insults. He keeps begging «Listen to me, listen to me!» but, left alone at the table with an annoyed juror 4, he can only sit down at another isolated desk and (without resistance) shut his mouth just as juror 4 asks him to do.

Juror 8 breaks the ice after these very tense moments and, as the rain gets louder, he says:

It's always difficult to keep personal prejudice out of a thing like this. And wherever you run into it, prejudice always obscures the truth. I don't really know what the truth is. I don't suppose anybody will ever really know. Nine of us now seem to feel that the defendant is innocent. But we're just gambling on probabilities. We may be wrong. We may be trying to let a guilty man go free. I don't know. Nobody really can. But we have a reasonable doubt and that's something that's very valuable in our system. No jury can declare a man guilty unless it's sure. We nine can't understand how you three are still so sure. Maybe you can tell us.

In this second monologue there are a lot of aspects that deserve great attention.

The first relevant detail to highlight is that juror 5, who is the first juror that leaves the table in protest, is also the first juror who comes back and everyone else follows his lead. Once again, juror 8 takes control of the situation and performs a beautiful, spontaneous speech to draw some conclusions. He does it with his usual peaceful and comforting tone of voice, which is the opposite of juror 10's paraverbal style in the first monologue.

One thing that immediately stands out is the high number of expressions that add doubt to his speech. Now more than ever he must remind everyone else that there are no certainties at all in this case and that the truth will probably always remain a mystery.

Another important thing to highlight is the use of the conjunctions *but/and*:

- Nine of us now seem to feel that the defendant is innocent. *But* we're just gambling on probabilities.
- I don't know. Nobody really can. *But* we have a reasonable doubt *and* that's something that's very valuable in our system.

Juror 8 correctly implements the *but* to make two meaningful sentences stand out and «look bigger» than the previous propositions. Indeed, both sentences would have sounded very different with a copulative conjunction instead of the adversative one.

Moreover, we notice how the word innocent (which is pretty unusual in the whole movie) is chosen over the expression not guilty and it is paired with a very kinaesthetic verb strengthened by the umpteenth verb related to the reasonable doubt sphere.

Finally, it is remarkable how he manages to differentiate between *we* (the nine in favor of not guilty) and *you* (the remaining three) while also trying to keep the whole group united (before addressing to the three who disagree, he adopts the collective noun «jury»). Speaking of a split between the jury, it is important to point out how this monologue also represents a polite invitation, addressed to the three jurors, to explain what holds them back from changing their vote. Note how juror 8 finds another, less invasive alternative to the potentially dangerous question «Why are you so sure?».

«Maybe you can tell us» definitely sounds like a safer and more welcoming sentence which also keeps the discussion away from the (at this stage dangerous) world of being. Indeed, without thinking twice, juror 4 accepts his colleague's invitation to speak:

«You've made some excellent points, but I still believe the boy is guilty of murder. And I have two reasons». Once again, the *but* is implemented to make the second part of the sentence dominate over the first one: he does not really care about the clever observations and reflections that have been discussed so far because he stays firm on his beliefs and, using a copulative conjunction, he explains the reasons why he will not change his mind. Moreover, he uses a lot the visual representational system to make his colleagues visualize the seemingly unquestionable testimony of the woman who saw the murder from her bedroom window, specifically through the last two cars of an elevated train:

- As far as I can *see* it, this is unshakable testimony.
- Frankly, I don't *see* how you can vote for acquittal.
- The woman *saw* him do it (juror 3).

While juror 4 backed up by juror 3 illustrates his point of view, we notice how juror 10 is still sitting alone at the small desk, turning his back to the jury around the table and heavily lost in his thoughts. This is the setting of the final, decisive and unexpected plot twist.

3.4 Eleven Vs. One

3.4.1 The Final Rush to the Unanimous Agreement

It is one particular gesture, performed by juror 4, that triggers the final turn of events which has jurors 4 and 9 as protagonists. Indeed, when juror 4 takes off his glasses to rub his nose, the oldest and wisest juror at the table has a brilliant, smart intuition:

«Oh, I'm sorry for interrupting, but you made a gesture that reminded me of something».

In this last part of the movie, we will encounter many adversative conjunctions that highlight the most crucial aspects and key features of the final discussion.

Here is another example from juror 9 who matches the sensitive tool in question with an advanced one: «I'm sure you'll pardon me for this, but I was wondering why you rub your nose like that». He has a plan in mind and, since he chooses to take the long way, he opts for «*why* you rub your nose» instead of «*what* makes you rub your nose».

Indeed, juror 4 replies with a straight, obvious answer and explains that he rubs his nose because it bothers him a little. That is exactly the answer juror 9 was expecting, therefore

he immediately seizes the opportunity to ask the first question of which he already knows the answer: «Is it because of your eyeglasses?».

His interlocutor replies with a mirroring followed by an unsuccessful attempt of leading: «It is. Now, could we get on to something else?». He still does not understand the point that his colleague wants to make. In reply, juror 9 limits himself to a simple and obvious observation: juror 4's glasses made two deep impressions on the sides of his nose.

Juror 9 points out «how that must be annoying» and his counterpart replies with the second mirroring of the dialogue: «It is very annoying». The fact that he keeps mirroring his interlocutor's sentences instead of answering yes or no gives us the impression that he is annoyed by his colleague's seemingly pointless and out-of-context observations.

Anyway, he stays speechless when the old man drops the ace up his sleeve: the woman who testified that she saw the killing had juror 4's same marks on the sides of her nose.

There is a moment of general astonishment as everyone in the room realizes that the old man noticed something extremely significant that no one else had considered before.

Juror 9 confidently goes on with his reasoning, highlighting how that detail hit him:

«I didn't think of it then, but I've been going over her face in my mind. She had those same marks. She kept rubbing them in court». Moreover, since he is a careful observer, the effort that the woman did to look ten years younger did not slip through his eyes:

«Heavy make-up, dyed hair, brand new clothes that should have been worn by a younger woman. No glasses. But women do that. See if you can get a mental picture of it».

Two things to highlight here are the fourth *but* of the dialogue (which makes what for juror 4 is an inconvenient truth stand out) and the implementation of the visual representational system calibrated from his interlocutor's previous observation («As far as I can see it, this is unshakable testimony»). Another certainty that starts to crumble.

Juror 9's invitation to draw a mental picture of the witness is welcomed by some other members of the jury who, set on the visual representational system, confirm that the woman had deep marks on the sides of her nose and that she kept rubbing them in court.

To reply to juror 3's complaints and comments and to make him understand the relevance of this far from insignificant detail, the old man asks to juror 4 the second question with an obvious answer: «Could those marks be made by anything other than eyeglasses?».

We already know the answer and so does juror 4: the marks on the woman's nose have been caused by a pair of glasses, precisely the pair of glasses that she was (probably) not wearing when, unable to fall asleep, she saw the murder from her bedroom window; the same pair of glasses that she was definitely not wearing in court in a desperate attempt to

look younger and improve her look. This is the real unshakable evidence. Juror 4 surrenders to the obvious, and sighs: «Strange, but I didn't think about it before...». Indeed, the following is one of the few absolute certainties of the entire case: nobody wears eyeglasses to bed. Therefore, as juror 8 points out, it is logical to assume that she was not wearing them when she was in bed, tossing and turning, trying to fall asleep. Consequently, it is also very likely that she was not wearing them when she casually looked outside of the window and saw the murder. She probably saw only a blur. Anyway, the woman's eyesight is in question and her testimony loses credibility. Once again, juror 3 refuses to embrace the umpteenth reasonable doubt.

Juror 8: Don't you think the woman might have made a mistake?

Juror 3: No.

Juror 8: It's not possible?

Juror 3: No, it's not possible.

However, he is meant to be the only one who thinks that way. Juror 8 approaches an exhausted juror 10 who is still sitting alone at his desk with a devastated look on his face. He answers no with his head when juror 8 asks him if he thinks the boy is guilty. Then, it is juror 4's turn to change his mind when he finally admits that he has a reasonable doubt. Therefore, juror 3 is the only one who believes in the boy's guiltiness and, alone in his belief, he is about to give the audience a very significant and emotional grand finale. At this stage, juror 8 stands up to reinforce the meaning of his following words.

Juror 8: You're alone.

Juror 3: I don't care whether I'm alone or not. It's my right.

Juror 8: It's your right.

Juror 3: What do you want? I say he's guilty.

Juror 8: I want to hear your arguments.

Juror 3: I gave you my arguments.

Juror 8: We're not convinced. We want to hear them again. [Sitting down] We have as much time as it takes.

There is a lot of CML method in this dialogue. Indeed, both sides calibrate and mirror each other because the situation is so delicate that saying too much and go outside the outlined pattern of the conversation may be dangerous. Eventually, it is juror 8 who takes the lead as he sits down to get back to his interlocutor's level and invites him to illustrate his arguments one more time. However, it is clear from his facial expression that juror 3 lost that excessive confidence and determination that drove his short-tempered attitude.

He stands up and starts screaming and claiming that all the facts have been «twisted and turned» during the whole session. He is still convinced about the absolute accuracy of the various pieces of testimony and refuses to let any reasonable doubts into his closed mind. As he throws his trial notes on the table in anger, something else gets out of his pocket: a picture of his 22-year-old son who has not been seen for two years since he left home after a bad fight. As soon as he notices it, he tears it into pieces and says: «Rotten kids! You work your life out!». At this stage something unexpected happens: juror 3 breaks down in tears and, overwhelmed by a whirlwind of emotions and memories, he sobs and whispers: «Not guilty... not guilty... ». The twelve men all agree for the first time. They all look exhausted when they finally leave the room to hand in the hard-earned unanimous verdict to the judge. The only ones left behind are jurors 3 and 8. In the end, without a word juror 8 helps his colleague to put his jacket on; as he places the jacket on juror 3's shoulders he makes sure that their eyes do not meet, to unsaddle him of the burden of the winner's look upon the distraught loser. This is a friendly and comforting gesture that, after all the tears shed, matters more than any words, and they leave. The movie ends outside the court with one last significant scene: with a hint of admiration and respect, juror 9 stops juror 8 to ask for his name, curious to know more about the person behind the number. With a smile, the old man introduces himself as well and the two shake hands before going satisfied their separate ways.

3.4.2 Learning from Critical Situations

There are many lessons that we can learn from this group of twelve angry men who, as the main poster of the movie says, find themselves with (a young boy's) life in their hands and (the prejudice of) death on their minds. The whole movie is a big critical situation that can be solved only by means of powerful and effective communication.

Listening is obviously the cornerstone of the whole movie, the key that opens minds and hearts to the valuable reasonable doubts that eventually save the boy's life.

These reasonable doubts are nothing more than mental representations of reality that jurors build and then discuss (with the support of the three expressive channels) on the basis of evidence and testimonies collected during the long trial. Of course, when the going gets tough, the advanced tools come into play to establish or strengthen rapport, to prevent or favor an escalation or de-escalation, to launch a well-calibrated attack...

The sensitive tools (especially *but-and*) have been well or badly implemented in several delicate and tense moments to highlight relevant sentences or to mark a turn of events. In this particularly critical scenario (in which twelve people with very different personalities and attitudes must necessarily agree) handling the toolbox properly gives an extra gear to simplify and deal with complex and seemingly unsolvable situations. Indeed, juror 8 is the effective communicator par excellence since he turns things around using only the power of his words. Sentence after sentence he successfully leads his colleagues through a journey made up of doubts, questions, hypothesis and assumptions, an emotional and enriching journey that teaches more than precious lessons and tips about effective communication and its tools. Indeed, it also conveys significant life lessons, such as the importance of going beyond prejudice and keeping in mind that reality hides so much more than what we can perceive at a first, superficial look.



Figure 5 12 Angry Men Movie Poster

Source: europosters.it

CONCLUSION

Stumbling across critical situations is unfortunately inevitable and, most of the time, stepping back is not an option. Therefore, we must get ready to negotiate our way to the final (possibly win-win) agreement and sometimes this is anything but easy.

As we learnt throughout these three chapters there are nine strategic tools that, if used correctly, facilitate the achievement of a satisfactory solution and preserve the relationship between the two fighters. Within the first chapter we became familiar with the effective communicator's toolbox (made up of basic, advanced and sensitive tools) and the second chapter was nothing more than a practical demonstration of its implementation. These examples, nine clips drawn from well-known movies, highlighted how even the most complex critical situations can be overcome with good and effective communication and emphasized how the power of words should never be underestimated. The third chapter, dedicated to a masterpiece of the movie industry, confirms the endless power of effective communication and reaffirms the importance of handling the nine strategic tools properly to get out successfully of an extremely critical situation.

Therefore, there are many valuable lessons that we learnt throughout a deep and comprehensive analysis of nine clips and one entire movie that represented realistic scenarios and situations not so far from the problems that we face every single day.

Indeed, someday many communication practitioners will inevitably find themselves in the exact same scenario that some movie characters had to face: selling something special (*Chocolat*), delivering bad news (*Margin Call*), fighting our own boss (*Hidden Figures*) or even colleagues (*The Big Kahuna*), persuading audiences (*Thank you for Smoking*), interviewing someone more powerful than us (*Frost/Nixon*)...

Not to mention the possibility to find ourselves in Juror 8's shoes, trying to bring forward our ideas or opinions despite everyone else thinking differently.

These are all difficult challenges that we will be called to overcome and most of the time effective communication will be the only winning weapon available to succeed.

Therefore, it is important to remember that even if at the beginning critical situations may seem unsolvable, there is always a solution that waits to be found or an agreement that waits to be reached. The effective communicator should never surrender to anger, nervousness or frustration, but he/she must get ready to listen to the counterpart and be willing to negotiate until both parties are happy or at least satisfied.

In conclusion, there will always be critical situations to face, but now that we became familiar with the nine strategic tools, managing them successfully will be surely easier.

BIBLIOGRAPHY

BIBLIOGRAPHY

Carmassi, P., & Lucchini, A. (2016). *Il linguaggio dell'accordo* (4th ed.). Palestra della scrittura S.r.l. - Milano.

Lucchini, A., & Mascherpa, E. (2023). *Communicating in critical situations*.

Mehrabian, A. (1971). *Silent Messages*. Wadsworth Publishing Company, Inc.

FILMOGRAPHY

ABC. (2020, May 15). *Annalise's Powerful Closing Argument - How to Get Away with Murder* [Video]. YouTube. <https://www.youtube.com/watch?v=oYEAHjNId5Y>

Binge Society. (2022, March 8). *The Negotiator: "Never say no to a hostage taker"* [Video]. YouTube. <https://www.youtube.com/watch?v=aZyK0qaUBFw>

Clip Society. (2022, June 28). *Hidden Figures (2016) | No More Colored Restrooms* [Video]. YouTube. <https://www.youtube.com/watch?v=aypIHx2iGQs>

Gray, F. G. (Director). (1998). *The Negotiator*. Regency Enterprises, Mandeville Films, New Regency, Taurus Films.

Lumet, S. (Director). (1957). *12 Angry Men*. Orion-Nova Productions.

Miramax. (2015, December 1). *Chocolat | 'What Do You See?' (HD) - Juliette Binoche, Carrie-Anne Moss | MIRAMAX* [Video]. YouTube. <https://www.youtube.com/watch?v=hyI92y6-bK8>

Movieclips. (2011, June 16). *Frost/Nixon (7/9) Movie CLIP - When the President Does It, It's Not Illegal (2008) HD* [Video]. YouTube. <https://www.youtube.com/watch?v=vFHYiOfBRng>

Reitman, J. (Director). (2005). *Thank You for Smoking*. Room 9 Entertainment ContentFilm.

Swanbeck, J. (Director). (2000). *The Big Kahuna*. Trigger Street Productions, Franchise Pictures.

Weyland. (2019, December 19). *Fire sale – Margin Call (2011)*. YouTube. <https://www.youtube.com/watch?v=6D7KVozqRvk>

WEBOGRAPHY

Business Change and Communication: Do words matter when building trust? - RedWizard. <https://redwizard.consulting/business-change-and-communication-do-words-matter-when-building-trust/>

Cart, D. (2020, August 29). *NLP Representational Systems! Are you Visual, Auditory or Kinesthetic?* www.youtube.com/@DamonCart. <https://www.youtube.com/watch?v=304lCwzSOp0>

Montes, D. (2021, 17 marzo). *The 5 Axioms of Communication by Paul Watzlawick*. Encora. <https://www.encora.com/insights/5-axioms-to-improve-your-team-communication-and-collaboration>

Oakwater, H. (2018, May 29). *Robert Dilts explains NLP Logical Levels of learning & change + impact of trauma (Part 1)*. <https://www.fabparents.co.uk/>. https://www.youtube.com/watch?v=hrK9_ZPo790

Ramanathan, R. *Executive Coaching: Maslow & NLP - Coacharya*. Coacharya. <https://coacharya.com/blog/executive-coaching-maslow-nlp/>

Speakeasy Inc. *Difference Between Hearing vs Listening in Effective Communication*. <https://www.speakeasyinc.com/hearing-vs-listening/>

Subramanian, G. (2024, May 2). *What is BATNA? How to Find Your Best Alternative to a Negotiated Agreement*. PON - Program on Negotiation at Harvard Law School. <https://www.pon.harvard.edu/daily/batna/translate-your-batna-to-the-current-deal/>

Sweet, M. (2017, October 11). *Representational Systems - VAKOG - NLP*. mikesweet.co.uk. <https://www.youtube.com/watch?v=O79u1Hl2EGU>

Treasure, J. (2019, March 7). *Video 4 - Listening Positions*. Julian Treasure. <https://www.juliantreasure.com/5-part-video-series/listening-positions>

Treasure, J. (2011, July 29). *5 ways to listen better*. TED. <https://www.youtube.com/watch?v=cSohjLYQI2A>

Ury, W. (2016, March 4). *Power of a Positive No*. www.youtube.com/@UryGTy. <https://www.youtube.com/watch?v=OvrW-jTVCvE>

Ury, W. (2015, January 7). *The power of listening*. TEDx Talks. <https://www.youtube.com/watch?v=saXfavo1OQo>